

From: VTA Board Secretary

Sent: Wednesday, September 23, 2026 8:38 AM

To: VTA Board of Directors

Cc: Gonot, Carolyn ; Greene, Beverly ; Haywood, Scott ; Richardson, Greg < >

Subject: From VTA:

Board of Directors:

Please see attached VTA's response to the South Bay Labor Council's letter and comments regarding the print services contract. We have also attached the letter from South Bay Labor Council as reference.

If you have questions please respond to this email.

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**





Jean Cohen, EXECUTIVE OFFICER

EXECUTIVE BOARD

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APRI

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AFT Local 6157

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UFCW Local 5

September 3, 2026

Office of the Board Secretary
Santa Clara Valley Transportation Authority (VTA)
3331 N. First Street
San Jose, CA 95134

Re: RFP P25291 – Print Services Award

Dear VTA Board of Directors:

On behalf of the South Bay AFL-CIO Labor Council, we respectfully ask VTA to take another look at the pending Print Services award under RFP P25291 before moving forward with these long-term contracts, valued at approximately \$7.86 million over five years and potentially \$11 million with available extensions.

Pacific Printing is a union commercial printer located in San José that employs local workers, provides union wages and benefits, and has the equipment and capacity to perform this work here in Santa Clara County. VTA's procurement materials appropriately identify proximity to VTA facilities, delivery logistics, work plan, and quality management as important considerations.

The recommended vendors, however, are both located outside Santa Clara County. Given the size and duration of these contracts, we believe additional consideration should be given to where the work will be performed, proximity and delivery needs, local economic impact, workforce standards, and the value of supporting good union jobs in the communities VTA serves.

We appreciate VTA's partnership with labor and respectfully ask the Board to defer the award to allow for this additional review.

Thank you for your consideration and continued partnership.

Sincerely,

Jean Cohen
Executive Officer
South Bay AFL-CIO Labor Council





Santa Clara Valley Transportation Authority
Office of the Chief Procurement Officer
3331 North First Street, Building B
San Jose, CA 95134

September 22, 2026

MTA Board of Directors
c/o MTA Board Secretary

RE: Request for Proposal No. P25291 – Print Services

Dear MTA Board of Directors,

This letter addresses South Bay AFL-CIO Labor Council’s letter and email, dated September 3, 2026, addressed to MTA Board of Directors and Board Chair Sergio Lopez, respectively, requesting an administrative reconsideration of Santa Clara Valley Transportation Authority’s (“MTA”) Notice of Non-Responsive Determination to FinalOption Corp dba Pacific Printing (“Pacific Printing”) dated July 9, 2026 and deferral of award under Request for Proposal P25291 for Print Services (“RFP”).

The relevant facts of the subject RFP are as follows:

1. RFP No. P25291 was issued on April 1, 2026, soliciting proposals for the procurement of Print Services, which included a 6.3% Small Business Enterprise (“SBE”) Contract goal. Good Faith Effort (GFE”) requirements were outlined in multiple sections of the RFP, including Form 4 of the RFP.

Form 4 of the RFP provided that if the Proposer could not achieve the SBE Contract goal, the “Proposer must submit GFE documentation by the Proposal Due Date or the Proposer will be deemed non-responsive for failure to submit GFE documentation with the Proposal.”
2. On May 8, 2026, Proposals were received.
3. Seven proposals were received and all proposers failed, in one form or another, to submit required proposal documentation with the Proposals.
4. MTA determined that it was in the best interest of MTA to issue a call for Best and Final Offer (“BAFO”), primarily to provide Proposers the opportunity to rectify the proposers’ deficiencies of their initial proposals, including pricing. With the call for BAFO, individualized letters were sent out to the Proposers informing them of their deficiencies to assist them in remedying their Proposals. Regarding FinalOption Corp dba Pacific Printing (“Pacific Printing”), MTA’s letter to Pacific Printing dated June 18, 2026 requested Pacific Printing to submit the following missing Proposal Forms with their BAFO submittal:

Proposal Forms:

- Final Option Corp did not submit the following:
 - Proposal Form 1A: Proposal Submission and Proposer General Information
 - Proposal Form 3: Designation of Subcontractors
 - Proposal Form 4: Listing of SBE Proposer or Subcontractors
 - Proposal Form 5: Litigation Disclosure
 - Proposal Form 6: General Certifications
 - Proposal Form 7: Non-Collusion Declaration
 - Proposal Form 8: References
 - Proposal Form 9: Key Personnel Statement of Availability
 - Proposal Form 10: Designation of Proposer's Representative
 - Proposal Form 11: Local Firm Certification
 - Proposal Form 18: Levine Act Statement
5. On June 25, 2026, BAFOs were received.
 6. The BAFO Proposals were submitted to VTA's Office of Business Development Program ("OBDP") to evaluate Proposers' compliance with SBE requirements included in the RFP.
 7. Proposal Form 4 required the Offeror to check either the Part A box ("HAS ACHIEVED THE [SBE] GOAL"), thereby committing to achieve the 6.3% SBE goal, or the Part B box ("HAS NOT ACHIEVED THE SBE GOAL") to indicate that the Offeror cannot commit to meeting the SBE Contract goal. If the latter were checked, Form 4 expressly stated that "[t]he Proposer must submit GFE documentation by the Proposal Due Date or the Proposer will be deemed non-responsive for failure to submit GFE documentation with the Proposal."
 8. Although, Pacific Printing checked the "HAS NOT ACHIEVED THE SBE GOAL" box, it did not submit *any* GFE documentation. Pacific Printing's Proposal Form 4 submission is provided below:

PROPOSAL FORM 4: LISTING OF SBE PROPOSER OR SUBCONTRACTORS

Instructions: The Proposer (executed by the Proposer's Representative) is required to list each first-tier SBE Subcontractor that will perform work, labor and/or render services to the Proposer.

RFP Contract Number: P25291

RFP Contract Name: Print Services

Proposer Name: FinalOption Corp dba Pacific Printing

Address: 1445 Monterey Highway

City, State, Zip: San Jose, CA 95110

Contact Phone Number: _____

Proposer's Representative Signature and Date: _____

Proposer's Representative Name and Title: Andrew Goett, President

Contract dollar value must exclude work performed by non-SBE except materials or equipment purchased and used in this Contract.

- **CREDIT FOR SBE MANUFACTURERS** Credit for SBE manufacturers is given at 100% toward the SBE goal achieved only where the SBE vendor manufactures or substantially alters the material prior to resale.
- **CREDIT FOR SBE SUPPLIERS** of materials or supplies is limited to 60% of its expenditures for materials and supplies required under this Contract and obtained from a SBE regular dealer.
- **CREDIT FOR SBE DISTRIBUTORS** A SBE distributor may count **40%** of the cost of materials or supplies (including transportation) if it assumes responsibility for the items upon departure from the point of origin, evidencing ownership and liability for loss during transport. This requires terms like FOB point of origin in the purchase order or bill of lading, while FOB destination or manufacturer-arranged deliveries do not qualify.
- **CREDIT FOR SBE BROKERS** is limited to the fees and commissions of the amount paid. Providers of staffing services are considered to be brokers and will be counted only for fees and commissions. All other firms receive 100% credit, less work subcontracted by the SBE to non-SBE firms, towards the SBE goal.
- **CREDIT FOR SBE TRUCKING FIRMS** is limited to amount performed by the SBE owned trucks and drivers and by certified SBE trucking subhaulers. A SBE trucking firm must itself own and operate at least 1 fully licensed, insured, and operational truck used on the Contract.

The Proposer must list each first-tier SBE Contractor and Subcontractors. This form is to be completed and submitted with the Proposal.

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Name & Address of Certified SBE	Certification Number	Enterprise NAICS Code	SBE (Y/N)	Manufacturer (Y/N)	Supplier (Y/N)	Distributor (Y/N)	Broker (Y/N)	SBE Subcontract Amount (\$)	SBE Credit (\$) ²
1.									
2.									
3.									
4.									
5.									
Total								\$ _____ Total SBE Subcontract Amount	\$ _____ Total SBE Commitment

Add additional rows or pages as needed.

² Note to Proposers: If Manufacturer, take 100% of price; if Supplier, take 60% of price; if Distributor, take 40% of price; if Broker, take fees and commission only.

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Section 4 – Proposal Forms
Page 44

PROPOSER'S SBE COMMITMENT CALCULATION

Total Proposal Price	\$ _____
Total SBE Commitment (\$)	\$ _____
Proposer's SBE Commitment (%)	$(\text{Total DBE/SBE Subcontract Amount} \div \text{Total Proposal Price}) \times 100$ _____ %
SBE Contract Goal	6.3 %

The Proposer must complete Part A or Part B only.

Part A: Met or Exceeded Goal

☐ **HAS ACHIEVED THE /SBE CONTRACT GOAL**

The Proposer declares to the best of its knowledge, information and belief that by its efforts, it **ACHIEVED** a level of participation greater than or equal to the SBE Contract Goal established by VTA for SBE participation.

The Proposer declares it achieved the following SBE percentage ("SBE Commitment"):

_____ Percent (____ %)

Part B: Did Not Meet Goal

☒ **HAS NOT ACHIEVED THE SBE CONTRACT GOAL**

The Proposer declares to the best of its knowledge, information and belief that while it made efforts to achieve the SBE Contract Goal, it **DID NOT ACHIEVE** the SBE Contract Goal established by VTA. The Proposer must submit GFE documentation by the Proposal Due Date or the Proposer will be deemed non-responsive for failure to submit GFE documentation with the Proposal.

The Proposer achieved the following SBE percentage ("SBE Commitment"):

_____ Percent (____ %)

9. On July 7, 2026, OBDP completed their determinations. On July 9, 2026, VTA sent a letter to Pacific Printing that its proposal was non-responsive.
10. On July 14, 2026, David Ossom of VTA received an email from Andrew Goett of Pacific Printing, requesting an administrative re-consideration of the finding of non-responsiveness. VTA acknowledges receipt of the email.
11. Regarding the administrative re-consideration, per Section 6.1 of Exhibit 6 of the Form of Contract (Appendix E of the RFP), "VTA may request ancillary or omitted documentation required **to complete** a ... Good Faith Efforts submittal." That is, if a proposer submitted GFE documentation, which were found to be incomplete or insufficient, the RFP allowed VTA to request "ancillary or omitted documentation required to complete" its GFE documentation. In the case of Pacific Printing, nothing was submitted by way of GFE documentation at the time of submission of BAFO Proposals, therefore no administrative re-consideration was warranted.
12. Pacific Printing did not submit a bid protest.

Conclusion

VTA's finding of Pacific Printing's proposal as non-responsive was in accordance with the terms of the RFP. The BAFO was an opportunity for deficiencies to be corrected. The requirement to submit the GFE documentation with the proposal as a matter of responsiveness was purposely included in Form 4, Part B, to make it apparent and clear that if the box in Part B was checked (which Pacific Printing did), GFE documentation was required to be submitted with the proposal as a matter of responsiveness. Yet, Pacific Printing did not submit any GFE documentation even with the submission of its BAFO Proposal.

Accordingly, VTA recommends the award of contracts stated in VTA's Notice of Recommended Award for RFP P25291 dated July 10, 2026.

Very truly yours,

Nicole Chapman

Nicole Chapman
Chief Procurement Officer

cc: Jean Cohen, Executive Director, South Bay AFL-CIO Labor Council
Jack McGovern, South Bay Labor (jack@southbaylabor.org)
Andrew Goett, Pacific Printing
VTA General Manager
VTA Board Secretary
VTA General Counsel
P25291 Project Manager
P25291 Contract Administrator

From: VTA Board Secretary

Sent: Friday, September 25, 2026 11:39 AM

To: VTA Board of Directors

Cc: Gonot, Carolyn; Richardson, Greg; Haywood, Scott ; Greene, Beverly ; Smith, Patrice

Subject: From VTA: Tragic Incident Near EBRC Project, No VTA Involvement

Board of Directors and EBRC PAB Members,

Please find attached a memo being forwarded on behalf of Patrice Smith, Chief Communications Officer, regarding a fatality near the Eastridge to BART Regional Connection (EBRC) project.

If you have questions, please respond to this email.

Thank you,

VTA Office of the Board Secretary

3331 North First Street

San Jose, CA 95131

board.secretary@vta.org

408.321.5680

MEMORANDUM

TO: VTA Board of Directors
FROM: Patrice Smith, Chief Communications Officer 
DATE: September 25, 2026
SUBJECT: Tragic Incident Near EBRC Project, No VTA Involvement

We wanted to make you aware of a serious incident that occurred this morning, September 25, at approximately 6:00 a.m., near the northbound Capitol Expressway and Ocala Avenue intersection. A collision involving a passenger truck and a bicyclist occurred, and tragically, the bicyclist died at the scene. Our thoughts are with the individual's family.

There were no Eastridge to BART Regional Connector (EBRC) construction activities underway overnight or at the time of the incident at this intersection. All lanes were open, and traffic signals were operating normally.

The San Jose Police Department (SJPd) notified an inspector for the EBRC project of the incident around 6:20 a.m. The incident remains under investigation, and we do not yet have full details.

As part of the investigation, SJPd has closed northbound Capitol Expressway from Cunningham Avenue to Story Road, the No. 1 southbound lane, and both eastbound and westbound Ocala Avenue. Planned EBRC work at the intersection is delayed while the roadway remains closed. The work involves construction of two new left-turn lanes from northbound Capitol Expressway to westbound Ocala Avenue, located behind K-rail in the Capitol Expressway median.

Should you have additional questions, please reach out to Kathleen Podrasky, Manager, Community Outreach and Public Engagement at kathleen.podrasky@vta.org or 408-464-7865.

Thank you.

From: VTA Board Secretary

Sent: Friday, September 25, 2026 4:12 PM

To: VTA Board Secretary ; VTA Board of Directors

Cc: Gonot, Carolyn ; Greene, Beverly; Haywood, Scott ; Richardson, Greg

Subject: From VTA: VTA Correspondence Week Ending September 25, 2026

Board of Directors,

Attached is correspondence for the week ending September 25, 2026 as described below:

- Supplemental Information: Planning Commission - September 24, 2026 from Planning Commission
- (2) Supplemental Information: Planning Commission - September 24, 2026 from Planning Commission

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: Planning Commission <Planning.Commission@pln.sccgov.org>

Sent: Wednesday, September 23, 2026 3:43 PM

Subject: [EXTERNAL] Supplemental Information: Planning Commission - September 24, 2026 @ 6:00 PM

CAUTION: This Message originated from outside VTA. Do not click links or open attachments unless you recognize the sender and know the content is safe!

Good afternoon,

The following supplemental information has been added to the September 24, 2026 Planning Commission meeting:

Item No. 5: [Public hearing to consider a concurrent land use application consisting of a Use Permit, Architecture and Site Approval, and Grading Approval, for the construction of a silent retreat center for the teaching and practicing of Vipassana meditation on a 54.59-acre parcel. The development would include 18 detached structures for a total of 53,260 square feet, a parking lot with 122 parking spaces, a driveway, new landscaping, and on-site improvements including a new water supply well, wellhead treatment, a 97,000-gallon storage tank for fire suppression, and an on-site wastewater treatment system \(OWTS\) for the Bay Area Vipassana Center \(BAVC\). California Environmental Quality Act \(CEQA\): Environmental Impact Report \(EIR\). Owner: Bay Area Vipassana Center. Applicant: Bay Area Vipassana Center. Property Address/Location: 9201 El Matador Drive, Gilroy \(Assessor's Parcel No. 756-30-024\). Zoning: HS-sr. Supervisorial District: One. File No.: PLN20-003.](#)

- [Public Comment No. 3](#) 📎 **Supplemental Information**
- [Public Comment No. 4](#) 📎 **Supplemental Information**
- [Public Comment No. 5](#) 📎 **Supplemental Information**
- [Shute, Mihaly, and Weinberger LLP Comments](#) 📎 **Supplemental Information**
- [Applicant Presentation](#) 📎 **Supplemental Information**

The agenda and related materials for the Thursday, September 24, 2026, 6:00 p.m. Planning Commission meeting may be viewed here:

https://sccgov.iqm2.com/Citizens/Detail_Meeting.aspx?ID=17736.

Members of the public may access the meeting using the following link: <https://sccgov-org.zoom.us/j/87800315267>.



Warm Regards,

Cynthia M. Murray

Board Clerk II Lead

Clerk of the Board | Board of Supervisors

P: 408.299.5176

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From: Planning Commission <Planning.Commission@pln.sccgov.org>

Sent: Thursday, September 24, 2026 1:05 PM

Subject: [EXTERNAL] (2) Supplemental Information: Planning Commission - September 24, 2026 @ 6:00 PM

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Good afternoon,

The following supplemental information has been added to the September 24, 2026 Planning Commission meeting:

Item No. 5: [Public hearing to consider a concurrent land use application consisting of a Use Permit, Architecture and Site Approval, and Grading Approval, for the construction of a silent retreat center for the teaching and practicing of Vipassana meditation on a 54.59-acre parcel. The development would include 18 detached structures for a total of 53,260 square feet, a parking lot with 122 parking spaces, a driveway, new landscaping, and on-site improvements including a new water supply well, wellhead treatment, a 97,000-gallon storage tank for fire suppression, and an on-site wastewater treatment system \(OWTS\) for the Bay Area Vipassana Center \(BAVC\). California Environmental Quality Act \(CEQA\): Environmental Impact Report \(EIR\). Owner: Bay Area Vipassana Center. Applicant: Bay Area Vipassana Center. Property Address/Location: 9201 El Matador Drive, Gilroy \(Assessor's Parcel No. 756-30-024\). Zoning: HS-sr. Supervisorial District: One. File No.: PLN20-003.](#)

- [Shute Mihaly and Weinberger LLP Comments No. 2](#)  **Supplemental Information**
- [Public Comment No. 6](#)  **Supplemental Information**
- [Public Comment No. 5](#)  **Supplemental Information**
- [Public Comment No. 7](#)  **Supplemental Information**

The agenda and related materials for the Thursday, September 24, 2026, 6:00 p.m. Planning

Commission meeting may be viewed here:

https://sccgov.iqm2.com/Citizens/Detail_Meeting.aspx?ID=17736.

Members of the public may access the meeting using the following link: <https://sccgov-org.zoom.us/j/87800315267>.



Warm Regards,

Cynthia M. Murray

Board Clerk II Lead

Clerk of the Board | Board of Supervisors

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From: VTA Board Secretary

Sent: Friday, September 25, 2026 5:02 PM

To: VTA Board of Directors

Cc: Gonot, Carolyn ; Greene, Beverly ; Haywood, Scott; Richardson, Greg

Subject: From VTA: Caltrain response re: Farebox Recovery

Board of Directors,

During the Caltrain Update at last month's Board meeting, the Board requested additional information regarding Caltrain's farebox recovery. Below is Caltrain staff's response, which provides information on the factors that contribute to the difference between ridership and farebox recovery levels.

Please reply to this email if you have additional questions.

Thank you.

VTA Office of the Board Secretary

3331 North First Street, San Jose, CA 95134

Email: Thalia.Young@vta.org

Mobile: 408.930.9185 (text or call)

Desk: 408.321.5577 (generally M-Th)



Caltrain's ridership during FY26 reached over 80% from pre-pandemic levels but fare revenue now vs FY19, if adjusted for inflation, is far lower than 80%. There are multiple reasons for this gap, including: fare prices did not adjust with inflation, which has been substantial since 2019, and decreasing participation in Caltrain's GoPass program, likely due to increased hybrid and remote work options.

On the expense side, this was a period of very high inflation, on both labor and non-labor costs and we added brand new electrical infrastructure to support our service. Recent ridership growth is moderating, and we expect this growth to continue to slow down unless we increase service.

The revenue decline noted is due to running out of one-time funds that are currently being utilized including the state loan and Measure RR reserve in FY28. Recently, one-time federal and state funds have allowed us to balance the budget yet, starting in FY29 we are left with only our ongoing revenue.