

Transit Planning & Operations Committee

Thursday, February 18, 2010

MINUTES

CALL TO ORDER

The Regular Meeting of the Transit Planning and Operations (TP&O) Committee was called to order at 4:30 p.m. by Chairperson Kalra in Conference Room B-104, Valley Transportation Authority (VTA), 3331 North First Street, San Jose, California.

1. ROLL CALL

Attendee Name	Title	Status
Margaret Abe-Koga	Member	A
Ash Kalra	Chairperson	P
Rich Larsen	Vice Chairperson	P
Sam Liccardo	Member	P
Nora Campos	Alternate Member	NA
Jamie Matthews	Alternate Member	P

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

A quorum was present.

2. PUBLIC PRESENTATIONS

There were no Public Presentations.

3. ORDERS OF THE DAY

Chairperson Kalra recommended moving Agenda Item #14, January 2010 Monthly Ridership and Fare Revenue Performance, after Agenda Item #11, Fiscal Year to Date 2010 Second Quarter Transit Operations Performance Report. He noted the addendum to the agenda, Agenda Item #18.X, Determine Consent Agenda for the March 4, 2010 Board of Directors Meeting.

M/S/C (Larsen/Matthews) to approve the Orders of the Day.

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

CONSENT AGENDA

4. Minutes of January 21, 2010

Vice Chairperson Larsen referenced a typographical error on page three, third paragraph, to change 60 dollars to 60 million dollars.

Vice Chairperson Larsen inquired about the WiFi initiative.

Michael T. Burns responded the WiFi initiative would be part of the technology review that would be presented at the March 4, 2010 Board of Directors meeting.

M/S/C (Matthews/Larsen) to approve the Minutes of January 21, 2010 as amended.

REGULAR AGENDA

5. Report from the Committee for Transit Accessibility (CTA) Activities

Chairperson Kalra reported on behalf of Aaron Morrow, CTA Chairperson. The report expressed the importance of paratransit service, and the good working relation between VTA and Outreach.

On Order of Chairperson Kalra and there being no objection, the report from the Committee for Transit Accessibility Activities was received.

6. Santa Clara-Alum Rock Bus Rapid Transit (BRT) Project – Preliminary Engineering Contract Award

Kevin Connolly, Transportation Planning Manager, distributed a handout entitled, New Rapid Transit is Coming to Santa Clara County. He provided background information on the project and explained the process of selecting firms. He noted the CH2M Hill was selected because of the following: 1) history of the project; 2) local knowledge; and 3) innovative approach on public art, design and architecture.

Vice Chairperson Larsen inquired about the source of funding for the project.

Michael T. Burns, General Manager, responded the project will be funded by Measure A. He explained that after extensive work with the community, BRT was selected which may eventually be upgraded to Light Rail depending on ridership demand.

Mr. Connolly noted the ridership study indicates that ridership for the corridor will grow.

M/S/C (Matthews/Larsen) to approve submitting a recommendation to the Board of Directors to authorize the General Manager to execute a contract with CH2M HILL consulting services to complete preliminary engineering for the Santa Clara-Alum Rock Bus Rapid Transit (BRT) Project. The contract shall be for a three-year period for a total value not to exceed \$4,886,000.

7. **Authorization for General Manager to Transfer Easements, and Execute Possession and Use and Right of Entry Agreements for the Mission/Warren/Truck Rail and the Kato Grade Separation Projects**

M/S/C (Larsen/Matthews) to approve submitting a recommendation to the Board of Directors to authorize the General Manager to execute all documents necessary to transfer road easements, public service easements and other easements at no cost to the City of Fremont and State of California for the Mission/Warren/Truck Rail and the Kato Grade Separation Projects. Further, authorize the General Manager to execute Possession and Use or Right of Entry Agreements to grant legal possession of the right-of-way prior to final conveyance of said easements, as necessary.

8. **Guadalupe Corridor - DC Switchgear Replacement Contract Award**

Mark Robinson, Chief Construction Officer, provided background information regarding the project, and explained the bidding process. He noted staff recommends award of the contract to Bleyco, Inc., the lowest responsible and responsive bidder.

Member Liccardo took his seat at 4:45 p.m.

The Committee inquired about the bid process and if there is a chance for other contractors to resubmit or complete their bids.

Kevin D. Allmand, General Counsel, explained that it is a State statute for contractors to specify subcontractors when submitting a bid. Failure to do so would make the bidder non-responsive. He stated the State statute was established to ensure a fair selection in awarding contracts. He noted that in the case of Cupertino Electric, they did not specify their subcontractors in their opening bid and they also failed to submit Bid Form 3 which was due a few days later.

Chairperson Kalra recommended improving the bid process by informing contractors of the bid requirements.

Vice Chairperson Larsen inquired about the source of funding for project.

Michael T. Burns, General Manager, responded the project is funded by grant funds for capital improvements.

Member Liccardo inquired about an approach rejecting all bids and do a rebid to obtain be best price for the project.

Mr. Allmand responded the Board has discretion to perform that approach as long as it is for the best interest of the organization. He added the case law is favorable in terms of deciding to rebid for the interest of the agency. He noted that there was confusion among other contractors as well regarding submitting the proper forms to bid.

Mr. Burns responded the organization reserves the right to reject all bids, but should have a strong case to support why all bids are rejected. He added that the organization may receive a protest from Bleyco Inc., and there is no guarantee that we will receive better prices on the second round of bidding.

Vice Chairperson Larsen stated that rejecting all bids may convey a wrong message to contractors and VTA may not get good bids in the future.

Chairperson Kalra expressed concern regarding the justice component of rejecting all bids. He added that in the contrary, it would be irresponsible not to rebid knowing that VTA is not getting the best price for the project.

Alternate Member Matthews supported the approach to reject all bids because of the proof that there was confusion among contractors in submitting their bids, and that the organization will acquire the best price for the project. He suggested improving the bid process.

M/S/C (Liccardo/Matthews) on a vote of 3 Ayes to 1 No and 0 Abstentions to approve submitting a recommendation to the Board of Directors to reject all bids and conduct a rebid, and to include the following in the report 1) any evidence of confusion among contractors regarding the bid process; 2) comparison of the current cost of materials versus the cost when the bid was made; and 3) legal discretion of the Board on awarding contracts. Vice Chairperson Larsen opposed.

9. Guadalupe Maintenance Facility Paint Mix Room Improvements Project Construction Contract Award

On Order of Chairperson Kalra and there being no objection, a report on the Guadalupe Maintenance Facility Paint Mix Room Improvements Project Construction Contract Award was received.

OTHER ITEMS

10. 2000 Measure A Transit Improvement Program Semi-Annual Report - December 2009

On Order of Chairperson Kalra and there being no objection, the 2000 Measure A Transit Improvement Program Semi-Annual Report - December 2009 was received.

11. Fiscal Year to Date 2010 Second Quarter Transit Operations Performance Report

Jim Unites, Deputy Director for Operations, provided a report highlighting: 1) Ridership; 2) Key Performance Indicators; 3) Paratransit; and 4) Contracted and Inter-Agency Services.

Member Liccardo recommended comparing VTA's service performance figures with national rankings or standards to show the public that VTA is an excellent transit system.

On Order of Chairperson Kalra and there being no objection, the Fiscal Year to Date 2010 Second Quarter Transit Operations Performance Report was received.

The Agenda was taken out of order.

14. January 2010 Monthly Ridership and Fare Revenue Performance

On Order of Chairperson Kalra and there being no objection, the January 2010 Monthly Ridership and Fare Revenue Performance report was received.

12. Paratransit Program Information

Jim Unites, Deputy Director for Operations, provided a report highlighting: 1) Americans with Disabilities Act (ADA) requirements; 2) Required ADA paratransit service criteria; 3) Paratransit eligibility; 4) VTA's paratransit system; 5) Budget FY 2010; 6) FY 2009 service summary; 7) Expense and ridership; 8) Paratransit ridership by time of day; 9) Paratransit ridership by age group; 10) Fares; 11) Premium services; 12) Premium service ridership; 13) Paratransit vehicles; 14) Paratransit facilities; and 15) Maintenance and fuel.

Member Liccardo provided the following suggestions: 1) use paratransit service vehicles to compete with the private market and produce revenue for the system; and 2) contract with different cities to offer transit service for city employees.

Katie Heatley, Outreach CEO, responded that Outreach cannot compete with the private market. She recommended conducting service policy changes that would allow Outreach to do mix service and vehicle sharing for people with disability and low income.

Michael T. Burns, General Manager, responded that organizations who receive federal funding are prohibited to compete with the private market. He added contracting with different cities to provide transit service would add to the cost of the service.

On Order of Chairperson Kalra and there being no objection, the Paratransit Program Information was received.

13. Quarterly Marketing Report and Presentation, Second Quarter, FY 2010

Dino Guevarra, Sales and Promotion Supervisor, provided a report highlighting: 1) Major service changes; 2) Holiday service schedules; 3) Weekend station closures; 4) Downtown Ice; 5) Applied Materials Silicon Valley Turkey Trot; 6) Fantasy of Lights at Vasona Lake Park; 7) Toys for Tots; 8) Holiday and leisure destinations with Terry Firma; 9) Bus Stop Improvement Program; 10) 2010 Eco Pass renewals; and 11) E-Commerce.

Member Liccardo requested the contact information of VTA's Marketing Department to promote potential partnership with developers to utilize transit programs.

Chairperson Kalra suggested marketing transit programs to high density residents of San Jose. He also commended staff for doing a good job of informing the public about the service changes.

On Order of Chairperson Kalra and there being no objection, the Quarterly Marketing Report and Presentation, Second Quarter, FY 2010 was received.

15. Items of Concern and Referral to Administration

Alternate Member Matthews inquired about the VTA plan to integrate projects with High Speed Rail.

Michael T. Burns, General Manager, responded staff has been coordinating with the High Speed Rail Authority on impacts High Speed Rail would bring to VTA facilities. He noted staff is working closely with Caltrain who is taking the lead on High Speed Rail from San Francisco to San Jose. He added staff is also working with the City of San Jose in establishing a Policy Advisory Board for High Speed Rail. Its first meeting is scheduled on March 19, 2010.

Vice Chairperson Larsen left his seat at 6:00 p.m.

16. Committee Work Plan

On Order of Chairperson Kalra and there being no objection, the Committee Work Plan was reviewed.

17. Committee Staff Report

Dan Smith, Chief Operating Officer and Staff Liaison, provided a handout highlighting the following: 1) Vancouver Olympics; 2) Training; 3) Joint Workforce Initiative; 4) Security; and 5) Fare enforcement.

On order of Chairperson Kalra and there being no objection, the Committee received the Committee Staff Report.

18. Chairperson's Report

Chairperson Kalra reported on the success of the High Speed Rail Community meeting conducted in San Jose. He recommended the Committee to conduct the same meeting in their respective communities.

Chairperson Kalra noted that he will not be present at the March 18, 2010 TPO meeting.

18.X Determine Consent Agenda for the March 4, 2010 Board of Directors Meeting

Consent Agenda:

Agenda Item #6, Authorize the General Manager to execute a contract with CH2M HILL consulting services to complete preliminary engineering for the Santa Clara-Alum Rock Bus Rapid Transit (BRT) Project. The contract shall be for a three-year period for a total value not to exceed \$4,886,000.

Agenda Item #7, Authorize the General Manager to execute all documents necessary to transfer road easements, public service easements and other easements at no cost to the City of Fremont and State of California for the Mission/Warren/Truck Rail and the Kato Grade Separation Projects. Further, authorize the General Manager to execute Possession and Use or Right of Entry Agreements to grant legal possession of the right-of-way prior to final conveyance of said easements, as necessary.

Agenda Item #10, Receive the 2000 Measure A Semi-Annual Report.

Regular Agenda:

Agenda Item #8, Authorize the General Manager to execute a contract with Bleyco, Inc., the lowest responsive and responsible bidder, in an amount of \$3,540,920 for the Guadalupe Corridor DC Switchgear Replacement project. This contract is 100% funded by Federal and State grants.

19. ANNOUNCEMENTS

There were no announcements.

20. ADJOURNMENT

On Order of Chairperson Kalra and there being no objection, the meeting was adjourned at 6:02 p.m.

Respectfully submitted,

Michael Diaresco, Board Assistant
Office of the Board Secretary