Board of Directors:

You may now access the Sept. 18, 2020, Board of Directors’ Workshop Meeting agenda packet posted on our agenda portal.

Thank you.

Office of the Board Secretary
Santa Clara Valley Transportation Authority
3331 North First Street, Building B
San Jose, CA 95134-1927
Phone 408-321-5680
From: VTA Board Secretary  
Sent: Friday, September 11, 2020 5:07 PM  
To: VTA Board of Directors  
Subject: VTA Correspondence: Week ending September 11, 2020

VTA Board of Directors:

We are forwarding to you the following correspondence:

<table>
<thead>
<tr>
<th>From</th>
<th>Topic</th>
</tr>
</thead>
</table>
| Roland Lebrun, Member of the Public | • Comments addressed to the Caltrain Board pertaining to: 1) Marin St. and Napoleon Ave. bridge closure project; and 2) Unfunded $11M Stadler EMU upper door reinstallation placeholder project.  
|                             | • Comments addressed to the CHSRA Board pertaining to San Francisco to San Jose draft EIR/EIS comments                              |

Thank you.

Office of the Board Secretary  
Santa Clara Valley Transportation Authority  
3331 North First Street, Building B  
San Jose, CA 95134-1927  
Phone 408-321-5680

Conserve paper. Think before you print.
From: Roland Lebrun  
Sent: Wednesday, September 2, 2020 5:30 AM  
To: Caltrain Board <board@caltrain.com>  
Cc: SFCTA Board Secretary <clerk@sfcta.org>; VTA Board Secretary <Board.Secretary@vta.org>; SFCTA CAC <cac@sfcta.org>; Caltrain CAC Secretary <cacsecretary@caltrain.com>  
Subject: MARIN STREET AND NAPOLEON AVENUE BRIDGE CLOSURE PROJECT

Dear Chair Pine,

The intent of this email is to alert the Board to multiple discrepancies between:

- Agenda item #6c CAPITAL PROJECTS QUARTERLY STATUS REPORT – 4th QUARTER FISCAL YEAR 2020  
- Agenda item #7 FISCAL YEAR 2021 CAPITAL BUDGET specifically:

  1) The Capital Projects Quarterly Report (attached) lists the Marin and Napoleon bridges as a bridge closure project while the Capital Budget refers to the Marin and Napoleon Bridge Rehabilitation Project.

  2) The Capital Projects Quarterly Report (attached) shows an approved budget of $16,400,000 while the FY2020-2021 CAPITAL BUDGET (attached) shows an approved budget of $9,696,000

Sincerely,

Roland Lebrun

CC
SFCTA Commissioner
VTA Board of Directors
SFCTA CAC
Caltrain CAC
MARIN STREET AND NAPOLEON AVENUE BRIDGE CLOSURE PROJECT

SCOPE:
Marin Street and Napoleon Avenue bridges are located at MP 2.35 and MP 2.45 respectively in the City and County of San Francisco. Project Scope is for:
1. Marin Street Bridge - improve safety and security, maintain the bridge at a state of good repair, and improve worker safety.
2. Napoleon Street Bridge - improve safety and security, minimize future maintenance repairs, and replace deficient bridge components by removing the four short bridge spans not located over box culvert and replace with lightweight fill, replacing the main center steel bridge with precast concrete girders and adding new wing walls.
3. Additional trackwork to replace the rail on MT1 and MT2 from approximate MP 2.10 to MP 2.63 (optional work).

Issues:
None.

SCHEDULE:

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<th>Activity ID</th>
<th>Activity Name</th>
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<th>End</th>
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<th>2018</th>
<th>2019</th>
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<th>2021</th>
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<td>Revised Final Design</td>
<td>06-Jan-20 A</td>
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<tr>
<td>002080</td>
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<td>10-Jul-21</td>
<td>31-Jul-21</td>
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<td>Project Close Out</td>
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(1) Revised Final Design is due to a change from recast concrete girders to steel girders to minimize risk of high loading on existing box culvert and also accommodate PCEP overhead wires is completed and C&P is reviewing the IFB package with legal.
(2) The schedule will be rebaseline when we receive the approved construction schedule.

Progress:
Apr - Jun 2020
(1) Working with City of SF. Legal team regarding "major encroachment permit".
(2) IF was advertised for construction contract. Worked on Addendum and Bidder Inquiries.
(3) Conducted pre-bid meeting and job site walk with potential bidders.
(4) Bid Opening was on 04/28/20 - Disney Construction was lowest bidder and Proven is 2nd lowest bidder. Disney Construction bids were rejected due to non-compliance with DBE (15% goal). Hearing to be held for Disney's filed protest.
(5) Bid documents were reviewed by OCR for DBE compliance.

Future Activities:
Jul - Sep 2020
(1) Hearing for Disney Construction's protest regarding rejection of bids.
(2) Determination of responsive bidder.
(3) Work on Resolution and Staff Report.
(4) Award the construction contract at the board meeting.
(5) Begin Construction.

Issues:
Project schedule has been extended due to:
(1) Existing box culvert coordination at Napoleon Street - Closed, addressed in IFB package
(2) Crane - stage construction issue due to exisiting constraints - Closed, addressed in IFB package
(3) Existing job site conditions - homeless and DPW on PCJPB right of way - Ongoing coordination with DPW and Hanson Bridgett
(4) Major encroachment permit - requested by City of San Francisco - Ongoing coordination with DPW and Hanson Bridgett
(5) Design modifications for incorporating PCEP OCS components - Closed, addressed in IFB package
MARIN STREET AND NAPOLEON AVENUE BRIDGE CLOSURE PROJECT

<table>
<thead>
<tr>
<th>Budget</th>
<th>Current Board Approved Budget</th>
<th>Expended to Date</th>
<th>Committed to Date</th>
<th>Estimate at Completion</th>
<th>Variance at Completion</th>
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<td>$2,993,552</td>
<td>$3,064,606</td>
<td>$16,400,000</td>
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</table>

**Project Budget / Cost Status**

- Current Board Approved Budget
- Expended to Date
- Committed to Date
- Estimate at Completion

**Issues:**

1. EAC has been increased this Quarter as per Project Manager latest cost estimate and is due to Risk Register Cost, Box culvert inspection, Permits, Weekend work, Soft cost etc., which were inadvertently missed in the original estimate.

2. FY2021 Capital Budget of $9,696,000 approved at June board approved was added this quarter.

**SAFETY:**

No incidents reported this quarter.
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<thead>
<tr>
<th>Item</th>
<th>PROJECT NAME</th>
<th>Project Sponsor</th>
<th>FY20 R&amp;M APPROVED</th>
<th>FY20 ADOPTE FUNDED EANDMENT #1</th>
<th>PROPOSED FY20 CAPITAL BUDGET</th>
<th>Federal Funds</th>
<th>STA Funds</th>
<th>STA RER Funds</th>
<th>Members</th>
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<th>Other Funds Total</th>
<th>TOTAL PROPOSED FY20 CAPITAL BUDGET</th>
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</table>

**NOTE:** The above table is a summary of the FY2020-2021 Capital Budget, detailing various projects and their associated costs. The budget includes items such as bridge replacements, signal and communication improvements, rolling stock, and other operational enhancements. The total budget for these projects amounts to $50,869,761.
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<td>Robarts City Station Reopening</td>
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1. Other funds includes project savings from the 51st St. Bridge Replacement project ($2,105,518) and from the 52nd St. Bridge Replacement project ($419,983) made up of federal Section 5307 funds ($1,423,368), prior years VTO funds ($211,206), and IM funds ($486,601) and deobligated Prop 6 funds ($190,424)
2. Insurance premiums and/or Operating Funds
3. Litigation costs funded by operating funds
4. San Tanus Transit Village GT (3145,027) and Ray Ave Air Quality Management District (64,200,000)
5. Prior year AR member funds
6. Unspent funds from Project 200327 Magp Rptd Rail Planning ($1,225,000) and from Project 104508 Service & Access Planning ($20,000,000)
7. Request only for board authority, must be funded by FOSTER
8. Identifies the projects that will be funded by VTA Measure B funds of $2.5 million
From: Roland Lebrun  
Sent: Wednesday, September 2, 2020 4:32 AM  
To: Caltrain Board <board@caltrain.com>  
Cc: SFCTA Board Secretary <clerk@sfcta.org>; VTA Board Secretary <Board.Secretary@vta.org>; MTC Commission <info@mtc.ca.gov>; SFCTA CAC <cac@sfcta.org>; Caltrain CAC Secretary <cacsecretary@caltrain.com>  
Subject: Unfunded $11M Stadler EMU upper door reinstallation placeholder project

Dear Chair Pine,

Having recently authorized a $736,013 change order for "Plugging of High-Level Doorways", it is unclear why Ms. Bouchard is proposing to introduce an "Unfunded $11M Board Authority placeholder project" in the FY21 Capital Budget "for the future reinstallation of the upper level doors in the event that these are required in the Electrical Multiple Units as requested by the funding partners of the electrification program’s Change Management Board".

Here is the timeline leading to the latest developments:

5/20/15 Caltrain Board workshop: Mr. Frank Banko informs the Board that SNCF designed the TGV to be compatible with 550mm (21.9 inches) platform heights.
8/21/15 Caltrain issues an RFP for EMUs with two (upper and lower) sets of doors.
7/7/16 Caltrain receives a single bid from Stadler
9/22/16 Meetings with other potential bidders reveal that they did not want to deal with the complexity
10/28/19 The PCEP Change Management Board approves a $736,013 change order (STA-056-CCO-021) to Stadler for "Plugging of High-Level Doorways"
8/24/20 Ms. Bouchard introduces an "Unfunded $11M Board Authority placeholder project" in the FY21 Capital Budget "for the future reinstallation of the upper level doors in the event that these are required in the Electrical Multiple Units as requested by the funding partners of the electrification program’s Change Management Board"

I will be writing a separate email to the Board going back to 2014 outlining how SamTrans continued a practice of "fake expenses" allowing the District to hide millions to be spent at the discretion of finance managers" after the former Chief Executive was fired for maintaining two sets of books.

SamTrans Accused of Hiding Millions of Public D
– NBC Bay Area
SamTrans leaders decline to answer questions after insiders disclose
set of books” used to track how millions in public dollars were spent
transit district. Vicky Nguyen ...
www.nbcbayarea.com

https://www.nbcbayarea.com/news/local/whistleblower-lawsuit-alleges-samtrans-ignored-
questions-of-fraud/88519/

Whistleblower Lawsuit Alleges
SamTrans Ignored Questions of
Fraud – NBC Bay Area
The San Mateo County Transit District, CEO
Mike Scanlon, and a supervisor have been
named as defendants in a federal
whistleblower lawsuit. Former senior
accountant Ling La says transit district ...
www.nbcbayarea.com

Sincerely,
Roland Lebrun
CC
SFCTA Commissioners
MTC Commissioners
VTA Board of Directors
Caltrain CAC
SFCTA CAC
Dear Chair Richards and Board members,

Thank you for the opportunity to comment on the San Francisco to San Jose draft EIR/EIS comments.

LEGAL ISSUES

Before getting into specific areas of concern with the proposed project, I appreciate the opportunity to highlight how the draft EIR violates two specific sections of Prop1A as codified in Streets and Highways code section 2704

1) The DEIR proposes to connect the San Jose Diridon station to the existing 4th & King railyard in San Francisco instead of the Transbay terminal as codified in Streets & Highways code Section 2704.04(a)

   “It is the intent of the Legislature by enacting this chapter and of the people of California by approving the bond measure pursuant to this chapter to initiate the construction of a high-speed train system that connects the San Francisco Transbay Terminal to Los Angeles Union Station and Anaheim”

   https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=SHC&sectionNum=2704.04.

2) The DEIR proposes to connect San Jose to San Francisco in 48 minutes instead of 30 minutes as codified in Streets & Highways code Section 2704.09(b)(3)

   “San Francisco-San Jose: 30 minutes.”

   https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=SHC&sectionNum=2704.09

OTHER ISSUES
Moving on to other areas of concern, please consider the following alternatives:

1) **There is no need for 100-foot communication towers** every 2-3 miles in the Caltrain right of way because high speed trains are supposed to switch to Union Pacific/Caltrain’s I-ETMS signaling system as they transition from the dedicated high-speed line to the Union Pacific right of way south of Gilroy.

2) **There will be no need for a maintenance facility in Brisbane** after the Transbay terminal is connected to the East Bay because the former Amtrak maintenance facility in Oakland can be repurposed to accommodate HSR maintenance requirements.

3) **Transbay platforms are 400 feet too short** to accommodate 400-meter (1,312 feet) high speed trains. Please refer to the attached DTX SEIR comments for additional information and solutions.

![Diagram](image.png)

4) **There is no need for passing tracks in Millbrae** if every train stops at Millbrae. Please refer to TECHNICAL MEMORANDUM 4.1.1 *Justification for Two-Track Station Configuration* (top of page 2)

   "Assuming a one to two minute dwell time at the intermediate station(s) and all HST providing local stop service (at this station) along this segment of corridor, there is no need for a second track in each direction (total of four tracks; two mainline and two station siding tracks) at the station that would allow for overtakes because with this operating plan, there are no overtakes."

   [http://www.hsr.ca.gov/docs/programs/eir_memos/Proj_Guidelines_TM4_1_1R00.pdf](http://www.hsr.ca.gov/docs/programs/eir_memos/Proj_Guidelines_TM4_1_1R00.pdf)

5) **The Final EIR should consider eliminating passing tracks through Redwood City** by adding a mid-peninsula high-speed rail station at Redwood Junction with a Dumbarton connection modeled after High Speed One (HS1)’s Ebbsfleet International station.

6) There will be no surface parking at Diridon (all parking will be undergrounded).

7) **Intrusion detection is mandatory with quad gates** to stop vehicles getting trapped between the entry and exit gates but there is nothing in California statute (CPUC) that mandates that
intrusion detection should interface with the signaling system to stop an approaching train (even though such a feature is highly desirable).

8) Last but not least, given that the Authority does not plan on operating trains at speeds in excess of 125 MPH between San Jose and San Francisco, there is nothing in statute that grants the Authority exclusivity for environmental clearance in the Caltrain right of way: “nothing in this subdivision precludes other local, regional, or state agencies from exercising powers provided by law with regard to planning or operating, or both, passenger rail service.”

https://california.public.law/codes/ca_pub_util_code_section_185032

Sincerely,

Roland Lebrun

CC

Caltrain Board
MTC Commissioners
SFCTA Commissioners
VTA Board of Directors
Brisbane City Council
Millbrae City Council
Redwood City Council
Caltrain CAC
SFCTA CAC
TJPA CAC
Dear Mr. Boule,

Thank you for the opportunity to comment on the 2015 Caltrain Downtown Extension draft SEIR.

My comments pertain to the following aspects of the project:

- Train box extension design conflict with SB916 (no Transbay connection to the East Bay)
- Widened throat structure impacts and costs
- Lengthy, risky and prohibitively expensive sequential mining tunnel construction
- Fourth and Townsend underground station location
- Unnecessary 7th Street tunnel stub box proposal
- Turnback track impacts on 16th Street grade crossing gate down time
- Alignment conflict with AB3034 (Diridon to Transbay in 30 minutes)

Each comment is followed by a recommendation for an alternative to be studied in the final SEIR.

Thank you in advance for your consideration.

Roland Lebrun

CC

Metropolitan Transportation Commission Board of Directors
SFCTA Board of Directors
Caltrain Board of Directors
California High Speed Rail Authority Board of Directors
SFCTA Citizens Advisory Committee
Caltrain Citizens Advisory Committee
1) Train Box Extension

- The train box extension design violates SB916 (2003) codified in Streets & Highways Codes section 30914(22) (http://law.justia.com/codes/california/2011/shc/division-17/30910-30922/30914) by failing to provide any kind of engineering solution for a future East Bay extension.

- The proposed Caltrain storage is insufficient to enable Caltrain to vacate the 4th & King railyard until after relocation to Oakland.
Recommendation #1

The SEIR should consider an alternate DTX alignment which would enable platform lengthening by extending the train box one block west (towards 2nd Street) while simultaneously providing a viable connection to a Transbay tunnel. This alignment would also eliminate conflicts with the 201 Mission building and enable a 6th full-length through platform (total 3 eastbound and 3 westbound platforms).
This alignment would eliminate the need to demolish the 201 Mission podium structure.
2) Widened throat structure

The SEIR proposes a widened approach to the Transbay Center train box via a massive cut & cover structure that will impact numerous properties as far south as Clementina Street. Construction costs are expected to run into the hundreds of millions and will result in massive circulation and noise impacts on the adjacent neighborhoods for many years.
Recommendation #2

The SEIR should consider an alternate DTX alignment and construction technique that would limit impacts to a small number of buildings on 2nd Street between Minna and Natoma. There would be no additional surface impacts in SOMA north of Townsend.
3) Tunnel design
The current DTX design contemplates the construction of a 3-track sequentially excavated tunnel without any apparent plans for the evacuation of a train travelling on the middle track. This is of particular concern with High Speed trains which have a single door per carriage.

Recommendation #3
The SEIR should consider a twin-bore tunnel design with cross-passages for emergency evacuation (similar to the Central Subway) and a ventilation system designed to eliminate any requirement for vent/evacuation structures north of Townsend.
Please refer to Appendix A (Tunneling Studies) in the HS2 Final Report http://www.railwaysarchive.co.uk/documents/HS2_RouteEngineeringStudyAppendices_2010.pdf and Section A1.4 Fire Safety Engineering in particular for additional information.
4) **Fourth and Townsend Underground Station location**

It is unclear how a relocated Caltrain station on Townsend could possibly accommodate the ridership demand from Mission Bay including UCSF, AT&T Park and the proposed Warriors Arena.
Recommendation #4

The SEIR should consider relocating the Townsend station to 7th Street and providing connectivity to the Central Subway via an extension of the N line connecting to the Mission Bay loop via 16th Street. This station should be designed to accommodate the Grand Boulevard at a later date.
5) 7th Street Tunnel Stub Box
The SEIR proposes to terminate the DTX on 7th Street with a “tunnel stub box” designed to accommodate a future 16th Street grade separation.
Recommendation #5

The SEIR should consider a direct connection to the Planning Department’s Pennsylvania Avenue RAB study alternative. This would achieve 16th Street Grade separation as soon as Caltrain operations are relocated to the Transbay terminal and would save hundreds of millions by eliminating cut & cover structures @ 7th & Townsend
6) Turnback Track impacts on 16th Street grade crossing

The SEIR proposes the addition of two additional tracks on 7th Street, including a turnback track across 16th Street, thereby increasing gate downtime for each train crossing by an additional 10 seconds (10 minutes per day).

Recommendation #6

The SEIR should consider a direct connection to the planning department’s Pennsylvania Avenue alternative (see recommendation #5 above) and turn trains around further south. The SEIR should also consider the abandoned tunnel #1 for storage.
7) **Alignment conflict with AB3034 (San Jose to Transbay in 30 minutes)**

The current DTX alignment consists of 3 sharp curves each with a maximum speed of 25 MPH which extend the travel time between 7th Street and the Transbay Terminal by an additional 3 minutes.

This alignment conflicts with AB3034 (2007) codified in Streets & Highways code section 2704.09(b) [http://www.leginfo.ca.gov/cgi-bin/displaycode?section=shc&group=02001-03000&file=2704.04-2704.095](http://www.leginfo.ca.gov/cgi-bin/displaycode?section=shc&group=02001-03000&file=2704.04-2704.095)

“Maximum nonstop service travel times for each corridor that shall not exceed the following:

(3) San Francisco-San Jose: 30 minutes.”
Recommendation #7

The SEIR should consider an alternate alignment designed to enable an 80 MPH approach to the Transbay Transit Center.

Respectfully submitted for your consideration

Sincerely,

Roland Lebrun