

Transit Planning & Operations Committee

Thursday, January 15, 2009
4:30 PM

VTA Conference Room B-104
3331 North First Street
San Jose, CA

AGENDA

CALL TO ORDER

1. ROLL CALL

2. PUBLIC PRESENTATIONS:

This portion of the agenda is reserved for persons desiring to address the Committee on any matter not on the agenda. Speakers are **limited to 2 minutes**. The law does not permit Committee action or extended discussion on any item not on the agenda except under special circumstances. If Committee action is requested, the matter can be placed on a subsequent agenda. All statements that require a response will be referred to staff for reply in writing.

3. ORDERS OF THE DAY

CONSENT AGENDA

- 4. Approve the Minutes of December 18, 2008.**

REGULAR AGENDA

- 5. ACTION ITEM - Conduct voting to determine the Committee's vice chairperson for calendar year 2009.**
- 6. Receive a report regarding the Committee for Transit Accessibility Meeting. (Verbal Report) (Morrow)**
- 7. ACTION ITEM - Authorize the General Manager to execute a contract with Allied Barton Security Services to provide armed and unarmed security and protective services for all VTA facilities, selected transit centers, light rail station platforms, and bus and light rail vehicles. The term of the contract is three years with two one-year options in the amount of \$11,065,000 for the first three years of the contract, which includes a one-**

time cost of \$85,000 for orientation and transitional expenses, 3% of direct labor cost for overtime and holidays per year, and \$30,000 per year for expenses due to unanticipated events requiring additional security services. Further, authorize the General Manager, at his discretion, to exercise the two one-year options for an amount of \$7,876,000 for the optional fourth and fifth years of the contract, which also includes 3% of direct labor for overtime and holidays per year, and \$30,000 per year for unanticipated events. If the option years are executed, the total amount of this contract is \$18,941,000.

8. ACTION ITEM - Authorize the General Manager to execute a contract with Jacobs Engineering Group, Inc., for consulting services to complete an Express Bus Study (Highway-Based Bus Rapid Transit Alternatives Analysis). The contract shall be for a two-year period for a total contract value not to exceed \$750,000.
9. ACTION ITEM - Authorize the General Manager to execute Joint Use and Maintenance Agreements with the California Department of Transportation establishing maintenance responsibilities and use of properties and facilities related to the 1996 Measure B Rail Projects.
10. ACTION ITEM - Authorize the General Manager to execute a contract with Pavex Construction, the lowest responsible bidder, in the amount of \$13,167,925 for the construction of grading and track crossing improvements along the Union Pacific Railroad corridor between San Jose and Gilroy.

OTHER ITEMS

11. INFORMATION ITEM - Receive the 1996 Measure B Transportation Improvement Program Progress Report for December 2008.
12. Receive a report on the December 2008 Monthly Ridership and Fare Revenue Performance. (Verbal Report)
13. Items of Concern and Referral to Administration.
14. Review Committee Work Plan.
15. Committee Staff Report. (D. Smith)
16. Chairperson's Report.
17. Determine Consent Agenda for the February 5, 2009 Board of Directors Meeting.
18. ANNOUNCEMENTS
19. **ADJOURN**

NOTE COMMITTEE MEMBERS: In order to establish a quorum for this meeting, members are asked to call the Board Secretary's Office at (408) 321-5680 or E-mail: board.secretary@vta.org before 5:00 p.m. on the day prior to the meeting. Thank you for your cooperation.

In compliance with the Americans with Disabilities Act (ADA), those requiring accommodations or accessible media for this meeting should notify the Board Secretary's Office 48 hours prior to the meeting at (408) 321-5680 or e-mail: board.secretary@vta.org, TDD (408) 321-2330. VTA's Homepage is located on the Web at: <http://www.vta.org/>.

All reports for items on the open meeting agenda are available for review in the Board Secretary's Office, 3331 North First Street, San Jose, California, (408) 321-5680, the Monday, Tuesday, and Wednesday prior to the meeting. This information is available on VTA's website at <http://www.vta.org/> and also at the meeting.

**NOTE: THE BOARD OF DIRECTORS MAY ACCEPT, REJECT OR MODIFY
ANY ACTION RECOMMENDED ON THIS AGENDA.**



Transit Planning & Operations Committee

Thursday, December 18, 2008

MINUTES

CALL TO ORDER

1. ROLL CALL

Attendee Name	Title	Status	Arrived
Dolly Sandoval	Board Member	Present	
Nancy Pyle	Board Member	Present	
Greg Sellers	Board Member	Present	
Dominic Caserta	Board Member	Absent	
Chris Moylan	Alternate Board Member	Present	

A quorum was present.

2. PUBLIC PRESENTATIONS:

There were no Public Presentations.

3. ORDERS OF THE DAY

There were no Orders of the Day.

CONSENT AGENDA

4. Minutes of October 16, 2008

M/S/C (Pyle/Sellers) on a vote of 3 Ayes, 0 Noes and 1 Abstention to approve the Minutes of October 16, 2008. Alternate Member Moylan abstained.

5. Minutes of November 20, 2008

M/S/C (Pyle/Sellers) on a vote of 3 Ayes, 0 Noes and 1 Abstention to approve the Minutes of November 20, 2008. Alternate Member Moylan abstained.

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

REGULAR AGENDA

6. **2009 Transit Planning and Operations (TPO) Committee Meeting Schedule**

M/S/C (Pyle/Sellers) to approve the 2009 Transit Planning and Operations (TPO) Committee Meeting Schedule.

7. **Freight Railroad Relocation – Utility Relocation Agreement with Alameda County Transportation Authority and City of Fremont**

Mark Robinson, Acting Chief Engineering & Construction Officer, reported the Utility Relocation Agreement between VTA, Alameda County Transportation Authority (ACTA), and the City of Fremont outlines the roles and responsibilities of each agency and the overall funding plan for the utility cost allocation with regard to the Mission Warren Truck Rail Program.

Mr. Robinson reported the utility effort will begin in the Spring of 2009. He noted the next step will be for the City of Fremont and ACTA to allocate the funds and execute the agreement.

Chairperson Sandoval questioned whether ACTA and the City of Fremont are expected to approve their portions of the agreement. Mr. Robinson stated staff from both agencies has agreed with the cost distribution and responsibilities.

Chairperson Sandoval questioned the ability of the two agencies to secure the necessary funds given the difficult economic climate. Mr. Robinson stated the funds are reliable funds they can secure. He indicated the timing of allocating the funds, to allow for utility work to take place this Spring, was the challenge.

M/S/C (Sellers/ Pyle) to authorize the General Manager to execute a Utility Relocation Agreement with Alameda County Transportation Authority and the City of Fremont for the purpose of relocating conflicting utilities for the Mission Warren Truck Rail Program. The utility relocation agreement will be for \$24.3M, of which VTA's share is not to exceed \$7.8M.

8. **Freight Railroad Relocation - Contract Award for Construction of Berrvessa Creek Crossing, Abel Street Seismic Retrofit, and UPRR Railroad Relocation**

Mark Robinson, Acting Chief Engineering & Construction Officer, reported Contract C210 was originally issued for bid on July 10, 2008, with bids received on September 12, 2008. Mr. Robinson noted following a thorough review of the bid documentation submitted, and in consideration of the questions raised post-bid, VTA elected to reject all bids and re-advertise the contract.

Mr. Robinson stated Contract C210 was reissued for bid on November 13, 2008, with bids scheduled for submittal on December 10, 2008. Mr. Robinson reported, as a result of the bids submitted, VTA will issue Gordon Ball a notice of Intent to Award. He noted VTA will continue with the process leading up to a Recommendation to Award.

Mr. Robinson emphasized the critical importance in awarding the contract and remaining on schedule due to the amount of work requiring completion during the dry season.

M/S/C (Sellers/ Pyle) to authorize the General Manager to execute a contract with RGW Construction, the lowest responsible bidder, in the amount of \$15,337,909 for the construction of the Berryessa Creek Crossing, Abel Street Seismic Retrofit, and UPRR Railroad Relocation.

9. FY 2007 Transit Security Grant Program - Base

Jim Unites, Deputy Director Operations, reported this item was approved by the Board of Directors in June. He stated the Department of Homeland Security requested the Transit Security Grant Program's base and supplemental funds be divided into two separate resolutions.

M/S/C (Sellers/ Pyle) to adopt a resolution authorizing the General Manager to submit and execute grant applications and agreements, certifications, assurances, and other documents as necessary to receive \$1,517,185 from the U. S. Department of Homeland Security's FY2007 Transit Security Program (Base).

10. FY2007 Transit Security Grant Program-Supplemental

Jim Unites, Deputy Director Operations, reported this item was approved by the Board of Directors in June. He stated the Department of Homeland Security requested the Transit Security Grant Program's base and supplemental funds be divided into two separate resolutions.

M/S/C (Sellers/ Pyle) to adopt a resolution authorizing the General Manager to submit and execute grant applications and agreements, certifications, assurances, and other documents as necessary to receive \$949,079 from the U. S. Department of Homeland Security's FY2007 Transit Security Program (Supplemental).

11. Program Augmentation for Transportation Planning and Mass Transit Studies

Carolyn Gonot, Chief Silicon Valley Rapid Transit (SVRT) Program Officer, reported in September 2005 the Board of Directors approved an on-call list of consultants to support the Transportation and Mass Transit planning activities of the 2000 Measure A projects and VTA's Joint Development Program. She stated continued and additional support of the 2000 Measure A Program projects, including Bus Rapid Transit (BRT), Caltrain, Light Rail and the BART Extension, will be required.

Ms. Gonot reported staff recommends the amount be increased by \$1,000,000 for anticipated BART work and East San Jose transportation planning needs.

M/S/C (Pyle/Sellers) to augment the total value of contracts permitted under the previously approved Transportation Planning and Mass Transit Studies on-call list from \$6,000,000 to \$7,000,000.

12. Facilities Program - Inaugural Semi-Annual Progress Report - September 2008

Mark Robinson, Acting Chief Engineering & Construction Officer, reported the goal of this report is to communicate overall progress for the Facilities Program.

On Order of Chairperson Sandoval and there being no objection, the Committee received information on the Facilities Program - Inaugural Semi-Annual Progress Report.

13. RIDE Task Force Annual Update

Sandra Weymouth, Operations Manager, reported on the Ridership Initiative to Develop Energy-efficiency (RIDE) Task Force established by the Board in 2005, initiated by a coalition of labor, environmental and community-based groups concerned about the decline in ridership on VTA bus and light rail transit services.

Ms. Weymouth stated the Task Force met nine times between October 2005 and August 2006 and produced a Final Report documenting its work and presenting recommendations in four broad goal areas aimed at improving VTA ridership: 1) Fare Affordability and Convenience; 2) Better Information for Riders; 3) Better Access to System; and 4) Service Improvements. Ms. Weymouth reported VTA has met or exceeded the recommendations in all four areas.

Ms. Weymouth indicated as a result of the Board's action to approve revisions to the fare tariff in June 2007, all of the Fare Affordability and Convenience recommendations have been implemented. She noted, from September 2007 to August 2008, the Eco Pass participation has increased by 15 percent, with the addition of 16 corporate members and 1 residential client. Ms. Weymouth reported VTA launched a new website in October 2007 and initiated the use of new marketing tools in January 2008.

Ms. Weymouth stated the FY08 and FY09 Budget more than doubled the resources made available each year to upgrade and improve access to bus stops. She noted completion of the light rail station platform retrofit program in November 2008 provides better access to system. The TP&O reviews all service changes on a quarterly and annual basis, receives monthly ridership and system performance reports, as well as quarterly and annual performance reports.

Michael Burns, General Manager, stated a summary of the final report will be provided to the RIDE Task Force members.

On Order of Chairperson Sandoval and there being no objection, the Committee reviewed the annual RIDE Task Force Update.

14. January 2009 Service Changes

Jim Unites, Deputy Director Operations, reported on minor service changes that will go into effect on Monday, January 12, 2009.

On Order of Chairperson Sandoval and there being no objection, the Committee received information on January 2009 Transit Service Changes.

15. Annual Transit Service Plan - Information

Jim Unites, Deputy Director Operations, provided a handout entitled 2009 Annual Transit Service Plan detailing: 1) Annual review of route ridership; 2) Compare performance to standards; 3) Proposals to reallocate resources; 4) Public meetings and outreach; 5) Develop final plan; and 6) Adopt major changes.

Mr. Unites reported as a result of the Transit Sustainability Policy (TSP) and the Comprehensive Operations Analysis (COA), VTA strengthened its annual service review process.

Mr. Unites reported the TSP provides a policy framework for the efficient and effective expenditure of funds to achieve the highest return on transit investment.

Mr. Unites stated staff will be taking the Plan to the public in January, via community meetings and community outreach, for input and potential changes. He noted the item will come back through the committees in March.

Mr. Unites discussed performance standards with regard to the bus service, noting a core 19 routes carry the bulk of passengers with 15-minute service provided throughout the core all day. Any major changes to the service must be approved by the Board.

Michael Burns, General Manager, requested Mr. Unites discuss the headway reductions on lines 45, 63, 64 and 88. Mr. Unites reported services on these lines will be changed from the current 30-minute headway to a 60-minute headway. The ridership patterns cannot support the current level of service.

Mr. Unites noted activities planned for Community Outreach, beginning in early January, are being implemented as part of the COA process.

Member Pyle requested a definition for "limited routes." Mr. Unites stated limited routes are typically run on the expressway systems, do not stop as frequently as a local route, but are not considered an express route. He noted limited routes run during peak periods along a commute corridor.

Member Sellers acknowledged the loss of Line 15 in Morgan Hill, noting evidence supported that decision. Member Sellers then praised the improved headways on Line 68, noting the community has expressed their support for these decisions.

Mr. Unites stated these changes are a cost-neutral exercise, service is not being decreased or increased but rather is being reallocated.

On Order of Chairperson Sandoval and there being no objection, the Committee received information on 2009 Annual Transit Service Plan.

OTHER ITEMS

16. Committee for Transit Accessibility Meeting Report

There was no Transit Accessibility Meeting Report.

17. November 2008 Monthly Ridership and Fare Revenue Performance

Joonie Tolosa, Operations Analysis, Reporting & Systems Manager, provided a handout on ridership performance for the month of November, noting November 2008 had two less weekdays than November 2007.

Mr. Tolosa reported: 1) System Average Ridership for November 2008 was 3.7 million, 6.6 percent higher than November 2007; 2) Bus Ridership for November 2008 was 5.3% higher than that of November 2007; 3) Average Weekday Ridership was 166 thousand, the highest Average Weekday Bus Ridership for November since 2002; and 4) Light Rail Average Weekday Ridership was 35 thousand, the highest Average Weekday Light Rail Ridership for November in VTA history.

Mr. Tolosa noted the Bus Average Weekday Ridership number for fiscal year-to-date increased 10 percent. He stated for every month of the 2008/2009 fiscal year, excluding September, the fiscal year-to-date Average Weekday Ridership number has been a double-digit number. He noted December 2000 was the last time Bus saw a double-digit increase. Mr. Tolosa stated this was despite a reduction in gas prices from \$3.41 in July to \$2.58 in November.

Mr. Tolosa provided the following report on Revenue Performance: 1) Fare Revenues were up 0.7 percent from November 2007; 2) Fiscal Year to Date was up 3.9 percent; 3) Average Fare per Boarding and the Fiscal Year to Date were both down.

On Order of Chairperson Sandoval and there being no objection, the Committee received the November 2008 Monthly Ridership and Fare Revenue Performance report.

18. Items of Concern and Referral to Administration

There were no Items of Concern and Referral to Administration.

19. Committee Work Plan

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

20. Committee Staff Report

Michael Burns, General Manager, announced cards will be provided to the Advisory Committee Members thanking them for service.

Mr. Burns noted within the past 24-hours there were significant developments on the State Budget. He requested Kurt Evans, State and Federal Government Affairs Manager, provide an overview of the proposed transportation restructuring.

21. Chairperson's Report

Chairperson Sandoval praised staff on their excellent work.

22. Consent Agenda for the January 8, 2009, Board Meeting

Agenda Item #7, Authorize the General Manager to execute a Utility Relocation Agreement with Alameda County Transportation Authority and the City of Fremont for the purpose of relocating conflicting utilities for the Mission Warren Truck Rail Program. The utility relocation agreement will be for \$24.3M, of which VTA's share is not to exceed \$7.8M.

Agenda Item #8, 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.

Note: Due to the timing of the bid opening on December 10, 2008, the bid results will be provided in a revised memorandum at the December 18, 2008 TP&O Committee meeting.

Agenda Item #9, Adopt a resolution authorizing the General Manager to submit and execute grant applications and agreements, certifications, assurances, and other documents as necessary to receive \$1,517,185 from the U. S. Department of Homeland Security's FY2007 Transit Security Program (Base).

Agenda Item #10, Adopt a resolution authorizing the General Manager to submit and execute grant applications and agreements, certifications, assurances, and other documents as necessary to receive \$949,079 from the U. S. Department of Homeland Security's FY2007 Transit Security Program (Supplemental).

Agenda Item #11, Augment the total value of contracts permitted under the previously approved Transportation Planning and Mass Transit Studies on-call list from \$6,000,000 to \$7,000,000.

Agenda Item #12, Receive information on the Facilities Program - Inaugural Semi-Annual Progress Report.

Agenda Item #13, Review the annual RIDE Task Force Update.

Agenda Item #14, Receive information on January 2009 Transit Service Changes.

Agenda Item #15, Receive information on 2009 Annual Transit Service Plan.

REGULAR: None

23. Announcements

There were no Announcements.

24. ADJOURNMENT

On Order of Chairperson Sandoval, there being no objection, the meeting was adjourned at 5:42 p.m.

Respectfully submitted,

Susan E. Garcia
VTA Board of Directors



Date: December 30, 2008
 Current Meeting: January 15, 2009
 Board Meeting: N/A

BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
 Transit Planning & Operations Committee

THROUGH: General Manager, Michael T. Burns

FROM: Chief External Affairs Officer, Greta Helm

SUBJECT: Elect Standing Committee Vice Chairperson

Policy-Related Action: No

Government Code Section 84308 Applies: No

ACTION ITEM

RECOMMENDATION:

Conduct voting to determine the Committee's vice chairperson for calendar year 2009.

BACKGROUND:

The VTA Administrative Code has established four board standing committees that review items and provide recommendations to the full board on matters within their respective assigned areas of responsibility. The four standing committees are: Administration and Finance (A&F); Transit Planning and Operations (TPO); Congestion Management Program and Planning (CMPP); and Audit, which was added in 2008. The chairperson and vice chairperson for each committee are determined annually, except for Audit Committee chairperson, which is determined every other year.

The VTA Board Chairperson nominates, for Board approval, committee members for each standing committee chairperson position. The Board approves the appointment of the standing committee chairpersons at its first meeting of the calendar year, which is normally January. Standing committee chairpersons serve a one-year term, except for the Audit Committee chairperson, which serves for two years

At the first meeting of the calendar year, each standing committee elects from its membership a vice chairperson. The vice chairperson performs the duties of the chairperson in the event of the chairperson's absence or inability to act, and while so acting, has all of the authority of the chairperson. The vice chairperson position serves a one-year term, which coincides with the calendar year and the Committee chairperson's term. The vice chairperson is eligible for election to successive terms and only members, not alternates, are eligible to serve. The affirmative vote of a majority of the total authorized committee membership, which is three

members, is required to elect the vice chairperson. The term of office for the newly elected vice chairperson commences immediately following completion of the voting.

FISCAL IMPACT:

There is no financial impact.

Prepared by: Stephen Flynn, Sr. Management Analyst



Date: January 6, 2009
 Current Meeting: January 15, 2009
 Board Meeting: February 5, 2009

BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
 Transit Planning & Operations Committee

THROUGH: General Manager, Michael T. Burns

FROM: Chief Operating Officer, Donald A. Smith Jr.

SUBJECT: Contract for Armed and Unarmed Security and Protective Services

Policy-Related Action: No

Government Code Section 84308 Applies: Yes

ACTION ITEM

RECOMMENDATION:

Authorize the General Manager to execute a contract with AlliedBarton Security Services to provide armed and unarmed security and protective services for all VTA facilities, selected transit centers, light rail station platforms, and bus and light rail vehicles. The term of the contract is three years with two one-year options in the amount of \$11,065,000 for the first three years of the contract, which includes a one-time cost of \$85,000 for orientation and transitional expenses, 3% of direct labor cost for overtime and holidays per year, and \$30,000 per year for expenses due to unanticipated events requiring additional security services. Further, authorize the General Manager, at his discretion, to exercise the two one-year options for an amount of \$7,876,000 for the optional fourth and fifth years of the contract, which also includes 3% of direct labor for overtime and holidays per year, and \$30,000 per year for unanticipated events. If the option years are executed, the total amount of this contract is \$18,941,000.

BACKGROUND:

Reasonable security on VTA's transit system is achieved by having a highly visible security presence to protect transit customers, employees, contractors and property. Currently, under direction of VTA's Chief Operating Officer, VTA's law enforcement and investigative services are provided under contract with the County of Santa Clara Office of the Sheriff Transit Patrol Division. Sheriff Transit Patrol deputies respond to calls for service from armed and unarmed private security officers, fare inspectors, bus and light rail operators and other VTA employees through VTA's Operations Control Center, as well as from passengers using the 911 system.

Securitas Security Services USA, Inc. is currently VTA's private security contractor, providing over 900 weekly hours of armed and over 1,900 weekly hours of unarmed security services.

Contract officers are assigned to posts or beats, based on ridership patterns, activities, and statistical data obtained from security incident and ridership reports.

Armed security officers patrol VTA facilities and light rail stations, ride on bus and light rail, and provide security at VTA events. They provide support to VTA's Lost and Found and Closed Circuit Television (CCTV) programs, provide revenue collection services at the bus divisions and for the ticket vending machines located on the light rail lines.

Unarmed security officers are assigned to all VTA work facilities and selected transit facilities. Each security officer carries a handheld radio and communicates directly with VTA's Operations Control Center (OCC). They observe and report activities occurring at their location, are a deterrent for inappropriate activities, and assist VTA passengers using the transit system by providing on-the-spot customer service.

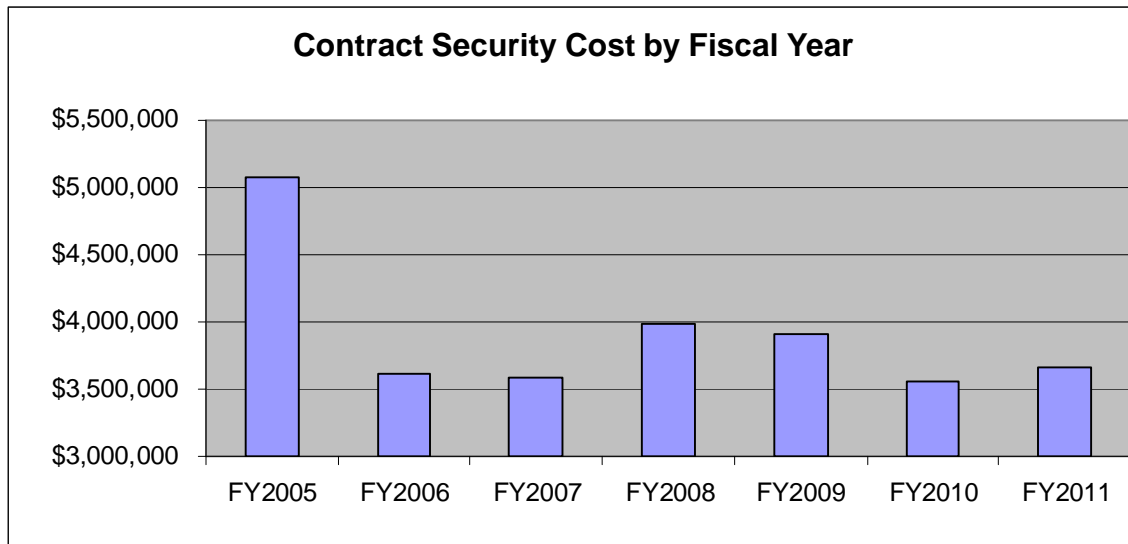
Summary of VTA's Contracted Security Services

The following is a summary of contract security services provided to VTA over the past six years:

- January 2002 - the Board of Directors authorized the General Manager to extend the contract with Pinkerton Security for two years in the amount of \$12.0 million for a total (five-year) contract amount of \$24.8 million.
- July 2003 - a contact amendment was issued changing the name of the contractor, formerly known as Pinkerton Security to Securitas Security Services USA, Inc.
- January 2004 - the Board of Directors authorized the General Manager to enter into a three-year contract with two one-year options with Securitas Security Services USA, Inc. for a total contract amount of \$28.4 million.
- February 2007 - a contract amendment was executed for the fourth year of the contract with Securitas Security Services USA, Inc. The total contact value was reduced to \$23.5 million.
- January 2008 - a second contract amendment was executed for the fifth year of the contact with Securitas Security Services USA, Inc.

The current contract with Securitas Security Services USA, Inc. ends on February 28, 2009, and will be extended month-to-month for up to four months to transition the contract over to AlliedBarton Security Services; \$85,000 has been allocated to cover orientation and transitional expenses.

The following table shows VTA's actual expenditures for armed and unarmed security services from FY2005 through FY2008 and planned costs for FY2009. FY2010 and FY2011 costs are estimated.



In FY2005, fiscal restraints prompted the reduction of hours for unarmed security, eliminating some stationary posts and implementing the unarmed rover program on light rail to offer an increased security presence on light rail vehicles and station platforms.

In FY2008, VTA's security costs increased compared to FY2007 due to a planned 2% bill rate increase and unplanned security needs: ambassador duties to assist VTA passengers during and after the introduction of the new bus service plan in January 2008, the addition of two rover posts, the Light Rail Station Platform Retrofit Program, and the Guadalupe Division sewer projects. Select security officers attended Rail Safety Training provided by VTA and received the appropriate credentials to safely be on VTA's right-of-way. They participated in the National Incident Management System (NIMS) training provided by Willdan Homeland Solutions. All security officers attended four hours of mandatory Security Awareness Training provided by the National Transit Institute (NTI).

Significant savings are anticipated in FY2010 and FY2011 due to the favorable bill rates charged by AlliedBarton Security Services for armed and unarmed security.

DISCUSSION:

VTA issued a Request for Proposals (RFP) for a time and materials type contract for security and protective services on September 12, 2008. The RFP was mailed to 15 security services firms and an advertisement referring to the solicitation was published in the *San Jose Mercury News* and *Passenger Transport*, an American Public Transportation Association (APTA) biweekly publication. The RFP was posted on VTA's website and all firms registered to perform this type of work were notified. Subsequently, ten security firms submitted formal written proposals, which were reviewed by a six-member Review Board. Members of the Review Board were the Deputy Director of Maintenance and Security, the Operations Manager for Facilities Maintenance and Security, Captain of the Transit Patrol Division, two Senior Management Analysts from Operations Administration and Protective Services (Project Manager), and a Contract Administrator. One of the written proposals was deemed non-responsive. Written

proposals were evaluated based on the following criteria:

- Qualification of the Firm
- Staffing and Project Organization
- Demonstrated Understanding of the Project
- Local Firm Preference
- Cost and Price

Based on evaluation of the written proposals, four top-rated security firms were invited for an oral interview where they could present their company experience, their project team, demonstrate an understanding of the contract requirements, and respond to questions from the Review Board. The written scores are provided below for all security firms who submitted proposals:

Firm Name	Written Proposal Score	Oral Interview
Securitas Security Services USA, Inc.	85.32	Yes
The Wackenhut Corporation	84.48	Yes
AlliedBarton Security Services	80.49	Yes
Cypress Private Security	77.82	Yes
National Security Industries	66.33	No
U.S. Security Associates	65.33	No
Creative Security Co.	64.82	No
First Alarm Security and Patrol	62.16	No
Andrews International	56.00	No
World Private Security	18.66	Non-Responsive

The four top security firms selected for oral interviews submitted the following contract price proposals for three years plus two one-year optional extensions. These amounts do not include the additional 3% direct labor costs for overtime and holidays per year and \$30,000 per year for expenses due to unanticipated events requiring additional security services.

- | | |
|---|--------------|
| • Securitas Security Services USA, Inc. | \$21,986,866 |
| • The Wackenhut Corporation | \$21,308,420 |
| • Cypress Private Security | \$20,269,153 |
| • AlliedBarton Security Services | \$18,321,432 |
| • VTA's Independent Cost Estimate | \$22,778,500 |

After concluding the oral interviews, the Review Board considered all information presented, including the oral presentation, the qualifications of the project manager and contractor support staff, the written proposal for project understanding, and price. The Review Board recommended the selection of AlliedBarton Security Services, with five members of the Review Board ranking AlliedBarton Security Services as the firm of choice and the sixth member of the Review Board ranking AlliedBarton Security Services as the second firm of choice. This contract will include an additional 80 weekly hours of armed security for revenue collection and

CCTV.

The significant considerations behind this recommendation include:

- Experience - AlliedBarton Security Services has considerable transit related experience providing security services to Metropolitan Transportation Authority, State of New York; Houston Metropolitan Transit Authority (METRO), Harris County, Texas; Charlotte Area Transit System (CATS) in North Carolina; Capital Metropolitan Transportation Authority in Austin, Texas; OmniTrans in San Bernardino, California; and VIA Metropolitan Transit located in San Antonio, Texas. In addition to these transit agencies, AlliedBarton also serves over 125 Fortune 500 companies.

Locally, AlliedBarton provides security services to Adobe Systems (San Jose, CA); Altera Corporation (San Jose, CA); Equity Office Properties (San Jose, CA); Google (Mountain View, CA); Hitachi Data Systems (Santa Clara, CA); Hitachi Global Storage Technologies (San Jose, CA); Intuit (Mountain View, CA); LifeScan, a Johnson & Johnson Company (Milpitas, CA); Legacy Partners Commercial, Inc. (San Jose, CA); NEC Electronics (Santa Clara, CA); Qualcomm (San Jose, CA); Sanmina-SCI (San Jose, CA); SVB Financial Group (formerly Silicon Valley Bank) (Santa Clara, CA); Sun Microsystems (Santa Clara, CA); Symantec Corporation (Cupertino, CA); VeriSign, Inc. (Mountain View, CA); Xilinx, Inc. (San Jose, CA).

AlliedBarton's government and education security services accounts in California include Stanford University (Stanford, CA), University of California-San Francisco (San Francisco, CA), and the County of San Diego Health & Human Services Agency (San Diego, CA).

- Corporate Office Support - AlliedBarton Security Services has a business office in San Jose with a 24-hours-per-day, 7-days-per-week dispatch operation and a 24-hour Customer Care Center that assists Account Managers in filling open shifts. AlliedBarton Security Services indicates it has the ability to reallocate, increase, or decrease security personnel immediately upon VTA's request, should the need arise.
- Project Staff - AlliedBarton Security Services has qualified key project staff it will dedicate to this contract. The Vice President and General Manager, the Senior District Manager, and the Operations Manager all have former managerial experience working with VTA as security professionals. In addition, the Project Manager for this account has an extensive law enforcement background as a sworn officer and was the Chief of Police for the City of Atherton, California for five years. He has extensive experience in emergency and disaster services planning; is trained in loss and crime prevention methods, security and patrol procedures; and can implement strategies and techniques for public, work-site, and asset protection.
- Project Requirements - AlliedBarton Security Services has a complete understanding of the project requirements (unarmed security, armed patrol, revenue collection, CCTV, Lost and Found, special event coverage, and undercover operations), offers a comprehensive training program, and has a demonstrated understanding of the

Department of Transportation Federal Transit Administration's drug and alcohol testing requirements (CFR 49 Part 40 and 655).

- Price - AlliedBarton Security Services submitted the lowest-price proposal.

ALTERNATIVES:

As an alternative to the recommended action, the Board can request that staff issue another RFP and solicit additional proposals. Since all of the proposals received were submitted by leading contractors in the industry who specialize in security and protective services, new proposals are not likely to result in securing a more qualified contractor or a more favorable price.

FISCAL IMPACT:

This action will authorize \$11,065,000 for armed and unarmed security services for the next three years, with two one-year optional extensions totaling \$7,876,000. A one-time cost of \$85,000 is included for orientation and transitional expenses, 3% of direct labor costs are anticipated for overtime and holidays and \$30,000 per year is included for unanticipated events requiring security services. Budget appropriation required for the work performed from the effective date of the contract through June 2009 is available in the FY09 Adopted VTA Transit Enterprise Fund Budget. Appropriation for the remainder of the contract period will be included in the Recommended FY 2010 and FY 2011 and subsequent Biennial Operating Budgets. Due to favorable hourly billing rates, this contract is expected to save approximately \$360,000 per year over the current contract.

SMALL BUSINESS ENTERPRISE (SBE) PARTICIPATION:

No specific goal has been established for this contract due to the lack of SBE firms available to perform the scope of work. The contractor is encouraged to make reasonable efforts to utilize SBEs in its procurement of ancillary services and products associated with the performance of this contract.

Prepared by: Cathy Hendrix



Date: January 6, 2009
 Current Meeting: January 15, 2009
 Board Meeting: February 5, 2009

BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
 Transit Planning & Operations Committee

THROUGH: General Manager, Michael T. Burns

FROM: Chief CMA Officer, John Ristow

SUBJECT: Highway-Based BRT Alternatives Analysis Contract Award

Policy-Related Action: No

Government Code Section 84308 Applies: Yes

ACTION ITEM

RECOMMENDATION:

Authorize the General Manager to execute a contract with Jacobs Engineering Group, Inc., for consulting services to complete an Express Bus Study (Highway-Based Bus Rapid Transit Alternatives Analysis). The contract shall be for a two-year period for a total contract value not to exceed \$750,000.

BACKGROUND:

Bus Rapid Transit (BRT) represents an improvement in infrastructure, equipment, operations, technology and marketing that gives buses a competitive advantage. VTA's BRT Strategic Plan is currently underway considering six local bus corridors identified in the Valley Transportation Plan (VTP) 2030 for BRT improvements. VTA has secured a federal grant to evaluate its express bus service. In addition to looking at ways to improve the traditional models of express bus service, this study proposes to examine new service delivery models focusing on a highway-based BRT network that has unique features and requires focused study. Highway-based BRT service riders exhibit unique travel patterns and travel longer distances than local BRT riders, requiring a different service model and a different marketing plan. Also, many employers offer highway-based BRT services that mimic public express bus services. Finally, the Express Lane (formerly High-Occupancy Toll - or HOT - Lane) project has significant impacts on highway facilities and any highway-based BRT service must consider these opportunities in its service plan. This study recognizes these unique features of highway-based BRT service and incorporates them into the study, while complementing the planning results from the BRT Strategic Plan.

VTA's express bus routes provide a separate physical environment and transit market to evaluate possible BRT improvements. The analysis will evaluate existing performance together with the

market potential to determine the business case for providing additional highway-based BRT services. In addition, the analysis will explore possible changes to express services including vehicle type and amenities and station design. The BRT Alternatives Analysis will make use of several efforts currently underway or recently completed including: results of the 2007 Comprehensive Operations Analysis (COA), market research generated by a survey of the general population and a market segmentation study of the countywide travel market in 2006, the Transit Sustainability Policy and Service Design Guidelines, the BRT Strategic Plan and the Silicon Valley Congestion Pricing (HOT lane network) Plan.

To do this, the study begins by evaluating existing performance together with the market potential to determine the business case for providing highway-based BRT services in each corridor. Not all BRT features are appropriate to all contexts. The study will consider the appropriateness, benefits and feasibility of BRT improvements. For example, express bus routes currently use existing HOV lanes and will be included in the planned Santa Clara County High Occupancy Toll (HOT) lane network. This provides restricted, not exclusive, lanes for existing and planned highway-based bus routes. Other improvements such as advanced bus technology and fleet management improvements such as Intelligent Transportation Services (ITS) can improve ride quality for commuters and attract new riders.

DISCUSSION:

The Highway-Based Bus Rapid Transit Alternatives Analysis (Express Bus) Request for Proposals (RFP) was issued on August 8, 2008. The RFP was sent to a list of prospective firms and a pre-proposal conference was held on September 4, 2008, which was attended by approximately 16 consultant representatives. Three proposals were submitted on September 26, 2008 from the following teams:

- ÿ Jacobs Engineering Group Inc. - Oakland, CA
- ÿ Transportation Management & Design, Inc. - Carlsbad, CA
- ÿ Nelson\Nygaard Consulting Associates, Inc. - San Francisco, CA

A review panel consisting of VTA staff from the Congestion Management Agency, Operations Planning Division and Contracts Administration evaluated the proposals based on the following criteria as outlined in the RFP: qualification of the firm; staffing and project organization; work plan; and cost.

After thorough review and consideration of the three proposals submitted, the review panel selected two teams for interviews. On October 21, 2008, the evaluation team interviewed Jacobs Engineering Group Inc. and Transportation Management & Design, Inc. These interviews provided VTA staff with additional details about the specific work plan, approach and experience of the proposing teams. Both teams had extensive experience in the three key subject areas: market analysis, operations analysis and capital improvements. Both teams demonstrated good understanding of the project and had sound work plans. They are all well qualified for the tasks requested.

The review panel determined that Jacobs Engineering Group Inc., submitted the best overall

proposal to perform the services as prescribed in the RFP. The multi-disciplinary team is led by a nationally-known industry expert with more than 40 years of experience in bus transit planning and operations. All key members have extensive experience in working directly for transit operators in similar projects. During the presentation, the Jacobs team demonstrated that they are a well-synchronized team with good internal communication and a solid understanding of the study objectives. Based on final scoring, the review panel recommends the award of the contract for the preparation of a Highway-Based Bus Rapid Transit Alternatives Analysis (Express Bus) to Jacobs Engineering Group Inc..

Jacobs Engineering Group Inc. is one of the largest architecture, engineering and construction firms in the country. The integration of these two firms provides full-spectrum support to industrial, commercial, and government clients across multiple markets. Jacobs's Oakland office will provide all the lead staff for the project. Other consultants on the Jacobs's team include ARUP, Fehr & Peers Transportation Consultants, Funk/Levis & Associates and Transportation Analytics (Attachment A).

The term of the contract will be for two years at a cost not to exceed \$800,000 based on time and materials. However, the actual contract costs are likely to be lower following final contract negotiations and further refinement of the consultant work plan.

ALTERNATIVES:

The Board can elect to not to authorize award of this contract and not to proceed with this study.

FISCAL IMPACT:

This action will authorize up to \$750,000 for consulting services for a two-year period. Appropriation for these expenditures is included in the FY09 Adopted 2000 Measure A Transit Improvement Program Fund Capital Budget. This contract is funded by an Alternatives Analysis Program Grant from the Federal Transit Administration (CA-39-005).

DISADVANTAGED BUSINESS ENTERPRISE (DBE) PARTICIPATION:

VTA is complying with Federal requirements that the advertisement and award of this contract will use race-neutral provisions, as this contract will have Federal assistance. The anticipated DBE participation level for this contract is 8%.

Prepared by: Kevin Connolly

ATTACHMENT A
Listing of Recommended Prime and Sub-Consultants
Highway-Based BRT Study

Prime	Jacobs Engineering	Bill Lieberman	Oakland, CA
Sub-			
Consultant	ARUP	Corey Wong	San Francisco, CA
	Fehr & Peers	Matt Haynes	San Francisco, CA
	Funk/ Levis	Anne-Marie Levis	Eugene, OR
	Godbe Research	Charles Hestor	San Mateo, CA
	Transportation Analytics	Diana Dorinson	Berkley, CA



Date: January 6, 2009
 Current Meeting: January 15, 2009
 Board Meeting: February 5, 2009

BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
 Transit Planning & Operations Committee

THROUGH: General Manager, Michael T. Burns

FROM: Chief Engineering & Construction Officer, Mark S. Robinson

SUBJECT: Measure B Rail Projects – Joint Use and Maintenance Agreements with
 California Department of Transportation

Policy-Related Action: No

Government Code Section 84308 Applies: No

ACTION ITEM

RECOMMENDATION:

Authorize the General Manager to execute Joint Use and Maintenance Agreements with the California Department of Transportation establishing maintenance responsibilities and use of properties and facilities related to the 1996 Measure B Rail Projects.

BACKGROUND:

The 1996 Measure B Rail Program included the Tasman East, Capitol and Vasona Light Rail Projects. Portions of these projects were coordinated with the California Department of Transportation (Caltrans) and constructed within Caltrans right-of-way at I-680 and I-880 (Tasman East), Alum Rock Avenue (Capitol), Autumn Street/Montgomery Street and Highway 17 (Vasona). Project elements that were constructed within Caltrans right-of-way include bridge and tunnel structures, traction power substations, track and overhead catenary systems.

The Tasman East and Capitol Projects were completed in June 2004 and the Vasona Project was completed in October 2005. At the completion of these projects, final mapping showing the specific location of all of the improvements within Caltrans right-of-way was completed and approved by Caltrans.

DISCUSSION:

A previous cooperative agreement between VTA and Caltrans was executed and implemented for the design and construction of the Measure B Rail Projects. The proposed Joint Use and Maintenance Agreements (JUMAs) will establish the long-term maintenance responsibilities and use of jointly shared properties and facilities. Similar JUMAs between VTA and Caltrans are in

place for the Guadalupe and Tasman West Lines.

ALTERNATIVES:

There are no practical alternatives to the recommended action.

FISCAL IMPACT:

The VTA facilities included in these agreements are part of the existing light rail system and are operated and maintained as part of the entire system. The appropriation for the current maintenance of these facilities is included in the FY 09 Adopted VTA Transit Enterprise Fund Operating Budget. Appropriation for future maintenance will be included in future VTA budgets for the operations of the light rail system.

Prepared by: Ken Ronsse



Date: January 5, 2009
 Current Meeting: January 15, 2009
 Board Meeting: February 5, 2009

BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
 Transit Planning & Operations Committee

THROUGH: General Manager, Michael T. Burns

FROM: Chief Engineering & Construction Officer, Mark S. Robinson

SUBJECT: Caltrain South County Improvements - Contract Award for Construction of UPRR Grading and Crossing Improvements

Policy-Related Action: No

Government Code Section 84308 Applies: No

ACTION ITEM

RECOMMENDATION:

Authorize the General Manager to execute a contract with Pavex Construction, the lowest responsible bidder, in the amount of \$13,167,925 for the construction of grading and track crossing improvements along the Union Pacific Railroad corridor between San Jose and Gilroy.

BACKGROUND:

The 2000 Measure A Transportation Improvement Program includes capacity improvements for the Caltrain service between San Jose and Gilroy. These capacity improvements will add a second track for approximately 8 miles of the Union Pacific Railroad (UPRR) alignment south of San Jose. This second track will provide the infrastructure to increase Caltrain service up to 5 additional trains (each way) for South County residents to access North Santa Clara County.

To support the double track capacity project, three main activities are required:

- Relocation of utilities in conflict with the second track by private utility companies.
- Construction of grading and track crossing improvements to accommodate the second track by VTA.
- Construction of the second track, including track and signaling improvements by UPRR.

In December 2004 a comprehensive agreement was executed with UPRR to purchase Newhall Yard and perform related railroad improvements, including the double tracking construction outlined above. In April 2006 and December 2007 the Board authorized the General Manager to enter into agreements with private utility companies to relocate the facilities in conflict with the

double tracking improvements. The utility relocation work is scheduled to begin in Spring 2009.

This contract is to perform the grading and track crossing improvements. The project has been environmentally cleared with a Statutory Exemption (SE). Construction for this contract is scheduled to begin in March 2009 with completion scheduled for August 2010. The UPRR track and signaling work will begin after completion of the grading and drainage construction in Fall 2010. Completion of the capacity improvement project is scheduled for completion in August 2011.

Meetings are taking place with High Speed Rail Project representatives to coordinate the improvements of this contract with their conceptual design.

DISCUSSION:

The UPRR Grading and Crossing Improvements Project was issued for bid on February 20, 2008 to begin the contractor pre-qualification and bidding phase. Bids were opened on December 17, 2008, with the following results:

<u>Company Name</u>	<u>Bid Amount</u>
Pavex Construction	\$13,167,925
RGW Construction	\$14,747,197
Gordon N. Ball, Inc.	\$15,402,439
Granite Construction Co.	\$15,752,752
McGuire & Hester	\$16,035,820
Ranger Pipelines, Inc.	\$18,744,585
Engineer's Estimate	\$19,184,224

VTA staff recommends award of this contract to the low bidder, Pavex Construction. The \$13,167,925 bid price represents a fair competitive value and is 46% below the Engineer's Estimate. The reason for the low bid amount is the limited construction projects available in the market.

ALTERNATIVES:

The Board could elect to reject all bids and readvertise the contract. This alternative is not recommended as the resultant delay would jeopardize the TCRP grant funds secured for this project.

FISCAL IMPACT:

Sufficient funds are available in the UPRR Grading and Crossings Improvements Project budget to perform this work. The project is funded by the 2000 Measure A Transportation Improvement Program and State TCRP Funds.

Operating Budget Impact: UPRR will be responsible for the track installation and will own and maintain the new track and signals. There will be no impact to the VTA operating budget.

SMALL BUSINESS ENTERPRISE (SBE) PARTICIPATION:

Based on identifiable subcontracting opportunities, a Small Business Enterprise (SBE) goal of 15% was established for this contract. Contractor complied with the goal and has committed to 24% SBE participation on this contract.

Prepared by: Ken Ronsse, Deputy Director



Date: December 31, 2008

Current Meeting: January 15, 2009

Board Meeting: February 5, 2009

BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
Transit Planning & Operations Committee

THROUGH: General Manager, Michael T. Burns

FROM: Chief Engineering & Construction Officer, Robinson, Chief CMA Officer,
Ristow

SUBJECT: 1996 Measure B Transportation Improvement Program Progress Report-
December 2008

FOR INFORMATION ONLY

Please find attached the Progress Report for the 1996 Measure B Transportation Improvement Program for December 2008.

This is the second annual report since the execution of Amendment 20 to the Master Agreement between the County of Santa Clara and VTA for the implementation of the Measure B Transportation Improvement Program (MBTIP). The report is based on the Program's fiscal status as of October 31, 2008 and other key activities through December 31, 2008. It reflects changes in the Program's finances and project development since the December 2007 Measure B Progress Report.

Prepared By: John Rowe

1996 Measure B Transportation Improvement Program

December 2008 Progress Report



Measure B
Transportation Improvement Program
County of Santa Clara



SANTA CLARA
Valley Transportation Authority

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SECTION 1

PROGRAM FINANCIAL STATUS



Measure B
Transportation Improvement Program
County of Santa Clara



SANTA CLARA
Valley Transportation Authority

SECTION 1

PROGRAM FINANCIAL STATUS

This Progress Report is an informational update of the 1996 Measure B Program prepared by staff and provided to the Valley Transportation Authority (VTA) Board of Directors, the County Board of Supervisors, other key stakeholders and the public. The report is based on the Program's fiscal status as of October 31, 2008 and other key activities through December 31, 2008. It reflects changes in the Program's finances and project development since the December 2007 1996 Measure B Progress Report.

MBTIP Completion Agreement

Amendment 20 to the Master Agreement between the County of Santa Clara and VTA for the implementation specific elements of the 1996 Measure B Transportation Improvement Program (MBTIP) was executed in June 2007. That amendment (hereinafter referred to as the MBTIP Completion Agreement) included the following significant terms:

- VTA was paid the value of all approved 1996 MBTIP Project budgets, less the MBTIP funds already paid by the County to VTA, and the net remaining 1996 Measure B funding for Fund Swap Projects and Ancillary Programs administered by VTA.
- A lump sum amount of approximately \$4.0 million was also paid to VTA by the County to cover the closeout effort associated with incomplete MBTIP projects.
- Swap Fund Implementation Letter 2004-01 was revised to eliminate the last two payment installments and, in exchange, all residual sales tax collected beginning March 31, 2006 are being forwarded by the County, as received, to VTA in consideration for VTA assuming the financial risk for the \$7.23 million of highway landscaping projects identified in that Implementation Letter.
- VTA has an obligation to the County to complete the following elements:
 - 1) To pay the currently identified costs to complete authorized MBTIP Projects, including Fund Swap funded Projects and Ancillary Programs.
 - 2) To pay future potential costs, identified or unidentified, associated with authorized MBTIP Projects, even if they exceed the currently approved budgets of those projects.
 - 3) To pay for completion of highway landscaping projects previously identified in Swap Fund Implementation Letter 2004-01.
- If additional savings and/or residual sales tax revenue is realized, VTA will apply funds according to the following priorities:



- 1) To reimburse VTA the amount of \$1.05 million, representing one-half of the difference between the actual and estimated VTA indirect costs of non-rail MBTIP projects applied as approved in Amendment No. 18 to the Master Agreement through fiscal year 2005.
- 2) To pay to the County Roads and Airports Department the amount of \$1.5 million for Expressway projects.
- 3) To reimburse VTA the amount of \$1.05 million, representing one-half of the difference between the actual and estimated VTA indirect costs of non-rail MBTIP projects applied as approved in Amendment No. 18 to the Master Agreement through fiscal year 2005.
- 4) To fund additional Caltrain projects and/or Pavement Management projects, at the discretion of the VTA Board.

Sales Tax and Other Revenues

From inception through September 2008, the 1996 Measure B Program has received a total of \$1.34 billion in sales tax revenues. \$1.33 billion was collected by the Board of Equalization (BOE) through March 2006 (through the expiration of the tax) and received by the County through June 2006. An additional, \$7.36 million was collected as residual sales tax revenues and received since June 2006.

To date, VTA has collected all grant revenue and sales tax bond proceeds required for the Swap Program.

Changes since December 2007

Since the December 2007 Progress Report, the 1996 MBTIP projected ending fund balance has increased by \$0.9 million, from \$2.5 million to \$3.4 million. This increase is the net result of a \$3.4 million increase in revenues and a \$2.5 million increase in expenditures.

The revenue increase is due to an additional \$2.7 million in residual sales tax receipts, collected after the ½ cent sales tax expired in March 2006, as well as an additional \$0.7 million in projected interest earnings.

The expenditure increase is primarily due to a \$2.5 million increase in the Fund Swap Program associated with the continued receipt of residual sales tax proceeds. Residual sales taxes have compensated VTA for highway landscaping costs up to a total of \$7.23 million. As of October 31, 2008, the cumulative total of residual sales tax received was \$7.36 million. Therefore, VTA has received its full \$7.23 million compensation for highway landscaping costs, with \$0.13 million of residual sales tax proceeds to date and all future such revenues to be applied to the benefit of the 1996 Measure B Program as a whole.

A detailed re-forecasting of all elements of the Program-Wide, Rail, CODE and Highway Programs has been completed as part of this report. These changes are summarized in Figure 1.1 on the next page.



Figure 1.1

Summary of Revenue and Expenditure Plan Changes Since December 2007

	Progress Report	Progress Report	Variance
	FY 2008 Dec-07 (in \$1,000)	FY 2009 Dec-08 (in \$1,000)	Dec-07 vs. Dec-08 (in \$1,000)
Revenue			
Sales Tax - County (1/2 Cent Sales Tax)	1,335,720	1,335,720	0
Sales Tax - Residuals	4,705	7,361	2,657
Interest Income - County	74,905	74,905	0
Interest Income	582	1,274	692
Bond Proceeds - County	134,267	134,267	0
Other Funding (see below)	508,904	508,935	32
Total Revenue	\$2,059,083	\$2,062,463	\$3,380
Expenditures			
Highway	504,507 ¹	504,198	(309)
Rail (Less Caltrain Service Improvements)	839,072	839,072	0
Caltrain Service Improvements	70,595	70,935	339
Ancillary Programs - (Pavement Mgmt, Bike)	102,250	102,219	(31)
Ancillary Programs - County (LOS/Signal Synch)	38,582	38,582	0
CODE	6,467	6,467	0
Program Closeout	4,000	4,000	0
Fund Swap Projects	325,990	328,516	2,525
Program-wide Biological Mitigation Program	7,331	7,331	0
Program-wide - County (PMO, Admin)	13,879	13,879	0
Debt Service - County	143,868	143,868	0
Total Expenditures	\$2,056,542	\$2,059,066	\$2,524
Revenue Less Expenditures	\$2,541	\$3,397	\$856
Other Funding			
Miscellaneous - County Roads & Airports	400	400	0
Rail Program			
Federal/State/Milpitas - Tasman	100,597	100,598	1
VTA, Campbell, Fed/State - Vasona	93,584	93,584	0
VTA Low Floor Vehicle Contribution	3,848	3,848	0
VTA 2001 Series A Sales Tax Revenue Bonds	198,347	198,347	0
SCVWD, San Jose Capitol Contribution	2,738	2,738	0
Caltrain Grants/Other Funds	27,015	27,014	(1)
CODE - Campbell Contribution	110	110	0
Subtotal Rail Program	426,240	426,239	0
Highway Program			
State - Route 880 Widening – Brokaw Bridge	14,763	14,763	0
State- 85/87 Interchange	3,500	3,500	0
State - Route 101 (S) Widening	4,005	4,005	0
State - Route 85/101N HOV Connector Ramps	2,154	2,154	0
State/Milpitas/Meas B Swap - Route 237 / 880 Interchange	23,575	23,575	0
State/San Jose - Routes 85/101 (S)	25,305	25,305	0
Meas B Swap - Route 87N HOV Closeout	1,250	1,250	0
Meas B Swap - Route 87 Planting	2,100	2,100	0
Gilroy/Federal - Route 152 Improvements	5,462	5,494	32
Mitigation Site - Butterfly Habitat	150	150	0
Subtotal Highway Program	82,264	82,296	32
Total—Other Funding	\$508,904	\$508,935	\$32
Net Program Balance	\$2,541	\$3,397	\$856

¹ The 237/880 Interchange Project budget includes \$62,500 paid directly from Santa Clara County to the City of Milpitas.



Outstanding Issues

The efforts of the 1996 Measure B Program continue to be focused on the following areas:

1. Completing 1996 Measure B Projects currently funded for construction
2. Achieving administrative and financial closeout of completed 1996 Measure B Projects

A number of projects are either still underway or in the closeout phase. As a result, closeout challenges still remain, as summarized in Figure 1.2 below and discussed in greater detail in Section 2.

Figure 1.2
MBTIP Closeout Challenges

Closeout Challenges	Anticipated Resolution Date
Hamilton Overcrossing MSE Wall Stabilization	Jun-09 ¹
Right-of-way Transfers/Exchanges on Vasona Project	Mar-09 ²
Route 85/101 (N) Interchange Right-of-Way Retrial	Jun-11 ³
Route 87 HOV (N) Contractor Lawsuit	Jun-09 ⁴
Route 87 HOV (S) Contractor Claim	Jun-11 ⁵
Maintain Combined Biological Mitigation Site	Mar-14

¹ Prior year's forecast was Jun-08, however monitoring and problem definition took longer than anticipated. Design of a drainage improvements construction package is underway, with construction scheduled in spring 2009.

² Prior year's forecast was Jun-08, however City of San Jose and Peninsula Corridor Joint Powers Board transfers were delayed over a few specific parcels. VTA now has concurrence for transfer of all unaffected properties and will retain the "problem" properties while allowing the third party to operate under a license.

³ Prior year's forecast was Jun-08, based on the right-of-way condemnation trial appeal schedule. In May 2008, the Appellate Court ordered a new trial, which is expected to begin in late summer 2009.

⁴ Prior year's forecast was Dec-08, based on mediation that was previously scheduled by the trial court. The plaintiff was unable to make the scheduled date and mediation is currently scheduled in early 2009.

⁵ Prior year's forecast was Jun-08, based on VTA's understanding of the Caltrans claim process. As matters currently stand, Caltrans is awaiting the contractor's response to its letter of final determination. Resolution could take up to two to three years if the contractor elects to take the matter to arbitration.



As a result of these remaining closeout challenges, staff is not recommending advancing any of the savings priorities enumerated in the MBTIP Closeout Agreement at this time.

Staff will be re-evaluating the potential availability of funds to the priorities within the MBTIP Closeout Agreement at least semi-annually. While staff will provide the Progress Report to the VTA Board of Directors and County Board of Supervisors annually, at this time staff does not anticipate funds will be identified until December 2009 to be applied to any of the additional, optional priorities set forth in the MBTIP Closeout Agreement.

Overall, with just over \$2 billion in transportation projects and programs being delivered to the Voters, the 1996 Measure B Program is progressing towards achieving overall (construction, real estate, acceptance, legal, financial, administrative, etc.) closeout.



SECTION 2

PROGRAM SUMMARY AND COST REPORT



Measure B
Transportation Improvement Program
County of Santa Clara



SANTA CLARA
Valley Transportation Authority

SECTION 2

PROGRAM SUMMARY AND COST REPORT

A. PROGRAM-WIDE ISSUES

Collection of regular sales tax for the 1996 Measure B Program ended March 30, 2006. However, residual sales tax revenues continue to be collected based on amended merchant tax returns or from audits of merchants conducted by the Board of Equalization (BOE).

The emphasis has continued to be on controlling the expenditures of the 1996 Measure B Projects currently underway and on achieving administrative and financial close-out of projects already completed. As mentioned in Section 1, the MBTIP Completion Agreement between Santa Clara County and VTA was executed in June 2007, a major step towards closing out the program. Furthermore, all of the major construction contracts to be let by VTA on both the rail and highway programs have been awarded.

Forecasts have been re-evaluated on all rail and highway projects. Close-out of the rail projects continues. Forecast costs remain unchanged from the level reported in the December 2007 Progress Report with the exception of \$0.3 million in additional costs associated with the closeout of the Caltrain San Martin Project.

Forecast costs on the Highway Program have decreased by \$0.3 million as a result of closeout savings on the Route 152 Improvements Project.

Program-Wide Biological Mitigation Program

Consolidated Biological Mitigation Project

The Consolidated Biological Mitigation Project includes the preservation, creation, and enhancement of wetlands, riparian, and shaded riverine aquatic habitat at two sites on land owned by Santa Clara County Parks and Recreation (County Parks). These two sites are referred to as the Tennant Road site and the Riverside Drive site.

Under the Phase I contract, the noxious, invasive reed *Arundo donax* (*Arundo*) was removed from the mitigation areas in and along Coyote Creek. Initial removal of *Arundo* was concluded in October 2001 and removal of re-sprouts under the maintenance period of the Phase I contract was concluded in August 2003.

Under the Phase II contract, riparian plants were collected from within 10 miles of the mitigation sites and grown from fall 2002 to fall 2003, then planted from October 2003 to February 2004. The three-year plant establishment period for the new plantings began in March 2004. Wild pigs and gophers impacted several planting areas, and replanting was performed in February 2005. Also, sycamore plantings that were discovered to be hybrids in



2004 were removed and replaced with native oak acorns in 2005. Additionally, under the Phase II contract, Arundo re-sprouts were removed in both the original removal areas and the new riparian planting areas; however, new Arundo growing within Coyote Creek, originating from plants upstream, was not removed.

Phase III of the project, Mitigation Monitoring and Maintenance began in March 2007, and will continue to March 2014. The seven-year program will ensure that the mitigation success criteria of plant health, percent cover, percent survival, tree height, and wetlands creation are met.

As of 2008, the Tennant Road site has established as anticipated through the development of the mitigation plantings and recruitment of native vegetation. However, the Riverside Drive riparian planting area has not met the performance criteria for percent cover or percent survival. This is likely due to the installation and subsequent removal of several hundred hybrid sycamore trees that were replanted with valley oak acorns, animal browse, gopher damage, insect damage, irrigation/maintenance practices, and poor soil conditions.

VTA in cooperation with the California Department of Fish and Game (CDFG) and H.T. Harvey and Associates (ecological consultants) are currently assessing the site to identify the conditions responsible for the poor performance and to provide management recommendations. One recommendation developed to date includes replanting the Riverside Drive site to include a greater diversity of native riparian species than originally planted. This replanting effort also includes California sycamores, as CDFG is concerned that sycamores are being left out of mitigation planting palettes due to the concern of installing hybrid trees. This effort includes planting cuttings collected from mature trees in the project area and seeds collected from more rural areas to determine if such seeds produce native or hybridized trees.

VTA will continue to work with CDFG and others to assure the project is a success.

Coyote Ridge Butterfly Habitat Management Project

The Coyote Ridge Butterfly Habitat Management Project provides long-term management of bay checkerspot butterfly habitat on approximately 548 acres located on Coyote Ridge in south San Jose. Purchase and management of this habitat was a condition of the Biological Opinion issued by the U.S. Fish and Wildlife Service on February 26, 2001 as compensation for threatened and endangered species impacts from VTA's construction of the 101 Widening, 85/101 South Interchange, and Consolidated Biological Mitigation Site Projects. VTA purchased the Coyote Ridge property in January 2005. A Resource Management Plan (RMP) was submitted in August 2005 and accepted by the U.S. Fish and Wildlife Service. The RMP documents how the property will be managed in perpetuity and includes a monitoring and adaptive management program to ensure the long-term survival of the rare and sensitive biological resources on the property including the bay checkerspot butterfly.



Santa Clara Valley Habitat Conservation Plan

In addition to the requirement for butterfly habitat purchase, the U.S. Fish and Wildlife Service permit for the 101 Widening, 85/101 South Interchange, and Consolidated Biological Mitigation Site Projects included the requirement that a Habitat Conservation Plan (HCP) be prepared for the southern portion of Santa Clara County. The Local Partners working on Santa Clara Valley HCP include the City of San Jose, County of the Santa Clara, Santa Clara Valley Water District, City of Gilroy, and City of Morgan Hill, and VTA. The HCP was initiated in July 2005 and the field inventories and mapping have now been completed. Work is now focusing on developing biological goals and objectives for species and conservation principles. The HCP process is scheduled to be completed in late 2009/early 2010. The cost for the HCP is being shared among the Local Partners.

Cost Status

The December 2008 Progress Report Budget for Program-wide Biological Mitigation is \$7.3 million. Contract commitments through October 2008 total \$5.9 million, an increase of \$0.2 million from last year. Actual expenditures to date total \$5.9 million, which represents a \$0.3 million increase since December 2007.



B. RAIL PROGRAM

Rail Program Schedule Status

The summary schedule for the Rail Program is presented in Figure 2.1. The Zanker to I-880 segment of the Tasman East Light Rail Project was opened for revenue service on May 17, 2001. The opening of the remainder of the Tasman East Light Rail Project, which includes the light rail system between the I-880/Milpitas Station and the Hostetter Station, was held on June 23, 2004 concurrent with the opening of the Capitol Light Rail Project. The Vasona Light Rail Project was opened for revenue service on October 1, 2005.

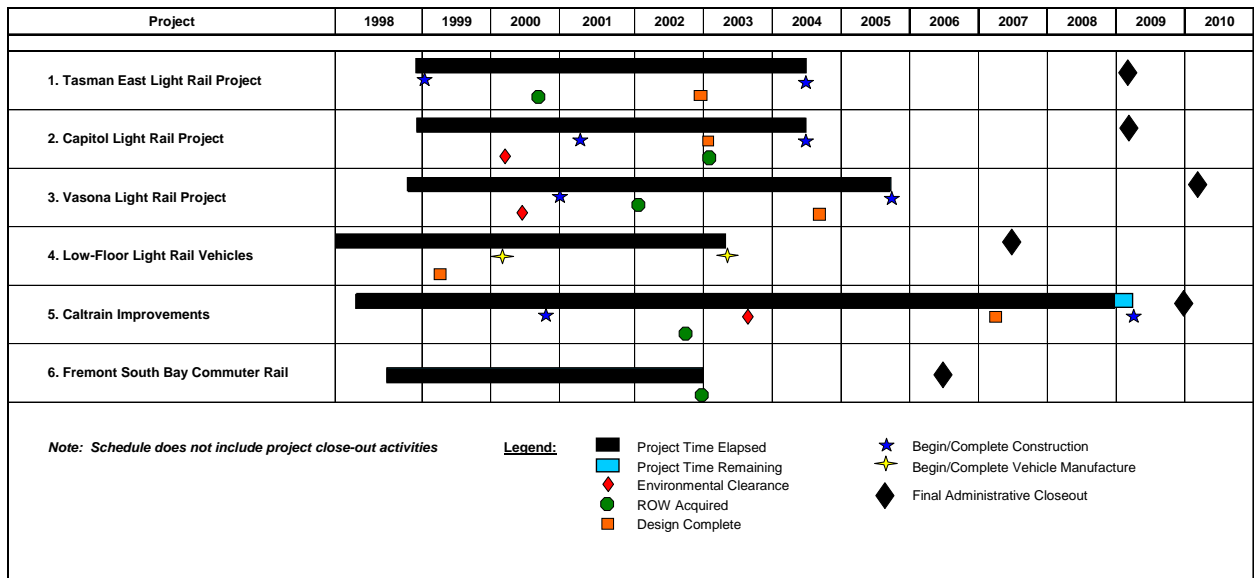
Delivery of the 30 low-floor light rail vehicles was completed in May 2003.

The schedule for the Caltrain Service Improvements Program reflects both completed and active projects. The only active Caltrain projects are the California Avenue and Palo Alto Pedestrian Underpasses, with construction forecast to complete in spring 2009.

The Fremont South Bay Commuter Rail Project schedule in Figure 2.1 reflects only the right-of-way acquisition support activity, per the June 2002 Joint Board Action which limited the Project to this scope. Real estate acquisition was completed as part of the Silicon Valley Rapid Transit Corridor Project in 2002.

All of the approved Community Oriented Design Enhancements (CODE) projects have been installed and project closeout is underway.

Figure 2.1
Rail Program Schedule



Rail Program Cost Status

Figure 2.2 presents the program funding, budget, commitments, actual costs and forecast cost at completion information for each of the Rail Program projects through October 2008. The December 2007 Semi-Annual Progress Report budget was \$916.1 million.

Contract commitments through October 2008 total \$915.5 million, an increase of \$2.3 million over the previous ten months. Actual expenditures to date total \$906.6 million, which represents an \$8.9 million increase since December 2007.

The Rail Program forecast cost at completion is \$916.5 million, as shown in Figure 2.2, which represents a \$0.3 million increase from the December 2007 budget due to closeout costs on the Caltrain San Martin Project.

Figure 2.2
Rail Program Cost Status

Project	Measure B Funds	Other Funds	Dec-07 Budget	Commitments	Actual	Actual	Actual	Forecast	Dec-07
					Costs Prior Period	Costs This Period	Costs To-Date	Costs at Completion	Budget vs. Forecast Variance
Tasman East	72.1	200.6	272.6	272.6	272.6	0.03	272.6	272.6	-
Capitol	111.6	44.7	156.4	156.3	156.3	0.03	156.3	156.4	-
Vasona	163.0	150.0	313.0	312.1	311.1	0.7	311.9	313.0	-
Low Floor Vehicles	90.0	3.8	93.8	93.8	93.8	-	93.8	93.8	-
Caltrain Improvements	43.6	27.0	70.6	70.8	54.2	8.1	62.3	70.9	0.3
Fremont/South Bay	3.2	0.0	3.2	3.2	3.2	-	3.2	3.2	-
Comm. Orient. Des. Enhance.	6.4	0.1	6.5	6.5	6.4	0.02	6.5	6.5	-
Totals	489.9	426.2	916.1	915.4	897.7	8.9	906.6	916.5	0.3

Progress Since December 2007

- In January 2007, the County Board of Supervisors authorized VTA to advance construction on the Caltrain Palo Alto and California Avenue Station Pedestrian Underpasses. A contract including this scope as well as platform work is being administered by the Peninsula Corridor Joint Powers Board (PCJPB), and was awarded in September 2007. VTA and PCJPB have executed a cooperative agreement that caps VTA (1996 Measure B) involvement at current funding levels. The Palo Alto Station work was completed in late December 2008, with California Avenue completion anticipated in February 2009.
- The San Martin Parking and Road Widening Project has been completed. The project was opened for public use in October 2008.



Progress Since December 2007 (Continued)

- On the Vasona Light Rail Project, VTA has been monitoring settlement of the Mechanically Stabilized Earth (MSE) walls at the Hamilton Overcrossing since construction. Settlement to date has been greater than expected. In response, VTA engaged a consultant team and has carried out borings and geotechnical tests. The consultants' opinion is that settlement is substantially complete but that drainage improvements are recommended. Design of a drainage improvements construction package is underway, with construction scheduled in spring 2009.
- Also on the Vasona project, work was completed on ensuring that configurations at five crossings complied with CPUC final decisions. This work involved primarily signage changes.
- On the Tasman East and Capitol Light Rail Projects, all required utility easements were confirmed and final closeout is underway. On the Vasona Project, work continued on right-of-way closeout items.
- On the Measure B Transit Community Oriented Design Enhancements (CODE) Project, artist plaques were manufactured and placed at stations.

Remaining Activities to Complete

- On the Vasona Light Rail Project, complete design and construction of drainage improvement work at the Hamilton Overcrossing.
- Complete construction and close out the Caltrain Palo Alto and California Avenue Station Pedestrian Underpasses.
- Continue administrative and financial closeout of completed projects, including turnover of right-of-way to third parties. Major right-of-way closeout items still pending include completing land transfers and/or exchanges with the City of San Jose and the PCJPB on the Vasona Light Rail Project.

Closeout Schedule

Figure 2.3 on the next page shows the anticipated project closeout date for each project in the Rail Program. Shaded projects have already been closed. Projects cannot be closed until all expenditures cease and a final accounting of project costs is prepared.

On the Rail Program, once a project is opened to the public, efforts to address and close contractor claims, transfer right-of-way to third parties, and mitigate post construction impacts must be completed before attaining final project closeout.



Figure 2.3
Rail Program Closeout Schedule
(Shaded Projects Have Been Closed)

Project	Anticipated Project Closeout Date
Tasman East	Feb-09
Capitol	Feb-09
Vasona	Dec-09
Low Floor Vehicles	Jun-07
Caltrain Improvements	
Sunnyvale Parking	Jun-06
Lawrence Bus/Parking	Jun-06
Palo Alto Transit Center	Aug-08
San Martin Parking	May-09
Santa Clara Bus/Parking	Jun-07
Tamien to Lick	Aug-08
California Ave. Ped U/P	Dec-09
Palo Alto Ped U/P	Dec-09
FY03 Capitol Contribution	Jun-06
Fremont/South Bay	Jun-06
CODE	Feb-09



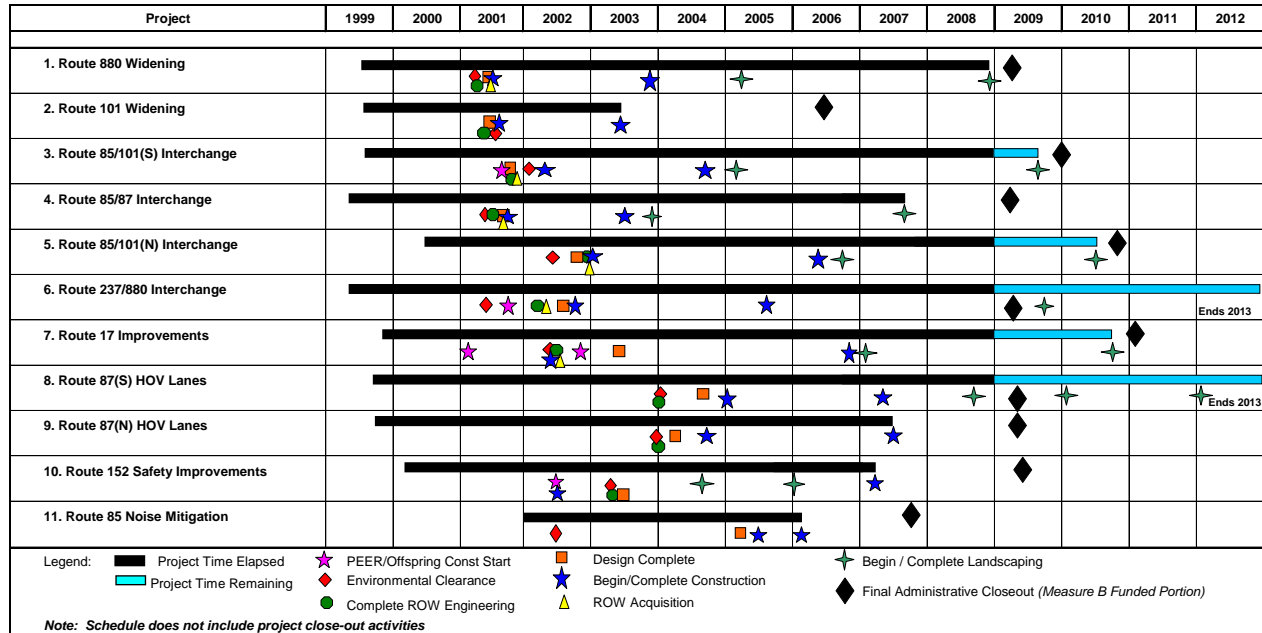
C. HIGHWAY PROGRAM

Highway Program Schedule Status

The Summary Schedule for the Highway Program is presented in Figure 2.4.

Figure 2.4

Highway Program Schedule



One 1996 MBTIP highway project completed the plant establishment period since the December 2007 Progress Report – Route 880 Widening.

Three highway planting contracts have been completed with the exception of the three-year plant establishment period: Route 85/101 South Interchange, Route 85/101 North Interchange, and Route 17. Route 152 planting was completed in January 2005 with a one-year plant establishment period that expired in January 2006. Route 85/87 Interchange planting was completed in September 2004 with a three-year plant establishment period that expired in September 2007. Route 880 Interchange Planting was completed in December 2005, with a three-year plant establishment period that expired in December 2008.

The contract for planting on Route 87 HOV began in August 2008, with planting installation completion in early 2010. Route 237/880 Interchange planting is scheduled to begin in fall 2009. Design was delayed due to a change in scope necessitated by a revised configuration due to upcoming Route 880 Widening work, now in the environmental phase.

Typically, highway planting contract durations will include an approximately one-year construction period for initial plant establishment. Following construction, a three-year plant monitoring and replanting period begins (one-year for small projects); such work to be accomplished according to Caltrans requirements.



Highway Program Cost Status

Figure 2.5 presents the program funding, budget, commitments, actual costs and forecast cost at completion information for each of the Highway Program projects through October 2008. The December 2007 Progress Report budget was \$504.5 million.

Contract commitments through October 2008 total \$501.9 million, an increase of \$5.8 million over the previous ten months. Actual expenditures to date total \$499.8 million, which represents a \$3.9 million increase since December 2007.

Figure 2.5
Highway Program Cost Status

Project	Measure B Funds			Other Funds	Dec-07 Budget	Actual Costs Prior Period	Actual Costs This Period	Actual Costs To-Date	Forecast Costs at Completion	Dec-07 Budget vs. Forecast Variance
	Measure B Funds	Other Funds	Dec-07 Budget							
Route 880 Widening	61.2	14.8	75.9		75.9	75.7	0.2	75.9	75.9	-
Route 101 Widening	50.4	4.0	54.4		54.4	54.4	-	54.4	54.4	-
Route 85/101 (S) Interchange	43.0	25.3	68.3		67.7	67.1	0.5	67.6	68.0	(0.35)
Route 85/87 Interchange	39.6	3.5	43.1		43.1	43.1	0.0	43.1	43.1	-
Route 85/101 (N) Interchange	124.8	2.2	127.0		127.0	125.1	1.2	126.3	127.3	0.35
Route 237/880 Interchange	27.1 ¹	23.6	50.7		50.6	50.5	0.1	50.6	50.7 ¹	-
Route 17 Improvements	26.7	-	26.7		26.5	26.0	0.3	26.3	26.7	-
Route 87 HOV Lanes (South)	12.5	2.1	14.6		13.4	12.4	0.2	12.6	14.6 ²	-
Route 87 HOV Lanes (North)	11.0	1.3	12.2		12.3	10.9	1.3	12.3	12.4 ³	0.15
Route 152 Safety Improvements	18.6	5.5	24.1		23.5	23.3	0.0	23.3	23.7	(0.46)
Route 85 Noise Mitigation	7.5	-	7.5		7.5	7.5	-	7.5	7.5	-
Totals	422.4	82.1	504.5		501.9	495.9	3.9	499.8	504.2	(0.31)

Notes:

¹ Route 237/880 Interchange budget and forecast includes \$62,500 paid directly from Santa Clara County to the City of Milpitas.

² Route 87 HOV Lanes (South) forecast includes \$2.1 million in Measure B Swap funds for highway planting along the entire Route 87 Corridor.

³ Route 87 HOV Lanes (North) forecast includes \$1.25 million in Measure B Swap funds for highway construction closeout.

The Highway Program forecast cost at completion is \$504.2 million, as shown in Figure 2.5, a \$0.3 million decrease from the December 2006 budget. Individual project variances resulted from a program re-forecast that was prepared in July 2008 and again as part of the preparation of this document. A discussion of the reasons for the changes in forecast costs for the various Highway Program budgets follows:

- Route 85/101 Interchange (South): Forecast cost decreased by \$0.35 million as contingency was released after a highway construction contractor lawsuit settlement.
- Route 85/101 Interchange (North): Forecast cost increased by \$0.35 million due to construction management costs associated with completing the highway planting contract through the end of the three-year plant establishment period.
- Route 87 HOV Lanes (North): Forecast cost increased by \$0.15 million due to costs to complete record drawings for highway construction.
- Route 152 Improvements: Forecast cost decreased by \$0.46 million as contingency was released based on the advanced level of project completion.



Progress Since December 2007

- On Route 880 Widening, the plant establishment phase concluded in December 2008.
- Route 85/101 (South) Interchange construction was completed in early 2005. The contractor filed a civil lawsuit against VTA, which was settled in July 2008. Additionally, the project continued in the plant establishment phase.
- On Route 85/87 Interchange, the highway planting contract was closed and VTA is working on right-of-way transfers and overall project closeout.
- Route 85/101 (North) Interchange was opened to traffic in May 2006. The highway construction contract was closed out in early 2008. Additionally, the project continued in the plant establishment phase. On an ongoing right-of-way condemnation trial appeal, in May 2008 the appellate court ruled to remand the case back to Superior Court and ordered a new trial, which is currently expected to begin in late summer 2009.
- On the Route 237/880 Interchange, the 1996 Measure B funded portion of work to advance the design of the highway planting work as far as possible with remaining funds was substantially completed. A new non-1996 Measure B project has been opened for design completion and construction.
- Route 17, Project E continued in the plant establishment phase.
- Route 87 HOV Lanes (South) was opened to traffic in May 2007. The contractor has since filed a sizeable government code claim. Caltrans is administering this contract, and VTA is assisting in the claim defense.
- Route 87 HOV Lanes (North) was opened to traffic in August 2007. The contractor filed a civil suit in June 2007 pertaining to un-reimbursed costs from the Owner Controlled Insurance Program (OCIP) carrier due to a bent collapse. VTA has resolved all other outstanding issues with the contractor.
- Route 87 (North and South) Highway Planting began in August 2008, with completion scheduled in early 2010, followed by a three-year plant establishment phase.
- Route 152 Improvements, Project B2 was opened to traffic in March 2007. VTA is working on right-of-way transfers and overall project closeout.

Remaining Activities to Complete

- On Route 880 Widening, final project closeout is all that remains.
- On the Route 85/101 (South) Interchange, the plant establishment period will continue through August 2009.
- On Route 85/87 Interchange, final project closeout is all that remains.
- On the Route 85/101 (North) Interchange, the plant establishment period will continue through July 2010. Also, a number of right-of-way parcels remain to be transferred to their final owners.



Remaining Activities to Complete (Continued)

- On the Route 237/880 Interchange, the 1996 Measure B funded portion of work is complete, with only final project closeout remaining. (Design completion and Highway Planting will be carried out under a new, non-1996 Measure B funded project.)
- On Route 17, Project E the plant establishment period will continue to October 2010.
- On Route 87 HOV Lanes (South) resolution of the contractor's government code claim and final closeout remain.
- On Route 87 HOV Lanes (North) resolution of the contractor's civil lawsuit remains. Mediation is scheduled for January 2009 and, if that fails, a trial is expected in the spring 2009 timeframe. Additionally record drawings remain to be completed.
- On Route 87 (North and South) Highway Planting must be completed along with the three-year plant establishment phase.
- On Route 152 Improvements, right-of-way transfers and overall project closeout remain.

Closeout Schedule

Figure 2.6 shows the anticipated project closeout date for each project in the Highway Program. Shaded projects have already been closed. Projects cannot be closed until all expenditures cease and a final accounting of project costs is prepared.

On the Highway Program, once a project is opened to the public, efforts to address and close contractor claims, transfer right-of-way to third parties, and mitigate post construction impacts must be completed before attaining final project closeout.

Figure 2.6
Highway Program Closeout Schedule
(Shaded Projects Have Been Closed)

Project	Anticipated Project Closeout Date
Route 880 Widening	Mar-09
Route 101 Widening	Jun-06
Route 85/101 (S) Interchange	Dec-09
Route 85/87 Interchange	Mar-09
Route 85/101 (N) Interchange	Oct-10
Route 237/880 Interchange	Apr-09
Route 17 Improvements	Jan-11
Route 87 (N) HOV Lanes	Apr-09
Route 87 (S) HOV Lanes	Apr-09
Route 152 Safety Improvements	May-09
Route 85 Noise Mitigation	Oct-07



D. PAVEMENT MANAGEMENT PROGRAM**Program Highlights**

Program has been completed.

Program Cost Status

As shown in Figure 2.7, all of the \$90 million in Pavement Management funds have been disbursed to jurisdictions.

Figure 2.7**Pavement Management Program Disbursements by Jurisdiction**

Jurisdiction	Total Program Allocation	Disbursements to Date	Remaining Funds
Campbell	1,620,032	1,620,032	-
County Roads & Airports	27,000,000	27,000,000	-
Cupertino	1,801,294	1,801,294	-
Gilroy	1,416,112	1,416,112	-
Los Altos	1,178,206	1,178,206	-
Los Altos Hills	328,538	328,538	-
Los Gatos	1,223,520	1,223,520	-
Milpitas	2,311,096	2,311,096	-
Monte Sereno	147,276	147,276	-
Morgan Hill	1,098,904	1,098,904	-
Mountain View	3,047,474	3,047,474	-
Palo Alto	2,503,686	2,503,686	-
San Jose	35,493,436	35,493,436	-
Santa Clara	4,214,350	4,214,350	-
Saratoga	1,257,508	1,257,508	-
Sunnyvale	5,358,568	5,358,568	-
TOTAL	\$ 90,000,000	\$ 90,000,000	\$ -

Progress Since December 2007

Program was completed in a prior period.

Remaining Activities to Complete

None



E. BICYCLE PROGRAM

Program Highlights

VTA developed the Countywide Bicycle Plan as part of the Valley Transportation Plan 2020 (VTP 2020). In conjunction with the Countywide Bicycle Plan, a Bicycle Expenditure Program was established. The projects included in this program were updated in the VTP2030 and a thirty-year program was established, projected at \$99 million. The Bicycle Expenditure Program, which includes \$12.2 million from the 1996 Measure B Bicycle Program, will provide a portion of the funding necessary to implement projects in the Countywide Bicycle Plan.

Program Cost Status

The 1996 MBTIP allocated \$12.0 million to the Bicycle Program as of the December 2007 Semi-Annual Report. In January 2008, the VTA Board of Directors approved a \$0.25 million augmentation to the River Oaks Pedestrian and Bike Bridge in order to settle a Government Code claim from the contractor on the project. Subsequently, \$0.03 million was released upon project closeout for a current program total of \$12.2 million.

The Bicycle Program has programmed approximately \$11.9 million of the \$12.2 million program total. In 2009, staff will contact the sponsors of all completed projects to determine if some unspent funds can be returned to the program for re-programming.

Progress Since December 2007

Feasibility studies were completed on the following projects:

- Los Altos: Steven Creek Trail
- San Jose: Los Gatos Creek Trail Reach 5

Design was completed on the following project:

- Santa Clara County Roads and Airports Dept: Foothill Expressway and Loyola Drive shoulder widening in Los Altos

Construction began on the following projects:

- Saratoga: De Anza Trail, now known as Joe's Trail (PG&E alignment)
- Los Altos Hills: Segment 3 - Moody Road / El Monte Road Improvements

Construction was completed on the following project:

- Santa Clara: San Tomas Aquino Creek Trail between Scott Boulevard and Monroe Street



The following projects have been completed:

- Santa Clara County: Almaden Expressway bike/pedestrian project
- Campbell: Pedestrian-Bike Bridge Replacement over Los Gatos Creek Trail at Camden Avenue
- Campbell: Hamilton Avenue Widening Feasibility Study
- Cupertino: De Anza Trail Feasibility Study
- Los Altos Hills: Segment 1 - Moody Road / El Monte Road Improvements
- Milpitas: Bike lanes on Piedmont Ave
- Milpitas: Union Pacific Railroad overcrossing feasibility study
- Milpitas: Coyote Creek Trail between Dixon Landing Road and State Route 237
- Monte Sereno: Highway 9 Feasibility Study
- Morgan Hill: West Little Llagas Creek Trail: Phase 2-Wildlife Trail
- Santa Clara: River Oaks Pedestrian-Bike Bridge over Guadalupe River
- Palo Alto: Homer Avenue Undercrossing of the Caltrain tracks

Remaining Activities to Complete

- Construction will be completed on the following projects:
 - Santa Clara: San Tomas Aquino Creek Trail between Monroe Street to Cabrillo Avenue
 - Saratoga: De Anza Trail now known as Joe's Trail (PG&E alignment)
 - Sunnyvale: Borregas Avenue Bicycle / Pedestrian overcrossings
 - Cupertino: Mary Avenue Bicycle / Pedestrian overcrossing of I-280
 - Los Altos: Adobe Creek bridge replacement
 - Morgan Hill: West Little Llagas Creek Trail: Phase 3 - LaCrosse Drive to Watsonville Road
- Design will begin on the following project.
 - San Jose: Los Gatos Creek Trail Reach 5
- Implementation of the Pilot Bike Parking Project will continue.



F. EXPRESSWAY SIGNAL SYNCHRONIZATION PROGRAM

The County Roads & Airports Department has identified expressway signal synchronization projects to improve expressway capacity and operations. In addition, they have prepared an expenditure plan for the proposed improvements.

Scope Revisions Since Base Case Plan

At the June 8, 2001 Joint Board Meeting, the County Board of Supervisors and the VTA Board of Directors approved a budget increase from \$22.0 million to \$25.4 million to account for escalation in project costs. However, as part of the effort to balance the Measure B Program, the County Board of Supervisors and the VTA Board of Directors approved a budget reduction for the Expressway Signal Synchronization Program from \$25.4 million to \$24.1 million at the June 7, 2002 Joint Board Meeting.

Project Milestones

All signal synchronization of the major expressway segments under the Measure B Program have been completed. Only minor equipment installation, system integration and clean-up items remain to be completed.

Project Development Issues

The San Tomas Expressway project (between Bascom and Central) shown as a deferred project in the FY2006 Expenditure Plan has now been funded and is currently under construction.

In 2009, Measure B staff and County Roads and Airport staff will develop a Closeout Agreement that outlines final commitments and funding related to the Signal Synchronization Program. Staff anticipates bringing this item to the Board of Supervisors in the Spring of 2009.

G. LEVEL OF SERVICE INTERSECTION IMPROVEMENT PROGRAM

The County Roads & Airports Department identified an initial list of intersection improvement projects for the Level of Service (LOS) Program to be included in the 1996 Measure A program. During the development of the Base Case Plan, Roads & Airports reevaluated the LOS program based on current traffic data and a cost/benefit analysis of the projects to formulate a LOS program that would solve as many critical expressway intersection delays as possible.



Scope Revisions Since Base Case Plan

At the June 8, 2001 Joint Board Meeting, the County Board of Supervisors and the VTA Board of Directors approved a budget increase from \$10.0 million to \$11.8 to account for escalation in project costs. However, as part of the effort to balance the Measure B Program, the County Board of Supervisors approved a budget reduction for the Level of Service (LOS) Intersection Improvement Program from \$11.8 million to \$11.2 million at the June 7, 2002, Joint Board Meeting.

In September 2005, the Roads and Airports Department was notified that they had received federal earmarks in the 2005 SAFETEA reauthorization for the Almaden Expressway project and the San Tomas & Hamilton project. On December 6, 2005 the County Board of Supervisors approved providing Measure B funding of \$1.529 million for Almaden and \$1.274 million for San Tomas & Hamilton as local match to the federal earmarks.

At its June 20, 2006 meeting, the County Board of Supervisors approved using \$0.627 million in funding from the Measure B Level of Service Program contingency for the San Martin LOS Project. These funds along with \$0.400 million in funding provided by County Roads and Airports would fully fund the LOS improvements at San Martin and Monterey, and allow the construction to be combined with the VTA's Caltrain improvements in this area.

Project Milestones

With the exception of the projects listed below, all work under the Measure B Level of Service Program has been completed.

- Preliminary engineering for the Almaden Expressway project between Branham Lane and Blossom Hill Road is underway. The Environmental document has been approved, and the purchase of right of way (ROW) required for the project has now begun. Due to the potential for an extended ROW purchase period, construction is planned for the summer of 2010.
- The construction contract for the San Tomas & Hamilton project was awarded in November 2008. Completion of the project is planned for the fall of 2009.
- Construction of the LOS improvements at San Martin and Monterey is substantially complete, and the intersection is fully operational. Minor clean-up items are expected to be complete, and the contract accepted in the spring of 2009.

Project Development Issues

In 2009, Measure B staff and County Roads and Airport staff will develop a Closeout Agreement that outlines final commitments and funding related to the LOS Program. Staff anticipates bringing this item to the Board of Supervisors in the spring of 2009.



H. FUND SWAP PROJECTS

To date, fund swap programs related to the Tasman East, Vasona, and Capitol Light Rail Extensions and the State Route 237/880 Interchange Stage C project have been approved. These programs capture federal grants and sales tax revenue bond proceeds for the projects and release 1996 Measure B funds for locally approved projects. To date, VTA has collected all grant revenue and sales tax bond proceeds required for the Swap Program. The locally approved projects include one hundred Low-floor Light Rail Vehicles, Pavement Management Projects, State Route 152/156 Interchange Construction, Route 101/U.S. 85 Interchange North HOV Direct Connectors, Downtown/East Valley Light Rail Extension and Vasona Phase II.

In 2004, VTA and the County entered into a fund swap agreement numbered 2004-01. Part one of that agreement provided \$22.5 million in STIP funding to the 237/880 Interchange Project in exchange for an equal amount of MBTIP funding to be added to the swap program. Part two of the agreement provided for MBTIP funds reimbursing VTA for \$7.23 million of costs incurred for landscaping on MBTIP highway projects. Residual sales tax receipts, collected after the 1996 Measure B sales tax expired in the third quarter of FY06, would fund the reimbursement.

As part of the MBTIP Completion Agreement, VTA assumed the financial risk for completing highway landscaping in exchange for all residual sales tax revenues. In exchange, all residuals sales tax revenues are forwarded from the County to VTA and applied to the Swap Program, up to a total value of \$7.23 million. (Beyond that amount, residual sales tax revenues will be applied to the savings priorities outlined in the MBTIP Completion Agreement.) As of October 31, 2008, the cumulative total of residual sales tax received was \$7.36 million. Therefore, VTA has received its full \$7.23 million compensation for highway landscaping costs, with \$0.13 million of residual sales tax proceeds to date and all future such revenues going to the benefit of the 1996 Measure B Program as a whole. As a consequence, the value of the Swap Program increased from \$326.0 million to \$328.5 million.

Figure 2.8 on the next page presents the forecast cost at completion for each of the Fund Swap Projects through December 2008. Since the December 2007 Progress Report, \$6.0 million was programmed for the State Route 237 Express Connector Project.

\$4.6 million in Swap Program funds remains un-programmed at this time.

As noted, Figure 2.8 does not include the Vasona Light Rail Project (\$1.8 million for the Winchester Extension), nor does it include the Route 85/U.S. 101 North Interchange HOV Direct Connector Project (\$25 million). These projects and the total funding associated with them are reported elsewhere in this report.



Figure 2.8
1996 Measure B Fund Swap Cost Status

Project ¹	Current Measure B Swap Funds
Vasona/VTA Operations Fund Swap	7.2
Caltrain Palo Alto/TVM Swap	0.5
County Storm Damage & Pvmnt Mgmt ²	13.7
TEA-21 Pvmnt Mgmt Program* ³	28.4
Old SR-85 Relinquishment (Saratoga)	0.9
I-680 HOV Lanes - Phase 1 Aux. Lane	3.0
STIP Equity - Gilroy St. Teresa Blvd. Ext.	3.0
Montague Expressway	3.2
US 101 / Bailey Road Interchange ²²	4.5
Gateway Studies ^{17, 22}	1.1
VTA Fund Swap Grant Administration ⁴	1.3
TDA Article 3 Prgmr Supp - County	0.08
TDA Article 3 Prgmr Supp - Campbell	0.05
Dixon Landing Road Pre-Const. Acts. ⁵	0.4
Downtown/East Valley LRT: CE,PE,ENV	5.7
Caltrain Railroad Crossings in Sunnyvale	0.1
1984 Measure A Project Close-Out Costs	0.1
Dumbarton Rail Corridor Study	0.2
Countywide Expressway Study ⁶	2.0
Countywide Plan, Program, Monitor ⁷	1.8
CDT Planning Program	1.4
Corridor Studies: US-101, SR-237, I-280 ^{8, 22}	1.4
SR-152/SR-156 ENV & Design ⁹	6.7
US 101 Habitat Mitigation	4.4
I-880/DLR Supplemental Funding	0.1
SR-25 ENV Review Process ²⁰	2.2
I-680 Soundwall at Jacklin Rd., Milpitas ¹⁰	0.6
VTP 2030 Project Cash Flow	6.0
I-880 Landscaping ^{11, 22}	1.0
SR-85/ US 101 North Landscaping ^{11, 22}	2.2
SR-87 Landscaping ¹¹	2.1
SR-87 N HOV Closeout ²³	1.3
Monte Sereno Road Rehabilitation ¹²	0.1
I-880 Corridor Study ¹³	0.5
Downtown Platform Retrofit ¹⁵	2.5
US-101/Mathilda Ave/SR-237 IC PSR ¹⁶	0.3
Calaveras Blvd Widening PSR ¹⁷	0.2
SR-237 IC's w/SR-85 & Middlefield ^{18, 22}	0.5
US-101/SR-25 Interchange ¹⁹	1.0
US-101 North San Jose Corridor ²⁰	0.5
HOT Lanes Demo Project ²⁰	2.3
Mary Ave. Bike/Ped. Bridge ²¹	3.4
Almaden Expressway Improvements ²²	1.5
SR 156/Barnheisel Road ²²	0.4
SR 237 Express Connector ²³	6.0
TBD Projects	4.6
100 Additional Low Floor Vehicles	198.3
Total Projects	328.5
Grand Total	\$ 328.5

NOTES:

¹ This table excludes Vasona Winchester Extension (\$1.8 million), and the US-101 / SR 85 Interchange (North) HOV Direct Connectors (\$25.0 million) projects.

These project amounts are reported as part of the Vasona Light Rail Project and the US-101 / SR 85 Interchange (North) HOV Direct Connectors Project, respectively, in the Rail and Highway Programs.

² TEA-21 Pvmnt Mgmt Fund Exchange for the County - Cycle 1, Cycle 2 and RABA - VTA BOD actions of 2/4/99, 1/6/00, and 12/14/00 respectively

³ TEA-21 Pvmnt Mgmt Fund Exchange for all cities - Cycle 1, Cycle 2 and RABA - VTA BOD actions of 2/4/99, 1/6/00, and 12/14/00 respectively

⁴ Includes \$1 million from VTA BOD action of 8/3/00 and \$300,000 from VTA BOD action of 12/14/00

⁵ Includes \$175,000 from VTA BOD action of 8/3/00 and \$225,000 from VTA BOD action of 4/5/01

⁶ Includes \$1 million from VTA BOD action of 6/7/01 and \$1 million from VTA BOD action of 9/5/02

⁷ Includes \$245,000, \$204,000 and \$1.4 million from VTA BOD actions on 10/5/00, 12/14/00, and 6/7/01 respectively

⁸ Added by VTA BOD as of 3/7/02

⁹ Includes \$3 million from VTA BOD action as of 8/4/05

¹⁰ Added by VTA BOD as of 6/3/04

¹¹ Added by VTA BOD as of 12/2/04

¹² Added by VTA BOD as of 3/3/05 & 4/6/06

¹³ Added by VTA BOD as of 3/30/05

¹⁵ From Winchester Savings; Added by VTA BOD as of 8/4/05

¹⁶ Added by VTA BOD as of 8/4/05

¹⁷ Amended by VTA BOD; Gateway Studies completed for \$1.85M, Calaveras programmed from \$150K remainder

¹⁸ Added by VTA BOD 1/15/06

¹⁹ VTA BOD actions on 6/5/03 & 8/31/06

²⁰ Added by VTA BOD 11/2/06

²¹ Added by VTA BOD 11/1/07

²² Added/Reduced by VTA BOD 12/13/07

²³ Added/Reduced by VTA BOD 12/11/08



TRANSIT PLANNING AND OPERATIONS COMMITTEE WORKPLAN - 1/1/09-6/4/09

Doc ID	Origin	Short Title	TP&O 1/15	BOD 2/5	TP&O 2/19	BOD 3/5	TP&O 3/19	BOD 4/2	TP&O 4/16	BOD 5/7	TP&O 5/21	BOD 6/4
1522	Dept - Planning / Kevin Connolly	Highway-Based BRT Alternatives Analysis Contract	A	A								
1902	Division - Engineering & Construction / Ken Ronsse	Caltrain So County Improvements Construct Contract	A	A								
1710	Division - Engineering & Construction / Ken Ronsse	Joint Use & Maint Agmt W/CA for Measure B Projects	A	A								
1615	Dept - Maintenance Operations / Mark Mahaffey	Security Contract	A	A								
1714	Dept - Board Secretary / Greta Helm	Elect Standing Committee Vice Chairperson	A									
1562	Division - Engineering & Construction / Mark Robinson	1996 Measure B TIP Progress Report-12/08	I	I								
1234	Dept - Property Development & Management / Irene Wang	Appraisal, Acquisition & Relocation Svcs Contract			A	A						
1237	Dept - Maintenance Operations / Michael Hursh	Bus Wash Replacement (Chaboya)			A	A						
1903	Dept - Property Development & Management	Conveyance of Property Interests to PCJPB			A	A						
1566	Division - Engineering & Construction / Mark Robinson	Measure A Semi-Annual Report			I	I						
1602	Division - Fiscal Resources / Ali Hudda	Farebox Replacement Update			I							
1612	Dept - Ops Analysis, Reporting & Systems / Joonie Tolosa	Transit Operations Performance Report-Q2 FYTD			I							
1655	Dept - Maintenance Operations / Michael Hursh	Joint Workforce Investment Program Quarterly Rpt			I							
1251	Division - Engineering & Construction / Ken Ronsse	Light Rail Track Intrusion/Intersection Safety					A	A				
1660	Dept - Service & Operations Planning / Jim Unites	Approve Annual Service Plan					A	A				
1509	Dept - Project Development / Tom Fitzwater	Sustainability Program Update					I	I				
1657	Dept - Service & Operations Planning / Jim Unites	April 2009 Service Changes					I	I				
1519	Dept - Planning / Kevin Connolly	BRT Strategic Plan - Recommendation					I					
1567	Division - Engineering & Construction / Ken Ronsse	De Anza College Bus Stop Paving Contract						A	A			
1665	Division - Engineering & Construction / Mark Robinson	Laser Intrusion Detection Systems						A	A			
1666	Division - Engineering & Construction / Mark Robinson	CCTV Phases 1-3 Implementation Project						A	A			
1791	Division - SVRT Program / Carolyn Gonot	SVRT Planning Services On-Call List						A	A			
1793	Division - SVRT Program / Carolyn Gonot	SVRT Project Implementation Plan						A	A			
1906	Dept - Planning	City of SJ/VTA SCAR MOU						A	A			
1807	Division - Operations / Jim Unites	Paratransit Program and RFP						I				
1520	Dept - Planning / Kevin Connolly	SCAR Improvement Project Prelim Eng Contract Award									A	A
1521	Dept - Planning / Kevin Connolly	EI Camino BRT - Conceptual Engineer Contract Award									A	A
1252	Division - Engineering & Construction / Ken Ronsse	Rail Station Public Address System Upgrade									A	A
1270	Division - Engineering & Construction / John Donahue	MWT Coop Agreement W/ACTA-Caltrans-Fremont									A	A
1561	Division - Engineering & Construction / Ken Ronsse	Bus Stop and ADA Improvement Construction Contract									A	A
1568	Division - Engineering & Construction / Ken Ronsse	Cerone Security Fence Contract Award									A	A
1794	Division - SVRT Program / Carolyn Gonot	SVRT Planning Services Contract									A	A
1658	Dept - Service & Operations Planning / Jim Unites	July 2009 Service Changes									I	I

TRANSIT PLANNING AND OPERATIONS COMMITTEE WORKPLAN - 1/1/09-6/4/09

Doc ID	Origin	Short Title	TP&O 1/15	BOD 2/5	TP&O 2/19	BOD 3/5	TP&O 3/19	BOD 4/2	TP&O 4/16	BOD 5/7	TP&O 5/21	BOD 6/4
1334	Dept - Planning / Kevin Connolly	Light Rail Systems Analysis- Market & Ops Analysis										
1613	Dept - Ops Analysis, Reporting & Systems / Joonie Tolosa	Transit Operations Performance Report-Q3 FYTD										
1656	Dept - Maintenance Operations / Michael Hursh	Joint Workforce Investment Program Quarterly Rpt										
1805	Division - Operations / Jim Unites	Transit Shelter Advertising Program and RFP										