



Meeting Notice

1111 Broadway, Suite 800, Oakland, CA 94607

• 510.208.7400

• www.AlamedaCTC.org

Commission Chair
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Commission Vice Chair
Vice Mayor Rebecca Kaplan,
City of Oakland

AC Transit
Director Elsa Ortiz

Alameda County
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Supervisor Wilma Chan, District 3
Supervisor Nate Miley, District 4
Supervisor Keith Carson, District 5

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Councilmember Luis Freitas

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Councilmember Dan Kalb

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Mayor Margaret Fujioka

City of Pleasanton
Mayor Jerry Thorne

City of San Leandro
Mayor Pauline Russo Cutter

City of Union City
Mayor Carol Dutra-Vernaci

Executive Director
Arthur L. Dao

Alameda County Transportation Commission

Thursday, July 23, 2015, 2:00 p.m.

1111 Broadway, Suite 800 Oakland, CA 94607

Mission Statement

The mission of the Alameda County Transportation Commission (Alameda CTC) is to plan, fund, and deliver transportation programs and projects that expand access and improve mobility to foster a vibrant and livable Alameda County.

Public Comments

Public comments are limited to 3 minutes. Items not on the agenda are covered during the Public Comment section of the meeting, and items specific to an agenda item are covered during that agenda item discussion. If you wish to make a comment, fill out a speaker card, hand it to the clerk of the Commission, and wait until the chair calls your name. When you are summoned, come to the microphone and give your name and comment.

Recording of Public Meetings

The executive director or designee may designate one or more locations from which members of the public may broadcast, photograph, video record, or tape record open and public meetings without causing a distraction. If the Commission or any committee reasonably finds that noise, illumination, or obstruction of view related to these activities would persistently disrupt the proceedings, these activities must be discontinued or restricted as determined by the Commission or such committee (CA Government Code Sections 54953.5-54953.6).

Reminder

Please turn off your cell phones during the meeting. Please do not wear scented products so individuals with environmental sensitivities may attend the meeting.

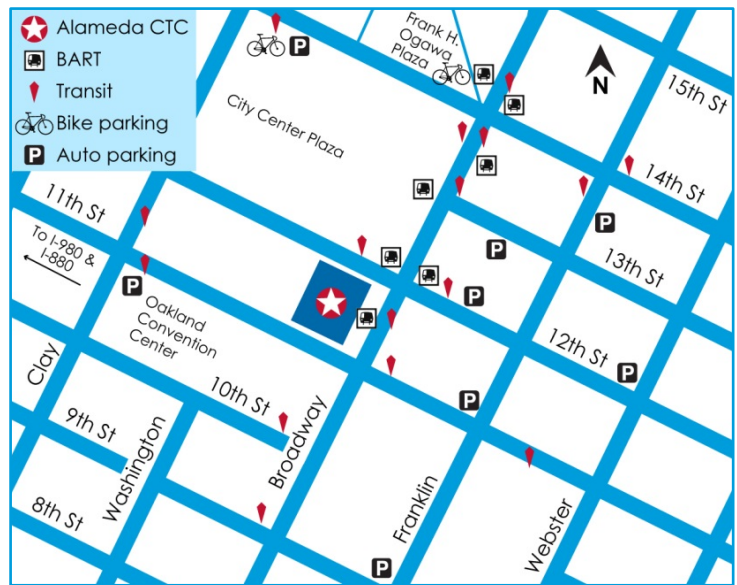
Glossary of Acronyms

A glossary that includes frequently used acronyms is available on the Alameda CTC website at www.AlamedaCTC.org/app_pages/view/8081.

Location Map

★ Alameda CTC
1111 Broadway, Suite 800
Oakland, CA 94607

Alameda CTC is accessible by multiple transportation modes. The office is conveniently located near the 12th Street/City Center BART station and many AC Transit bus lines. Bicycle parking is available on the street and in the BART station as well as in electronic lockers at 14th Street and Broadway near Frank Ogawa Plaza (requires purchase of key card from bikelink.org).



Garage parking is located beneath City Center, accessible via entrances on 14th Street between 1300 Clay Street and 505 14th Street buildings, or via 11th Street just past Clay Street. To plan your trip to Alameda CTC visit www.511.org.

Accessibility

Public meetings at Alameda CTC are wheelchair accessible under the Americans with Disabilities Act. Guide and assistance dogs are welcome. Call 510-893-3347 (Voice) or 510-834-6754 (TTD) five days in advance to request a sign-language interpreter.



Meeting Schedule

The Alameda CTC meeting calendar lists all public meetings and is available at www.AlamedaCTC.org/events/upcoming/now.

Paperless Policy

On March 28, 2013, the Alameda CTC Commission approved the implementation of paperless meeting packet distribution. Hard copies are available by request only. Agendas and all accompanying staff reports are available electronically on the Alameda CTC website at www.AlamedaCTC.org/events/month/now.

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Commission Meeting Agenda

Thursday, July 23, 2015, 2 p.m.

1111 Broadway, Suite 800, Oakland, CA 94607

• PH: (510) 208-7400

• www.AlamedaCTC.org

1. Pledge of Allegiance

2. Roll Call

3. Public Comment

4. Chair and Vice Chair Report

5. Executive Director Report

6. Closed Session

6.1. Conference with Legal Counsel pursuant to Government Code section 54956.9(d)(2): Potential exposure to litigation; one potential action.

6.2. Report on Closed Session

7. Approval of Consent Calendar

On July 13, 2015 Alameda CTC standing committees approved all action items on the consent calendar, except Item 6.1.

7.1. [Approval of June 25, 2015 meeting minutes](#)

Recommendation: Approve the June 25, 2015 meeting minutes

7.2. [I-580 Corridor High Occupancy Vehicle/Express Lane Projects \(PN 720.4/720.5/724.1/724.4/724.5\): Monthly Progress Report](#)

7.3. [I-580 Express Lane Projects \(PN 720.4/724.\): Approval of Contract Amendments to Professional Services Agreements A09-007 and A13-0092 with Electronic Transaction Consultants Corporation and Authorize Construction Change Orders](#)

7.4. [Congestion Management Program \(CMP\): Summary of Alameda CTC's Review and Comments on Environmental Documents and General Plan Amendments](#)

7.5. [Countywide Goods Movement Plan Contract Augmentation: Authorize the Executive Director to execute Amendment No. 1 to Professional Services Agreement No. A13-0026 with Cambridge Systematics, Inc. for](#)

Chair: Supervisor Scott Haggerty,
Alameda County, District 1

Vice Chair: Councilmember Rebecca Kaplan,
City of Oakland

Executive Director: Arthur L. Dao

Clerk: Vanessa Lee

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[an additional \\$50,000 for a total not-to-exceed amount of \\$1,450,000.](#)

7.6.	California Transportation Commission June 2015 Meeting Summary	55	I
7.7.	Alameda CTC Contracting Process	61	I
7.8.	I-680 Northbound Express Lane Project(PN 721.0): Approval of Professional Services Agreement A15-0035 with WMH Corporation to provide services for the Final Design / Plans, Specifications and Estimates Phase; and Right-of-Way Activities to Support Project Delivery	67	A
7.9.	I-80 Gilman Interchange Improvement Project (PN 765.0): Approval of Professional Services Agreement A15-0034 with Parsons Transportation Group to provide services for the Project Approval and Environmental Document (PA/ED) Phase	71	A
7.10.	I-580 Westbound HOV Lane Project (PN 724.4 & 724.5): Approval of Amendment No. 7 to Professional Services Agreement A07-011.BKFPh2 with BKF Engineers to provide services for Design Services During Construction	73	A
7.11.	East Bay Greenway Project, Segment 7A (PN 635.1): Approval of Amendment No. 4 to Professional Services Agreement No. A10-0026 with HQE and Associates to provide services for Closeout and Maintenance Phases of Segment 7A	77	A
7.12.	Approval of Administrative Amendments to Various Project Agreements (A11-0033, A13-0061 and A07-007 Ph3)	81	A
7.13.	Community Advisory Appointment: Approval of the Alameda CTC Community Advisory Appointments.	85	A

8. Community Advisory Committee Reports

(Time limit: 3 minutes per speaker)

8.1.	Bicycle and Pedestrian Advisory Committee - Midori Tabata, Chair	87	I
8.2.	Independent Watchdog Committee – TBD	95	I
8.3.	Paratransit Advisory and Planning Committee – Sylvia Stadmire, Chair	105	I

9. I-580 Express Lane Policy Committee Action Items

At the June meeting, the Commission approved the first reading of the Toll Enforcement Ordinance for the I-580 Express Lanes, as recommended by the I-580 Express Lane Policy Committee. The Commission is now requested to conduct the required second reading of the Ordinance.

9.1.	I-580 Express Lanes: Toll Enforcement Ordinance Second Reading and Adoption of I-580 Express Lanes Toll Enforcement Ordinance: Conduct a second reading by title only and adopt "Alameda County Transportation Commission Ordinance for Administration of Tolls and Enforcement of Toll Violations for the I-580 Express Lanes".	117	A
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10. Planning, Policy and Legislation Committee Action Items

On July 13, 2015, the Planning, Policy and Legislation Committee approved the following action items, unless otherwise noted in the recommendations.

- | | | |
|--|-----|---|
| 10.1. Legislative Update | 137 | A |
| 10.2. Overview of the 2016 Alameda Countywide Transportation Plan (CTP) and Approval of Vision and Goals: Approval of the 2016 CTP Vision and Goals. | 149 | A |

10. Member Reports

11. Adjournment

Next meeting: September 24, 2015

All items on the agenda are subject to action and/or change by the Commission.

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Alameda County Transportation Commission Meeting Minutes Thursday, June 25 2015, 2:00 p.m.

7.1

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1. Pledge of Allegiance

2. Roll Call

A roll call was conducted. All members were present with the exception of Commissioner Fujioka, Commissioner Thorne, Commissioner Harrison, Commissioner Kaplan, Commissioner Valle, Commissioner Marchand, Commissioner Ortiz, and Commissioner Carson

Commissioner Duncan was present as an alternate for Commissioner Dutra-Vernaci.
Commissioner Campbell-Washington was present as an alternate for Commissioner Chan.
Commissioner Piexoto was present as an alternate for Commissioner Halliday.

Subsequent to the roll call:

Commissioner Ortiz and Commissioner Carson arrived during Item 4.
Commissioner Valle and Commissioner Kaplan arrived during Item 7.1
Commissioner Marchand arrived during item 9.1

3. Public Comment

A public comment was heard by Michael Kaufman.

4. Chair and Vice Chair Report

There was no Chair or Vice Chair Report.

5. Executive Director Report

Art Dao informed the Commission that the Executive Directors report could be found in the Commissioners' folders as well as on the Alameda CTC website. Art congratulated Chair Haggerty for being elected to serve as the second vice-president on the Board of the California Association of Councils of Governments. He also informed the Commission that the agency received the first Measure BB revenue disbursement check from the Board of Equalization.

6. Approval of Consent Calendar

- 6.1. Approval of May 28 , 2015 meeting minutes
- 6.2. I-580 Corridor High Occupancy Vehicle/Express Lane Projects
(PN 720.4/720.5/724.1/724.4/724.5): Monthly Progress Report
- 6.3. I-580 Express Lanes: Cooperative Agreement with Bay Area Toll Authority
- 6.4. Congestion Management Program (CMP): Summary of Alameda CTC's Review and Comments on Environmental Documents and General Plan Amendments

- 6.5. Legislative Update
- 6.6. California Transportation Commission May 2015 Meeting Summary
- 6.7. Alameda CTC's Fiscal Year 2015-16 Comprehensive Investment Plan
- 6.8. Measure B/Vehicle Registration Fee Program: Draft Fiscal Year 2013-14 Compliance Report
- 6.9. Altamont Commuter Express Baseline Service Plan for Fiscal Year 2015-16
- 6.10. Castro Valley Local Area Traffic Circulation Improvements Project (PN 509.0, ACTA No. MB241): Project Funding Agreement with Alameda County
- 6.11. I-80 Integrated Corridor Mobility Project (PN 791.1-6): Contract Amendment (Agreement No. A10-0008) with S&C Engineers
- 6.12. East Bay Greenway (Coliseum BART to 85th Avenue) Project (PN 635.1): Contract Amendment (Agreement No. A13-0020) with Ghirardelli and Associates
- 6.13. Administrative Amendments to Various Project Agreements
- 6.14. I-880 to Mission Boulevard East-West Connector Project (PN 505.0): Contract Amendment (Agreement No. AA07-0001) with TY Lin International
- 6.15. Alameda CTC Proposed Consolidated Budget and Overall Work Program for FY2015-16
- 6.16. Alameda CTC Advisory Committee Bylaws

Commissioner Ortiz moved to approve the consent calendar. Commissioner Blalock seconded the motion. The motion passed unanimously (Valle, Kaplan, and Marchand absent).

7. Community Advisory Committee Reports

7.1. Bicycle and Pedestrian Advisory Committee (BPAC)

There was no one present from BPAC.

7.2. Citizens Watchdog Committee (CWC)

James Paxson, Chair of the CWC, stated that the Committee met on June 8, 2015. He stated that the committee welcomed new members, met with the auditors to review the audit, and continued work on finalizing the 13th report to the public. James also stated that the committee started discussions regarding transitioning the CWC to the Independent Watchdog Committee and directed the Commission to an email that was sent regarding approving the committee bylaws.

7.3. Paratransit Advisory and Planning Committee (PAPCO)

Sylvia Stadmire, Chair of PAPCO, stated that the committee met on June 22, 2015. She stated that the committee conducted its annual elections, approved the FY 2015-16 work plan, and reviewed new options for the annual mobility workshop. Sylvia concluded by reviewing vacancies on the committee.

8. I-580 Express Lane Policy Committee Action Items

Kanda Raj recommended that the Commission waive further reading, read by title only, and adopt "Alameda County Transportation Commission Ordinance for Administration of Tolls and Enforcement of Toll Violations for the I-580 Express Lanes." He stated that in order to implement violation enforcement and collect the resulting penalties, the Commission must adopt a Toll Enforcement Ordinance. Kanda went on to state that language in the ordinance is dictated by applicable State laws in conjunction with the procedures of BATA. He also stated that State law requires that the ordinance be heard at two successive Commission meetings before it becomes effective.

Capitelli moved to waive further reading, read by title only, and adopt "Alameda County Transportation Commission Ordinance for Administration of Tolls and Enforcement of Toll Violations for the I 580 Express Lane. Commissioner Blalock seconded the motion (Marchand absent).

9. Programs and Projects Committee Action Items

9.1. Safe Routes to School Contract Amendment

Arun recommended that the Commission approve and authorize the Executive Director to execute Amendment No. 1 to Professional Services Agreement No. A13-0001 with Alta Planning + Design, Inc. for an additional \$600,000 for a total not-to-exceed amount of \$5,200,000 for project implementation of the Safe Routes to School Program. Arun stated that the SR2S program was primarily structured around three big events: International Walk and Roll to School Day in October, the Golden Sneaker Contest in March, and Bike to School Day in May. The program has seen an increased participation and engagement of students for these events throughout the County. To maintain the enthusiasm generated by these coordinated events, Alameda County SR2S worked with schools to organize ongoing walking and biking activities. Arun concluded by reviewing improvements and highlights for the current fiscal year as well as proposed highlights if approved.

Commissioner Kalb asked how would a new school be able to get a site assessment in order to participate in the program. Arun stated that there is a cap at two assessments per planning area. The school must demonstrate a need as well as a willingness to participate and must submit a formal request.

Commissioner Ortiz wanted to know how the use of public transit is promoted in the program. Arun stated that the primary focus of the program has been walking and biking but public transit is briefly addressed in the theatre program.

Commissioner Maass wanted to know if private schools can participate in the program. Arun stated that the program is predominately focused on public schools.

Commissioner Valle asked if the affordable transit pass was included in the program.

Arun stated that the transit pass is a separate program but the intention is to leverage both programs through coordination.

Commissioner Kaplan wanted to know how much funding was allocated for infrastructure improvements. Arun stated that 1.3 million has been identified and will come in the fall of this year.

Commissioner Kaplan asked if crossing guards programs are eligible for the program. Arun stated that crossing guards are specifically listed as in-eligible for the program.

Commissioner Marchand asked why there were no applications from the tri-valley. Arun stated that applying for the program is strictly up to the jurisdictions and no one from the tri-valley has applied.

Commissioner Piexoto wanted to know how many site evaluations had been done. Arun stated that 28 have been done to date.

Kaplan moved to approve this item. Commissioner Spencer seconded the motion. The motion passed unanimously (Marchand absent).

10. MemberReports

Commissioner Kaplan encouraged the Commission to remember to support local businesses in Alameda County.

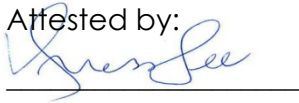
11. Adjournment

The next meeting is:

Date/Time: July 23, 2015 @ 2:00 p.m.

Location: Alameda CTC Offices, 1111 Broadway, Suite 800, Oakland, CA 94607

Attested by:





Memorandum

7.2

1111 Broadway, Suite 800, Oakland, CA 94607

• PH: (510) 208-7400

• www.AlamedaCTC.org

DATE: July 16, 2015

SUBJECT: I-580 Corridor High Occupancy Vehicle/Express Lane Projects (PN 720.4/720.5/724.1/724.4/724.5): Monthly Progress Report

RECOMMENDATION: Receive a monthly status update on the I-580 Corridor High Occupancy Vehicle/Express Lane Projects.

Summary

The Alameda CTC is the project sponsor of the I-580 Corridor High Occupancy Vehicle (HOV)/Express Lane Projects along the I-580 corridor in the Tri-Valley. The Eastbound I-580 Express Lane Project will convert the newly constructed eastbound HOV lane, from Hacienda Drive to Greenville Road, mostly to a double express lane facility. The I-580 Westbound Express Lane Project will convert the westbound HOV lane (currently under construction) to a single express lane facility from Greenville Road to San Ramon Road/Foothill Road.

The construction of the express lane civil infrastructure for both eastbound and westbound I-580 express lanes is being implemented through multiple contract change orders (CCO's) on the on-going HOV Lane construction contracts. Express lane civil infrastructure includes overhead and roadside signs, sign gantries for dynamic messaging and toll reading, electrical conduit for connecting power and communication sources, and pavement striping to accommodate the express lanes. Due to the complexity of coordinating multiple construction work activities at overlapping locations, construction completion of the above referenced express lane civil infrastructure has experienced delays.

The construction of the toll system has just begun and will install the required communication equipment, toll hardware and integrate the toll subsystems, utilizing emerging technologies/software development. Coordination with regional agencies and California Toll Operators Committee is crucial for implementing express lanes on I-580. The express lane facility is scheduled to open for public use in late-November 2015.

For detailed information on project funding, schedule and status of each corridor project, including the Eastbound HOV Lane Project - Segment 3 Auxiliary Lanes, the Westbound HOV Lane Project (Segments 1 and 2), the Eastbound I-580 Express Lane Project, Westbound I-580 Express Lane Project and Toll System Integration activities, see Attachments A, B, C, D and E of this report.

Background

The projects in the I-580 Corridor will provide increased capacity, safety and efficiency for commuters and freight along the primary corridor connecting the Bay Area with the Central Valley. In its role as project sponsor, the Alameda CTC has been working in partnership with Caltrans, California Highway Patrol, the Metropolitan Transportation Commission (MTC), Alameda County, and the cities of Livermore, Dublin, and Pleasanton to deliver the projects.

The I-580 Corridor HOV Lane Projects will be completed with the construction of three final projects in the Livermore Valley (two westbound HOV segments and one eastbound auxiliary (AUX) lanes project). All of these projects are currently in construction and are being administered by Caltrans. Construction activity began in March 2013 and will be completed by late 2015 in parallel with completion of express lane infrastructure.

For efficiency purposes, the I-580 Eastbound and Westbound Express Lane Projects have been combined into one construction project. All the contract change orders (CCO's) for express lane-civil infrastructure construction have already been issued to the on-going construction contracts along I-580 (I-580 Westbound HOV, I-580 Eastbound Auxiliary Lane and Freeway Performance Project). The benefit of implementing CCO's is to avoid working in the environmentally sensitive areas, minimize additional traffic disruptions to the traveling public, reduce or eliminate re-work and potentially finish construction sooner. Specific items in CCO's include:

- Electrical Conduit – across and along I-580
- Service and controller cabinets
- Striping – stripe to final express lane configuration
- Install K-rail along median at sign locations
- Median concrete barrier
- Fiber Optics Cable
- Sign structures including tolling gantries, dynamic messaging signs, lighting standards and other sign structures.

Development of system integration is complete and toll system installation has begun. However, due to the complexity of coordinating multiple construction work activities at overlapping locations, construction completion of the above referenced express lane support infrastructure has experienced delays. These delays have direct impact on toll system installation. In addition, completion of commercial power sources required for express lane implementation is also behind schedule. To minimize schedule conflicts, additional construction coordination meetings have been held, almost on a daily basis between all construction contractors and construction managers for coordinating construction sequencing. Executive management and field coordination meetings with the third party

power vendor have been held to complete power installation, required for toll systems testing, ahead of lane opening in late-November 2015

In addition, interface with regional customer service center will have to be completed and tested prior to opening the toll lanes in late-November 2015.

Fiscal Impact: There is no significant fiscal impact to the Alameda CTC budget due to this item. This is information only.

Attachments

- A. I-580 Eastbound HOV Lane Project Monthly Progress Report (PN 720.5)
- B. I-580 Westbound HOV Lane Projects Monthly Progress Report (PN 724.4/724.5)
- C. I-580 Eastbound Express Lane Project Monthly Progress Report (PN 720.4)
- D. I-580 Westbound Express Lane Project Monthly Progress Report (PN 724.1)
- E. I-580 Express Lanes System Integration Monthly Progress Report
- F. I-580 Corridor HOV Lane Projects – Location Map
- G. I-580 Corridor Express Lane Projects – Location Map

Staff Contact

[Kanda Raj](#), Project Controls Team

[Stefan Garcia](#), Project Controls Team

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ATTACHMENT A
I-580 Eastbound HOV Lane Project (PN 720.5)
Monthly Progress Report
June 2015

PROJECT DESCRIPTION

The Eastbound I-580 HOV Lane Project is completing one final construction segment, Segment 3 Auxiliary (AUX) Lanes, between Hacienda Drive and Greenville Road. The Project scope includes:

- Construction of auxiliary lanes from Isabel Avenue to First Street;
- Pavement width necessary for a double express (high occupancy toll lane facility);
- Final lift of asphalt concrete (AC) pavement and striping for entire eastbound project limits from Hacienda Drive to Portola Avenue;
- The soundwall that was deleted from the I-580/Isabel Avenue Interchange Project; and
- The widening of two bridges at Arroyo Las Positas in the eastbound direction.

CONSTRUCTION STATUS**Traffic Handling & Night Work**

Construction activities include both day and night work. Significant work is involved in rehabilitating the existing pavement which requires closing traffic lanes; however, no complete freeway closures are anticipated. Due to heavy daytime traffic volumes, closing traffic lanes in the daytime is not feasible. For this reason, pavement rehabilitation work can only be done during nighttime hours. Night work will include setting lane closures and shifting traffic lanes (placement of safety barrier (k-rail) and striping work), existing pavement rehabilitation work (crack and seat, slab replacement and overlay) and electrical work. Caltrans lane closure charts permit the contractor to perform this work at night between 9pm and 4am. Work behind k-rail and all bridge work is expected to occur during daytime hours.

Construction Challenges

Alameda CTC staff is working in close coordination with Caltrans to implement the project within limited funding. Due to the complexity of coordinating multiple work activities at overlapping locations, the installation of express lane support infrastructure has experienced delays. The project team is attempting to make up lost time by expediting priority locations for maintaining the November 2015 "Go Live!" date. Challenges and managed risks for this project include:

- Installation of future express Lane components to facilitate express lane completion. Project staff is working to combine HOV and express lane construction work in a manner that will keep the single HOV lane open until the double lane HOV/express lane facility is completed
- Bird Nesting on structures and in adjacent field areas

Completed Activities – 83% of the contract work was completed as of 06/20/15

Construction activities began in April 2013. Work completed to date includes:

- Construction of auxiliary lanes from Isabel Ave. to First St.

- Las Positas Creek (EB and WB) bridge widenings
- Widening of major box culvert at Arroyo Seco and modification of drainage facilities; Creek diversion is removed and area restored
- All sound walls and retaining walls on the freeway corridor
- Pavement widening necessary for a double express lane (high occupancy toll lane facility)

Ongoing & Upcoming Activities

Caltrans maintains a project website

(<http://www.dot.ca.gov/dist4/projects/i580wbhov/>) and conducts public information and outreach efforts in cooperation with Alameda CTC. Ongoing and upcoming work activities include:

- Install Lighting and Traffic Operation Systems
- Install infrastructure to support express lane operations
- Pull fiber optic trunk line on south side of I-580 from Hacienda Dr. to Greenville Rd.
- Open graded asphalt concrete will be placed on main line I-580 between Hacienda Dr. and Greenville Rd. in July and August 2015
- Stripe final Express Lane facility
- Maintain HOV lane operation with temporary delineation until Express Lane "Go Live!" date
- Open Express Lane facility

FUNDING AND FINANCIAL STATUS

The I-580 Eastbound HOV Project is funded through federal, state and local funds.

Funding Plan – SEGMENT 3

Project Phase	Funding Source (\$ million)						Total
	CMIA	RM2	TVTC	FED	SHOPP	Meas. B	
PA&ED						0.02	0.02
PS&E		1.72	1.30	0.23			3.25
ROW		0.17	0.08			0.28	0.53
Construct	17.87	2.20	0.14		4.69	6.57	31.47
Cap							
Construct	2.53	1.12	0.10			0.71	4.46
Sup							
Total	20.40	5.21	1.62	0.23	4.69	7.58	39.73
Total Project Cost: \$39.7M							

SCHEDULE STATUS

The Eastbound AUX Lane project between Hacienda Drive and Greenville Road was advertised on July 9, 2012; bids were opened on October 5, 2012. Caltrans awarded the contract to OC Jones & Sons (with a bid 6.33 percent below the Engineer's Estimate) on November 16, 2012. With the inclusion of infrastructure to support express lane operations, construction is now planned to complete in late 2015.

Project Approval	December 2011 (A)
RTL	May 2012 (A)
CTC Vote	May 2012 (A)
Begin Construction (Award)	November 2012 (A)
End Construction	October 2015 (T)

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ATTACHMENT B
I-580 Westbound HOV Lane Projects (PN 724.4/724.5)
Monthly Progress Report
June 2015

PROJECT DESCRIPTION

The Westbound (WB) I-580 HOV Lane Project includes three segments:

- **SEGMENT 1** – WB HOV Eastern Segment from Greenville Road to Isabel Avenue
- **SEGMENT 2** – WB HOV Western Segment from Isabel Avenue to San Ramon Road
- **SEGMENT 3** – Bridge widening at Arroyo Las Positas Creek. This work is included in the construction contract for the Eastbound (EB) HOV Lane Project (see Attachment A).

CONSTRUCTION STATUS – SEGMENTS 1 & 2

Traffic Handling & Night Work

Construction activities include both day and night work. Significant work is involved in rehabilitating the existing pavement which requires closing traffic lanes; however, no complete freeway closures are anticipated. Due to heavy daytime traffic volumes, closing traffic lanes in the daytime is not feasible. For this reason, pavement rehabilitation work can only be done during nighttime hours. Night work will include setting lane closures and shifting traffic lanes (placement of safety barrier (k-rail) and striping work), existing pavement rehabilitation work (crack and seat, slab replacement and overlay) and electrical work. Caltrans lane closure charts permit the contractor to perform this work at night between 9pm and 4am. Work behind k-rail and all bridge work is expected to occur during daytime hours.

Construction Challenges

Alameda CTC staff is working in close coordination with Caltrans to implement the project within limited funding. Due to the complexity of coordinating multiple work activities at overlapping locations, the installation of express lane supporting infrastructure has experienced delays. The project team is attempting to make up lost time by expediting priority locations for maintaining the November 2015 “Go Live!” date. Challenges and managed risks for the project include:

SEGMENT 1 (Eastern Segment)

- Installation of future express Lane components to facilitate express lane completion. Project staff is working to combine HOV and express lane construction work in a manner that will allow the HOV/express lane facility to be opened concurrently.
- Additional widening of the North Livermore Avenue structure to accommodate express lane width requirements
- New retaining wall to account for recent, accelerated erosion within the Arroyo Seco Creek adjacent to the widening necessary for westbound lanes
- Coordination with concurrent Caltrans projects in the area to reduce cost
- Bird Nesting on structures and in adjacent field areas
- Revision of pavement slab replacements to prioritize in areas most in need

SEGMENT 2 (Western Segment)

- Installation of future express lane components to facilitate express lane completion. Project staff is working to combine HOV and express lane construction work in a manner that will allow the HOV/express lane facility to be opened concurrently
- Elimination of a retaining wall to reduce project cost
- Changes to the pavement cross section to reduce project cost
- Bird Nesting on structures and in adjacent field areas
- Revision of pavement slab replacements to prioritize in areas most in need

Completed Activities

Construction activities began in March 2013. Work completed to date includes:

SEGMENT 1 (Eastern Segment) – 75% of the contract work was completed as of 06/20/15

- North Livermore Avenue bridge widening
- Bridge widening at Arroyo Las Positas (2 locations)
- Arroyo Seco RCB culvert extension
- Construct major drainage facilities (e.g. double box culvert)
- Concrete pavement slab replacements
- Excavate and construct retaining walls and soil nail walls
- Median barrier reconfiguration
- Soundwall construction at Vasco Road
- Paving of ramp and gore areas
- Installation of electroliers in the median
- Installation of sign structure foundations in the median for express lane tolling system signage
- Pavement widening necessary for conversion of existing HOV lane to an express lane (high occupancy toll lane facility)

SEGMENT 2 (Western Segment) – 85% of the contract work was completed as of 06/20/15

- Median widening from Airway Boulevard to Hacienda Drive
- Median widening and barrier reconfiguration
- Bridge widening at Dougherty Undercrossing near Dublin BART station
- Bridge widening at Tassajara Creek
- Precast slab pavement replacements
- Retaining walls
- Outside widening from Airway Boulevard to Hacienda Drive
- Installation of electroliers in the median
- Installation of sign structure foundations in the median for express lane tolling system signage
- Pavement widening necessary for conversion of existing HOV lane to an express lane (high occupancy toll lane facility)

Ongoing & Upcoming Activities

Caltrans maintains a project website

(<http://www.dot.ca.gov/dist4/projects/i580wbhov/>) and conducts public information and outreach efforts in cooperation with Alameda CTC. Ongoing and upcoming work activities include:

SEGMENT 1 (Eastern Segment)

- Install Lighting and Traffic Operation Systems
- Install infrastructure to support express lane operations
- Final pavement layers will be placed on main line I-580 between Greenville Road and Airway Boulevard through September 2015
- Stripe final Express Lane facility
- Maintain HOV lane operation with temporary delineation until Express Lane "Go Live!" date
- Open Express Lane facility

SEGMENT 2 (Western Segment)

- Install Lighting and Traffic Operation Systems
- Install infrastructure to support express lane operations
- Final paving and striping between Airway Boulevard and Hacienda Drive scheduled to complete in late June 2015
- Stripe final Express Lane facility
- Maintain HOV lane operation with temporary delineation until Express Lane "Go Live!" date
- Open Express Lane facility

FUNDING AND FINANCIAL STATUS

The I-580 Westbound HOV Lane Project is funded through federal, state and local funds available for the I-580 Corridor. The total project cost is \$143.9M, comprised of programmed (committed) funding from federal, state and local sources.

Funding Plan – SEGMENT 1 (Eastern Segment)

Project Phase	Funding Source (\$ million)							Total
	CMIA	RM2	TCRP	FED	SHOPP	Meas. B	TVTC	
Scoping		0.53	0.04					0.57
PA&ED		4.38						4.38
PS&E		2.29	0.11	0.15		1.69	0.42	4.66
ROW		1.16				0.04		1.20
Utilities		0.32						0.32
Const Cap	35.34		5.92	6.19	13.54	1.60		62.59
Const. Sup	6.52		1.59			1.08		9.19
Total	41.86	8.68	7.66	6.34	13.54	4.41	0.42	82.91
Total Project Cost: \$82.9M								

Funding Plan – SEGMENT 2 (Western Segment)

Project Phase	Funding Source (\$ million)							Total
	CMIA	RM2	TCRP	FED	SHOPP	Meas. B	TVTC	
Scoping		0.36	0.02					0.38
PA&ED		2.92						2.92
PS&E		1.53	0.07	0.10		1.12	0.28	3.10
ROW		0.77				0.03		0.80
Utilities		0.21						0.21
Const Cap	33.73		2.49		9.61	0.10	0.30	46.23
Const. Sup	6.75					0.58		7.33
Total	40.48	5.79	2.58	0.10	9.61	1.83	0.58	60.97
Total Project Cost: \$61.0M								

SCHEDULE STATUS

SEGMENT 1 (Eastern Segment):

The Westbound HOV Eastern Segment from Greenville Road to Isabel Avenue was advertised on July 16, 2012 and bids were opened on September 19, 2012. Caltrans awarded the contract to Ghilotti Construction Company, Inc. (with a bid 16.33 percent below Engineer's Estimate) on November 20, 2012. With the inclusion of infrastructure to support express lane operations, construction is now planned to complete in early 2016.

Project Approval	January 2010 (A)
RTL	May 2012 (A)
CTC Vote	May 2012 (A)
Begin Construction (Award)	November 2012 (A)
End Construction	January 2016 (T)

SEGMENT 2 (Western Segment):

The Westbound HOV Western Segment from Isabel Avenue to San Ramon Road was advertised on June 25, 2012 and bids were opened on August 29, 2012. Caltrans awarded the contract to DeSilva Gates Construction (with a bid 23.32 percent below Engineer's Estimate) on October 29, 2012. With the inclusion of infrastructure to support express lane operations, construction is now planned to complete in mid 2015.

Project Approval	January 2010 (A)
RTL	April 2012 (A)
CTC Vote	April 2012 (A)
Begin Construction (Award)	October 2012 (A)
End Construction	July 2015 (T)

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ATTACHMENT C
I-580 Eastbound Express Lane Project
Monthly Progress Report
June 2015

PROJECT DESCRIPTION

The I-580 Eastbound Express Lane Project will convert the newly constructed eastbound HOV lane, from Hacienda Drive in Dublin/Pleasanton to Greenville Road in Livermore, to a majority double express lane facility for the a distance of approximately 11 miles.

PROJECT DELIVERY STATUS

- Civil design is complete. The civil construction component is implemented through the Contract Change Orders (CCOs) process; under the three I-580 HOV lane projects currently in construction (I-580 Westbound HOV Lane - West Segment, I-580 Westbound HOV Lane - East Segment and I-580 Eastbound HOV Lane - Segment 3 with Auxiliary Lanes). All the CCOs have been issued and coordinated with Caltrans construction management staff and the contractors
- Electronic toll system design development is complete
- The Caltrans encroachment permit has been secured and field toll system installation activities have begun

RECENT ACTIVITIES

- Construction activities are progressing, detailed civil construction updates provided in Attachment A
- Construction coordination meetings held to mitigate civil construction delays and ease construction sequencing between the civil and systems construction projects
- Public outreach activities are progressing
- Toll system and outreach activity updates provided in Attachment E

UPCOMING ACTIVITIES

- Coordinate civil construction activities to install toll system; civil construction updates provided in Attachment A
- Toll system and outreach updates provided in Attachment E

POTENTIAL ISSUES/RISKS

The civil construction activities are scheduled to be completed in summer 2015 to allow for the electronic toll system installation so that the express lane facility can be opened by late-November 2015. The construction schedule is very aggressive and staff has been working closely with Caltrans and the toll system integrator, Electronic Transaction Consultant Corporation (ETCC), to mitigate schedule delays, monitor progress and take appropriate actions to maintain the schedule.

FUNDING AND FINANCIAL STATUS

The total project cost of the combined express lane project is \$55 million and is fully funded with a combination of federal, regional and local fund sources.

SCHEDULE STATUS

I-580 Eastbound Express Lane Project Schedule:

Project Approval	March 2014 (A)
Civil Design Completion	April 2014 (A)
Begin Construction	June 2014 (A)
End Construction (Civil and System Integration)	November 2015 (T)

ATTACHMENT D
I-580 Westbound Express Lane Project
Monthly Progress Report
June 2015

PROJECT DESCRIPTION

The I-580 Westbound Lane Project will convert the planned westbound HOV lane (currently in construction), to a single express lane facility from Greenville Road in Livermore to San Ramon Road / Foothill Road in Dublin / Pleasanton, a distance of approximately 14 miles.

PROJECT DELIVERY STATUS

- Civil design complete (combined with the eastbound component as one contract package). Civil construction implemented through the Contract Change Order (CCO) process under the I-580 HOV lane projects currently in construction (I-580 Westbound HOV Lane - West Segment, I-580 Westbound HOV Lane - East Segment and I-580 Eastbound HOV Lane - Segment 3 with Auxiliary Lanes). All the CCOs have been issued and coordinated with Caltrans construction management staff and the contractors
- Electronic toll system design development complete
- Caltrans encroachment permit secured, field toll system installation activities have begun

RECENT ACTIVITIES

- Construction activities are progressing, see Attachment B for civil construction updates
- Construction coordination meetings have been held to mitigate civil construction delays and ease construction sequence between the civil and toll systems construction projects
- Public outreach activities are progressing
- For toll system and outreach activity updates see Attachment E

UPCOMING ACTIVITIES

- Coordinate civil construction activities to install toll system, civil construction updates provided in Attachment B
- Toll system and outreach updates provided in Attachment E

POTENTIAL ISSUES/RISKS

The civil construction activities are scheduled to complete in summer 2015 to allow electronic toll system installation so that express lane facility can be opened by November 2015. This schedule is very aggressive and staff has been working closely with Caltrans and the toll system integrator, Electronic Transaction Consultant Corporation

(ETCC), to mitigate schedule delays, monitor progress and take appropriate actions to maintain the project schedule.

FUNDING AND FINANCIAL STATUS

The total project cost of the combined express lane project is \$55 million and is fully funded with a combination of federal, regional and local fund sources.

SCHEDULE STATUS

I-580 Westbound Express Lane Project Schedule:

Project Approval	August 2013 (A)
Civil Design Completion	April 2014 (A)
Begin Construction	June 2014 (A)
End Construction (Civil and System Integration)	November 2015 (T)

ATTACHMENT E

I-580 Express Lanes System Integration

Monthly Progress Report

June 2015

SYSTEM INTEGRATION SCOPE DESCRIPTION

The I-580 Express Lane civil contract will construct the necessary civil infrastructure to implement the express lanes on I-580, these items include signing, sign gantries for dynamic messaging and toll reading, electrical conduit for connecting power and communication sources and pavement striping. The System Integration component of the project will include communication and tolling hardware design, software development, and factory testing of equipment/design, toll system equipment /hardware installation and toll system integration. It will also consist of field testing the toll equipment and all subsystems, including the interfaces to the Bay Area Toll Authority (BATA)- Regional Customer Service Center and Caltrans, prior to implementing the new express lanes. Since the express lane implementation is still a relatively new concept to the Bay Area commuters and involves emerging technologies, Alameda CTC embarked on a robust public education and outreach campaign in February 2015.

Detailed Discussion

System integration in the I-580 corridor includes the most recent technologies for software, hardware and traffic detection to efficiently manage current and forecasted traffic congestion by optimizing the existing corridor capacity. The system integrator, however, will continue to own the software while the implementing agency will pay for a license to allow for the use of the toll integrator's software and services.

As reported during the I-580 Workshops held in 2013, the project will include “near continuous” type access configuration to provide additional access opportunities while reducing the foot-print required for implementing a shared express/general purpose lane facility. In addition, the near continuous access configuration looks and feels similar to a High Occupancy Vehicle (HOV) facility and, therefore, is expected to provide driver familiarity through the corridor.

Throughout the facility, real-time traffic/travel conditions (traffic speed and volume data) will be gathered through traffic monitoring stations/devices and demand-based toll rates will be calculated, utilizing a dynamic pricing model algorithm. Calculated toll rates will be displayed on Dynamic Message Signs (DMSs) ahead of potential express lane entry locations in order to inform travelers. The DMSs are expected to display two rates, the first rate is for travel within the current or immediately downstream zone and the second rate is for travel to a major destination within the corridor (determined as the end of the line in the I-580 Corridor). To support near continuous access configuration, the electronic toll system has been developed to implement zone tolling and automated toll evasion violation enforcement (involving license plate image

capture and review process). Closely spaced toll antennas and readers will be placed approximately at 3/4-mile intervals to effectively read FasTrak® / FasTrak flex® (aka switchable) transponders. A transponder will be read once within a (tolling) zone by a toll reader and will be charged a fee for use of the lane. To enact toll evasion violation enforcement the Commission will have to adopt a "Toll Enforcement Ordinance" under the purview of *Vehicle Code Section 40250* which allows toll operators to enact such ordinances, including the penalties associated with violations. At its June 2015 meeting, the Commission heard the first reading of this Ordinance. Staff will present a second reading in July for the Commission to adopt the Ordinance in its final form. At the June 2015 meeting, the Commission also approved a cooperative agreement with BATA for regional customer services necessary for project operations.

In addition, staff has been working closely with BATA to finalize the interface between toll system and regional customer service center operations, and distribution of FasTrak flex® (aka switchable) transponders. The flex transponders will be made available to general public beginning in July 2015.

Since express lanes involve emerging technologies and are a relatively new concept to Bay Area commuters, a comprehensive education and outreach effort is underway to inform motorists about the benefits of the new lanes, how to use them, and how to obtain the required FasTrak® or FasTrak Flex toll tags. An I-580 Express Lanes education and outreach campaign is being implemented within the project area and throughout the I-580 travel sheds, which include San Joaquin, Stanislaus and Contra Costa Counties.

PROJECT STATUS

ETCC has completed software and hardware development consistent with project concepts presented during the I-580 Workshops held in 2013. Zone tolling and automated toll evasion violation enforcement are part of the design development. Toll system implementation also includes tools to support the California Highway Patrol's efforts in curtailing vehicle occupancy violation.

Toll system installation has been progressing, however, due to delays experienced in completion of civil infrastructure elements and commercial power source installations, sequencing of ETCC's filed installation has become challenging. Staff has increased their field coordination efforts, including targeted coordination with the on-going Caltrans construction projects to revise toll system installation sequence. ETCC claimed inefficiencies and requested support for additional traffic control and remobilization. Staff is working closely with all parties involved to maintain the toll facility opening date as November 2015. Agenda Item 4.2 discusses the construction delays and staff recommendations for keeping the Project on schedule.

Staff, in cooperation with regional partners, has embarked on a comprehensive public education and outreach program and is working closely with the cities of Livermore, Pleasanton and Dublin staff to provide advance project information to the local communities.

RECENT ACTIVITIES

- Continued to conduct coordination meetings with ETCC and Caltrans construction to find construction windows and to coordinate construction sequence. Discussed changed installation schedule with ETCC to mitigate schedule delays.
- Continued to discuss interface requirements with BATA's vendor Xerox for processing transponder-based and image-based toll trips. An interface testing (successful testing of toll transaction/trip information transfers) is expected in late August - early September 2015.
- Continued to work with BATA on tasks necessary for distributing FasTrak flex toll transponders, reaching out to the patrons
- Conducted the following public education and outreach activities:
 - Coordination with MTC/BAIFA/BATA on outreach and communications regarding FasTrak Flex toll tag availability beginning July 1, 2015.
 - FasTrak Flex toll tags now available online at www.bayareafastrak.org and at Safeway (33 locations), Walgreens (18 locations) and Costco (10 locations) throughout the I-580 commute shed
 - Coordinated with 511.org to place express lane information on home page
 - On-corridor portable changeable message (portable CMS) signs have been activated to convey that "Express Lanes Coming Soon 511.org"
 - Placement of over-the-road banner in Livermore
 - Distribution of Express Lane posters to Tri-Valley Chambers and Cities
 - Distribution of public outreach materials in English and Spanish
 - Launch of media buy with an emphasis on commuter media (radio, local print, online and outdoor) to begin late September and video production
 - Support MTC/BATA's efforts to provide FasTrak Flex at retail locations throughout the I-580 commute shed when the tag becomes available this summer
 - Coordination with Xerox to attend outreach events to supply FasTrak Flex directly to customers during outreach events August – October
 - Attendance at recent public outreach events:
 - **June 6: Mountain House Kite Festival**
 - **June 18: Dublin Farmers Market**
 - **June 18: Livermore Farmers Market**
 - **June 19: Alameda County Fair Senior Day**
 - **June 25: Dublin Farmers Market**

UPCOMING ACTIVITIES

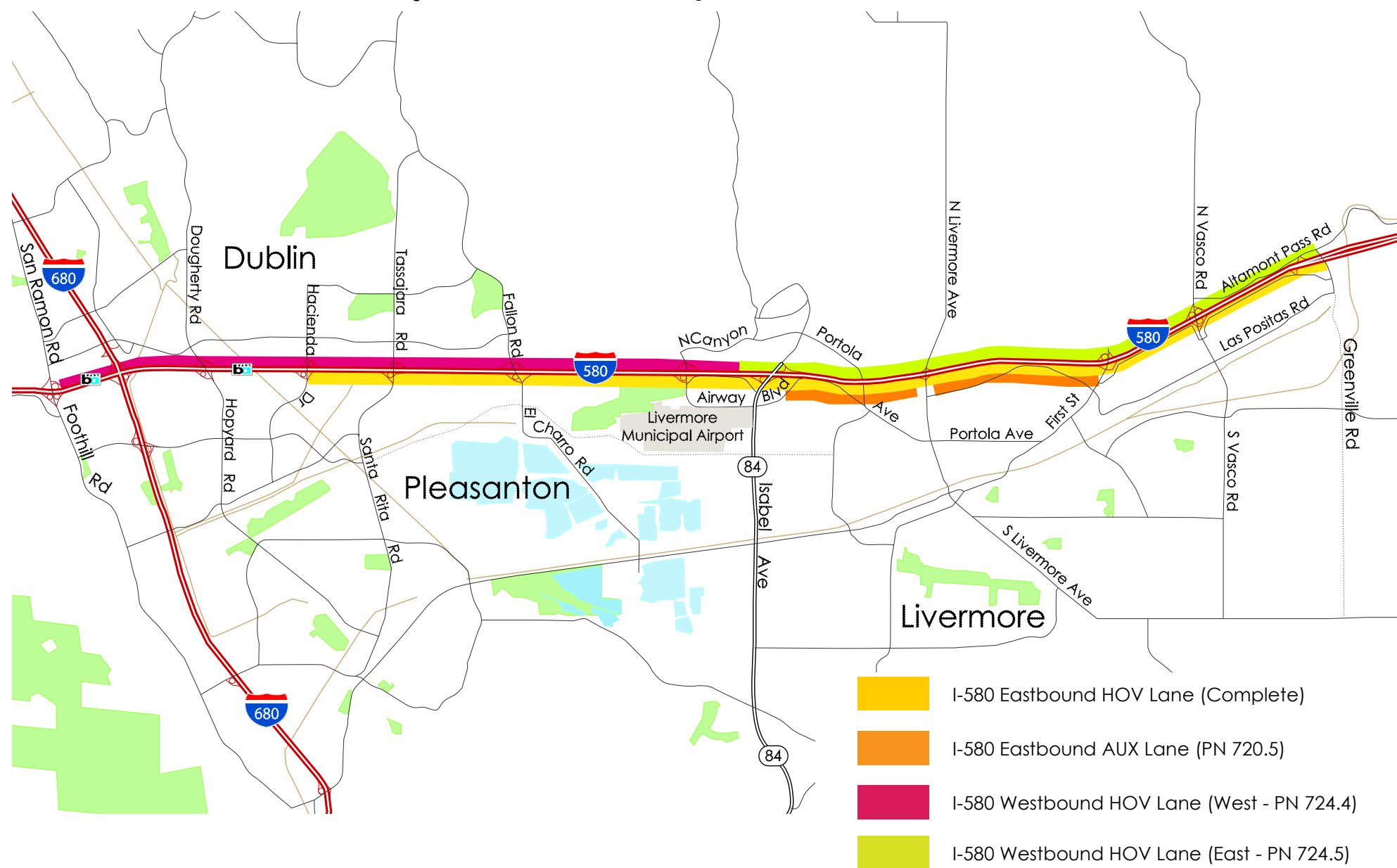
- Continued to coordinate construction sequencing with ETCC and Caltrans construction to coordinate construction sequence.
- Continued to discuss interface requirements with BATA's vendor Xerox for processing transponder-based and image-based toll trips.
- Conducted the following public education and outreach activities:
 - Continued to work with BATA on tasks necessary for distributing FasTrak flex toll transponders, reaching out to the patrons
 - Continued implementation of Media Plan
 - Outreach to employers within commute shed
 - E-blasts to media and stakeholders
 - Finalize Express Lane video

- Coordination with San Joaquin County's employer-based Travel Demand Management program to include 580 Express Lane information on websites, through social media and e-newsletters
- Presentations, and attendance at upcoming public events:
 - **July 1: Pleasanton First Wednesday Street Party**
 - **July 11: Tracy Farmers Market**
 - **July 16: Livermore Farmers Market**
 - **July 23: Dublin Farmers Market**
 - **July 28: Dublin Rotary Club**
 - **August 2: Taste of Downtown - Livermore (with Xerox staff in order to provide FasTrak Flex toll tags directly to patrons)**
 - **August 5: Pleasanton First Wednesday Street Party**
 - **August 15: Tracy Farmers Market and Mountain House Soccer Opening Day**
 - **August 21-23: Good Guys West Coast Nationals Car Show - Alameda County Fair Grounds**
 - **August 23: Livermore Harvest Wine Celebration**
 - **August 27: Livermore Farmers Market**
 - **August 29-30: Brentwood Art, Wine and Jazz Festival**

FUNDING AND FINANCIAL STATUS

The total project cost of the combined Eastbound and Westbound I-580 Express lane project is \$55 million, and is fully funded with a combination of federal, regional and local fund sources.

I-580 Corridor HOV Lane Projects - Location map

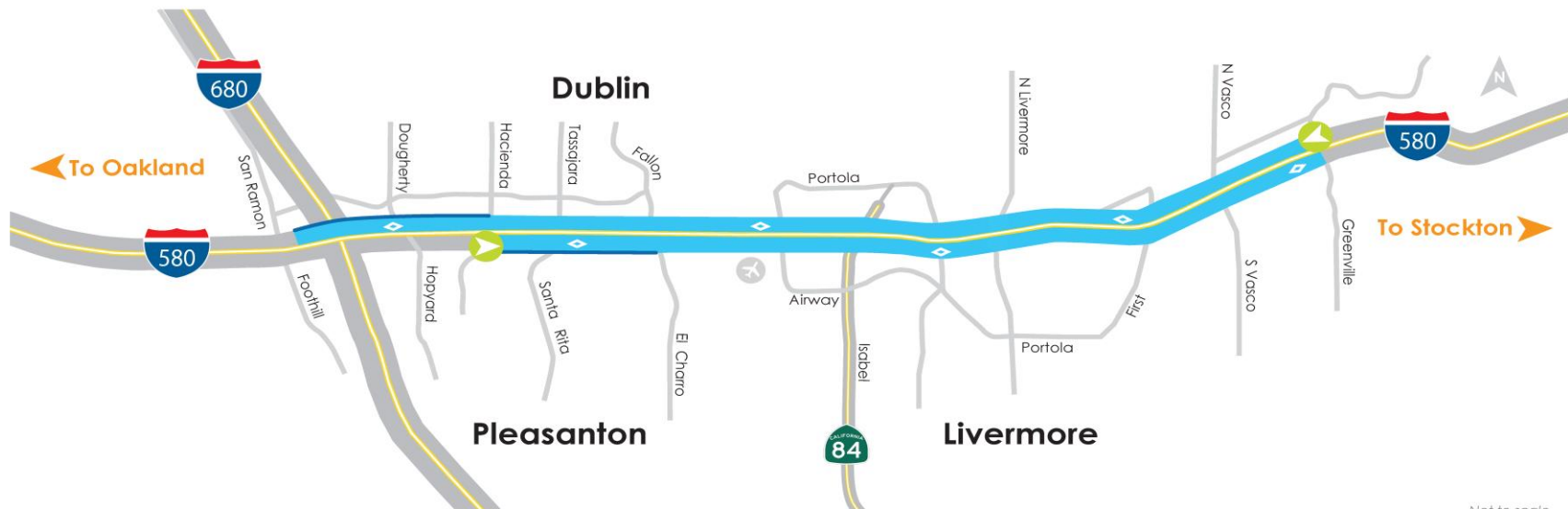


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I-580 Express Lanes Project Location Map

7.2G



Not to scale



Two Eastbound Express Lanes

Lanes begin at Hacienda



No entry/exit from eastbound express lanes from Hacienda to Fallon / El Charro.

Please note: For access to Santa Rita Road, do not enter express lanes.



One Westbound Express Lane

Lane begins at Greenville



No entry/exit from westbound express lane from Hacienda to end.

Please note: For access to I-680 or Dougherty, exit express lane before Hacienda.

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Memorandum

7.3

1333 Broadway, Suites 220 & 300, Oakland, CA 94612 • PH: (510) 208-7400 • www.AlamedaCTC.org

DATE: July 16, 2015

SUBJECT: I-580 Express Lanes Project (PN 720.4/724.1): Approve contract amendments to Professional Services Agreements A09-007 and A13-0092 with Electronic Transaction Consultants Corporation and authorize Construction Change Orders.

RECOMMENDATION: Authorize the Executive Director to:

1. Execute Amendment No. 3 to Agreement No. A09-007 with Electronic Transaction Consultants Corporation (ETCC) to include additional scope of services for the I-580 Eastbound (EB) Express Lanes in the amount of \$324,000 for a total not-to-exceed amount of \$12,816,086;
2. Execute Amendment No. 2 to Agreement No. A13-0092 with ETCC to include additional scope of services for the I-580 Westbound (WB) Express Lane in the amount of \$40,000 for a total not-to-exceed amount of \$3,337,500; and
3. Execute construction change orders (CCOs), as needed, during the construction phase of the I-580 EB and WB Express Lanes Systems Integration.

Summary

The I-580 Express Lane Project ("Project") will implement congestion pricing on I-580, from Hacienda Drive to Greenville Road in the eastbound direction and from Greenville Road to San Ramon Road in the westbound direction, to reduce traffic congestion and provide travel reliability within the corridor.

Electronic Transaction Consultants Corporation (ETCC) has been retained by Alameda CTC as its System Integrator to develop and implement the electronic toll collection system. To implement express lanes, ETCC developed systems for traffic data collection, congestion pricing algorithm, and communication network; and began its field installation activities for opening the express lanes in late-November 2015.

Toll systems require interface with the regional customer services center (RCSC), operated by the Bay Area Toll Authority (BATA). An interface control document (ICD) was completed in April 2015 for transferring toll transaction, violation evasion processes and reconciliation processes.

For efficiency purposes, the Alameda CTC staff transferred the license plate image review from BATA's scope to ETCC's scope of services. Otherwise, BATA staff would have required accessing ETCC's Dynamic Pricing Host to review the images and form toll trips. BATA staff then would have sent these formed trips back to ETCC for pricing the trip. Therefore, staff recommend including the image review scope in ETCC's services, upon the lane opening. In addition, for consistent driver experience, Alameda CTC staff collaborated with BATA staff and completed business rules development early this year.

The civil infrastructure improvements required for express lane implementation, have been included in on-going roadway I-580 HOV construction contracts as change order items. Initial completion date for these activities was March 2015. However, due to the complexity of coordinating multiple construction work activities at overlapping locations, construction completion of the above referenced express lane civil infrastructure elements are delayed. These delays have a direct impact on toll system installation and commencement of Site Acceptance Test (SAT).

The new and revised scope of services and associated budget adjustments require amendments to ETCC's consultant services agreements, A09-007 and A13-0092; and construction change orders for system installation-integration tasks. Funding for the changes are already included in project financial plans. Detailed discussions are provided in subsequent sections.

This is an action item.

Background

The I-580 Express Lanes Project proposes to convert the newly constructed eastbound High Occupancy Vehicle (HOV) Lane from Hacienda Drive to Greenville Road to a double lane express lane facility and the westbound HOV lane (currently under construction) from Greenville Road to San Ramon Road to a single express lane facility.

The express lane facility combines HOV and congestion pricing strategies to allow single occupancy vehicles (SOVs) access to HOV lanes for a fee when time savings is of a value, while maintaining optimal travel conditions within the HOV lane and air quality benefits through carpooling. For the most part, the I-580 Express Lanes will have a "near continuous" access configuration, which will look and feel like an HOV lane, where traffic can move in and out of the express lanes anywhere along the corridor. Where heavy traffic weave movements are expected, a buffer separation will be provided between the express and general purpose lanes to restrict access.

Action No. 1: Authorize the Executive Director to execute Amendment No. 3 to Agreement No. A09-007 with ETCC to include additional scope of services for I-580 EB Express Lanes in the amount of \$324,000 for a total not-to-exceed amount of \$12,816,086; and

Action No. 2: Authorize the Executive Director to execute Amendment No. 2 to Agreement No. A13-0092 with ETCC to include additional scope of services for the I-580 WB Express Lane in the amount of \$40,000 for a total not-to-exceed amount of \$3,337,500

The current ETCC professional service agreements (A09-007 for eastbound I-580 System Integration and A13-0092 for westbound I-580 System Integration) include scope of services for data collection, communication, dynamic pricing (real-time congestion pricing model), trip building based on toll transponder read and license plate image capture, software and hardware development, equipment procurement and installation, testing and commission of toll facility, and a one-year warranty period/maintenance services.

The new or augmented scope of services will encompass software revisions for incorporating new ICD (interface control document) requirements, resources for performing manual image review (to achieve a high degree of accuracy of less than 2% error while forming imaged-based toll transaction trips) and trip formation based on license plate images captured, and modifications to software to incorporate additional business rule requirements. Details of required changes are provided below:

a) New ICD: When the project budget was reviewed in September 2014, the interface requirement with BATA was in its preliminary stages. Since December 2014, Monthly meetings have been conducted between all parties involved to complete an ICD (Version 9) in April 2015 in order to transfer information related to toll transactions, violations and reconciliation processes. This is a new requirement which will require ETCC to complete software revisions prior to testing the interface with BATA in late August/early September of 2015.

b) Manual Image Review: For efficiency purposes, the Alameda CTC staff removed license plate image - manual review from BATA's scope at the conclusion of negotiations for regional customer service support. This scope was removed to avoid BATA accessing ETCC's Dynamic Price Host to form toll trips, based on a series of license plate image captures, prior to determining the toll or assessing violation evasion penalties. Staff assessed the technical merit of this approach and concluded that the manual image review process will be less cumbersome if the toll operator, ETCC, is to complete the review and trip formation process, instead of BATA's RCSC staff. This manual image review is a new scope during the warranty period, immediately following the lane opening. Staff recommends including scope in ETCC's services now to facilitate the toll collection/toll evasion process required upon opening the lanes in late November 2015.

c) New Business Rules: To ensure consistent driver experience, Alameda CTC staff collaborated with BATA and completed business rules for express lane implementation early this year. Staff presented major rules to the Commission in February 2015. Two of these business rules require extensive revisions to ETCC's software development. The rules are as listed below:

- Retain last published toll rate when communication with a Dynamic Message Sign (DMS) is lost: Based on staff experience operating the I-680 Southbound Express Lane in Alameda County, it is recommended that the I-580 Express lanes include this feature to avoid driver confusion. Opportunities will be provided to overwrite

the rates, based on rates displayed on DMS sign once the communication is restored.

- Charge tolls when solo drivers illegally enter the I-580 Express Lane during "HOV Only Mode:" Based on traffic operational analysis, it is likely that at times, the express lane may have to operate on "HOV Only Mode", to avoid further degrading the HOV lane operation (level of service C, or D as approved by Caltrans). It would be cumbersome to single out all toll evaders via manual enforcement. Therefore, the toll system will have to be modified to have the ability to read the toll tag setting during the "HOV Only Mode" and charge a maximum toll to those who are in violation of the rules.

The above referenced business rules are new requirement that staff recommend for implementation. The software changes cannot be made until early 2016. Staff recommends that the changes are incorporated in early 2016 by utilizing contingency budget included in current agreement.

Augmented scope and budget, resulting from the above referenced changes, will have to be incorporated into ETCC's professional services agreement for completion of the Project through the warranty period.

Additional budget for the corresponding new and revised scope of services are as shown below:

Scope	I-580 EB Agmt. (A09-007)	I-580 WB Agmt. (A13-0092)
a) Software changes to accommodate new ICD	\$268,000	-
b) Manual Image review	\$56,000	\$40,000
c) Software changes to accommodate new business rules*	-	-
Total	\$324,000	\$40,000

*- The cost is estimated at \$127,000. Staff recommend including the revisions in early 2016, by utilizing contingency budget, included in current Agreement A09-007 (\$200,335).

Action No. 3: Authorize Executive Director to execute construction change orders (CCOs), as needed, during the construction phase of the I-580 EB and WB Express Lanes Systems Integration

The I-580 Express Lane is the first of its kind to provide a near continuous access type configuration to boost access opportunities for patrons while employing zone tolling and automated toll evasion violation enforcement. The only other continuous access facility in United States is the I-35W, operated in Minnesota; which does not employ an automated violation enforcement strategy. Alameda CTC staff, including the project consultants and contractors is pioneering the deployment of innovative technology as the Project progresses toward completion. The project is in construction phase with toll system and civil infrastructure installations are progressing.

When the system installation/construction schedule was negotiated in mid- 2014, the project team assumed completion of civil infrastructure, including the power and communication trunk line, by mid-March 2015 to facilitate commencement of the field installation activities by the system integrator. As previously reported, all civil construction elements were included as CCOs to the on-going I-580 roadway construction contracts. Early this year, Project staff realized that the initial civil infrastructure completion date (i.e. March 2015) would not be met based on construction progress to date and the coordination involved. In addition, completion of service connections for power sources is also behind schedule. The delays experienced in completion of civil infrastructure elements and commercial power source installations caused challenges for sequencing the toll system installation as initially planned. To minimize schedule conflicts and coordinating construction sequencing, staff has been working with Caltrans, Contractors, and PG&E to develop a workaround schedule that can be achieved. Additional construction coordination meetings have been held, much more frequently than previously between all construction contractors and construction managers. Executive management and field staff coordination meetings were held with PG&E to complete power installation, required for toll systems testing, ahead of lane opening.

To reflect changed construction sequence operations, the staff began discussing revisions to construction scheduling with the civil-roadway contractors and ETCC. ETCC highlighted inefficiencies associated with its revised system installation/construction schedule activities, and requested additional compensation for remobilizations and additional lane closures required. Staff will continue to work with ETCC to coordinate expeditious installation and commencement of the SAT (Site Acceptance Test). In addition, staff continues to work closely with all parties involved to open the toll facility in late November 2015.

Since the project is in construction and impacts of changed construction sequencing are still under review, the staff recommend that the Commission authorize the Executive Director to execute CCOs, including to modify milestone dates, utilizing the project contingency funds to expeditiously deliver the project to the public. The construction contingency funds budget of \$936,000 is 7.8% of construction capital costs.

Recommendations:

Staff recommends the following actions:

- 1) The Commission authorize the Executive Director to execute Amendment No. 3 to Agreement No. A09-007 with ETCC to include additional scope of services and budget in the amount of \$324,000 for a total not-to-exceed amount of \$12,816,086;
- 2) The Commission authorize the Executive Director to execute Amendment No. 2 to Agreement No. A13-0092 with ETCC to include additional scope of services and budget in the amount of \$40,000 for a total not-to-exceed amount of \$3,337,500; and
- 3) The Commission authorize the Executive Director to execute CCOs, as needed, during the construction phase of the I-580 EB and WB Express Lanes Systems Integration

Sufficient local funds are included in project financial plans to pay for the additional project costs.

Fiscal Impact: The recommended actions will authorize the executive director to execute amendments to ETCC Professional Services Agreements, in the amount of \$364,000 for subsequent expenditure. In addition, the actions will authorize the Executive Director to execute CCOs, as needed, for up to \$936,000 to keep the Project on schedule. The budget is included in the appropriate project funding plans and has been included in the Alameda CTC Adopted FY2014-15 Operating and Capital Program Budget.

Attachments

- A. Summary of Agreement A09-007
- B. Summary of Agreement A13-0092

Staff Contact

[Kanda Raj](#), Project Controls Team

Summary of Agreement No. A09-007			
Agreement Status	Work Description	Value	Total Not-to-Exceed Value
Original Agreement March 26, 2010	System integration for five limited ingress/egress access configuration, including system interaction with regional customer service center	\$6,319,027	\$6,319,027
Amendment No. 1 July 25, 2013	Revised toll system implementation (system integration) scope of services, based on near continuous access configuration	\$3,413,059	\$9,732,086
Amendment No. 2 September 25, 2014	Include new scope for automated toll violation enforcement, spare parts and warranty period services. Time extension to November 30, 2016	\$2,760,000	\$12,492,086
<i>Proposed Amendment No. 3*</i>	<i>Include scope to address new ICD, manual image review and Business Rule</i>	<i>\$324,000*</i>	<i>\$12,816,086*</i>
Total Amended Agreement Not-to-Exceed Amount			\$12,816,086*

*- Subject to Commission's approval on July 23, 2015. Sufficient funds are included in financial plan.

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Summary of Agreement No. A13-0092			
Agreement Status	Work Description	Value	Total Value, as amended
Original Agreement July 25, 2013	System integration for near continuous access implementation, including system interaction with regional customer service center	\$2,764,405	\$2,764,405
Amendment No.1 September 25, 2014	Include new scope for automated toll violation enforcement, spare parts and warranty period services. Time extension to November 30, 2016	\$533,095	\$3,297,500
<i>Proposed Amendment No. 2*</i>	<i>Include scope to address changed construction sequencing and image review.</i>	<i>\$40,000*</i>	<i>\$3,337,500*</i>
Total Amended Agreement Not-to-Exceed Amount			\$3,337,500*

*- Subject to Commission's approval on July 23, 2015. Sufficient funds are included in financial plan.

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Memorandum

7.4

1111 Broadway, Suite 800, Oakland, CA 94607

• 510.208.7400

• www.AlamedaCTC.org

DATE: July 16, 2015

SUBJECT: Congestion Management Program (CMP): Summary of the Alameda CTC's Review and Comments on Environmental Documents and General Plan Amendments

RECOMMENDATION: Receive an update on the Alameda CTC's Review and Comments on Environmental Documents and General Plan Amendments.

Summary

This item fulfills one of the requirements under the Land Use Analysis Program (LUAP) element of the Congestion Management Program (CMP). As part of the LUAP, Alameda CTC reviews Notices of Preparations (NOPs), General Plan Amendments (GPAs), and Environmental Impact Reports (EIRs) prepared by local jurisdictions and comments on them regarding the potential impact of proposed land development on the regional transportation system.

Since the last update on June 8, 2015, the Alameda CTC reviewed one Draft Environmental Impact Report (DEIR) and one Addition to a Final Environmental Impact Report (FEIR). Comments were submitted on these documents and the comment letters are included as Attachments A and B.

Fiscal Impact: There is no fiscal impact.

Attachments:

- A. Response to the Notice of Completion/Availability of Draft Environmental Impact Report (DEIR) for the East Pleasanton Specific Plan
- B. Response to the Addition to the Final Environmental Impact Report and Response to Comments for the 2211 Harold Way Mixed-Use Project

Staff Contact

[Tess Lengyel](#), Deputy Director of Planning and Policy

[Daniel Wu](#), Assistant Transportation Planner

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June 8, 2015

Shweta Bonn,
Senior Planner
Community Development Department
200 Old Bernal Avenue
Pleasanton, CA 94566

SUBJECT: Response to Notice of Completion/Availability of Draft Environmental Impact Report (DEIR) for the East Pleasanton Specific Plan (P13-1858)

Dear Ms. Bonn,

Thank you for the opportunity to comment on the Draft Environmental Impact Report (DEIR) for the East Pleasanton Specific Plan. The Project location is generally east of Valley Avenue and Busch Road and north of Stanley Boulevard. The Specific Plan boundaries encompass approximately 1,110 acres located partially within the City of Pleasanton and partially within the unincorporated jurisdiction of Alameda County. The entire Specific Plan Area is within the Pleasanton General Plan Planning Area and Pleasanton's Sphere of Influence. The preferred project consists of 1,759 housing units, including 65 percent single-family and 35 percent multi-family units; 91,000 square feet of retail space; 442,000 square feet of office space; 1,057,000 of industrial space; 3 acres of destination use; 45 acres of public park; 35 acres of private open space; and 17 acres of public and institutional use.

The Alameda County Transportation Commission (Alameda CTC) respectfully submits the following comments:

- The Alameda CTC's Congestion Management Program (CMP) requires that the DEIR address potential impacts to not only roadways on the Metropolitan Transportation System (MTS) network, but also potential impacts of the project on MTS transit operators, Countywide Bicycle Network, and Pedestrian Areas of Countywide Significance. The following revisions should be made to the DEIR to reflect the multimodal nature of the CMP requirements:
 - Revise description of the CMP requirements to include impacts on transit operators, bicycle network, and pedestrian areas on pages 3.14-30, 3.14-31, and 3.14.53.
 - Include the CMP's requirements in the text of Impact TRANS-9 (page 3.14-67) that describes the DEIR's evaluation of how the Specific Plan would conflict with adopted policies, plans or programs supporting alternative transportation.
- In Section 3.14.3 Methodology (page 3.14-31), the DEIR indicated that transportation impacts would be considered significant if they exceed level of service standards and travel demand measures, or other standards established by the County Congestion Management Agency for designated roads and highways. Note that the Alameda CTC has not adopted any policy for determining a threshold of significance for Level of Service for the Land Use Analysis Program (LUAP) of the CMP. Professional judgment should be applied to determine the significance of project impacts. Please refer to Chapter 6 of the Alameda CTC Congestion Management Program 2013 report for more information.

- Include segment beginning and ending cross streets (or equivalent description) for MTS roadway segments evaluated under Impact TRANS-4 (page 3.14-53) that evaluates the Specific Plan's potential roadway impacts according to CMP requirements.
- Alameda CTC noted that the project used the Alameda CTC Travel Demand Model updated in 2011 with traffic volume projections for 2020 and 2035. This 2011 model was the most up to date version at the time of the Notice of Preparation (NOP) of the Project DEIR. Since then, the Alameda CTC has updated its model in late 2014.
- For Impact TRANS-4 (page 3.14-54), the DEIR described that many impacted roadway segments in 2020 and 2035 have already been built out to their ultimate configuration as envisioned by the City of Pleasanton's General Plan. For these impacted segments, the DEIR also stated that payment of the City of Pleasanton and Tri-Valley Regional impact fees would fund improvements to parallel corridors in the region that would provide alternative routes and additional capacity in the region. If possible, the DEIR should:
 - Identify parallel roadway facility improvements, their funding status and effects on service standards; and
 - Identify travel demand management (TDM) measures, and transit, bicycle, and pedestrian improvements that can serve as mitigation measures for these impacted roadway segments. The Alameda CTC CMP Menu of TDM Measures and TDM Checklist may be useful for this analysis of TDM mitigation measures (See Appendices G and H of the 2013 CMP).
- To calculate the number of trips generated by the project, the DEIR applied a mixed-use trip generation model (MXD) in conjunction with published trip generation rates from the Institute of Transportation Engineers (ITE) Trip Generation Manual (9th edition). The MXD also calculated transit, walk, and bike trips to and from the project area. Alameda CTC has two comments regarding the trip generation approach:
 - The Alameda CTC model also projects transit, bicycle, and walking trips. Did the project team use the Alameda CTC model to estimate multimodal trips and compare the estimated trips from the Alameda CTC model with the MXD derived estimates?
 - Has the project team compared multimodal trip estimates from the project with mode split from similar developments in the City of Pleasanton for reasonableness?
- The trip generation estimated (page 3.14-24) that the project would generate approximately 970 daily transit trips. However, the DEIR is unclear about how many of those trips would be trips served by regional transit agencies (BART or ACE) or Livermore Amador Valley Transit Agency:
 - For instance, page 3.14-68 of the DEIR stated that "in the morning peak hour, approximately 30 transit trips are expected to be generated by the project, with an additional 50 transit trips in the evening peak hour. Spread out over the peak hour, the additional ridership generated by development within the Plan Area would likely the number of passengers per car during peak periods by zero to two people, which would be imperceptible to existing riders of the BART system." Does the DEIR assume all transit trips generated would be drive to BART or ACE trips?
- Alameda CTC noted that the DEIR found the project's contribution to the existing BART parking deficit to be significant and unavoidable.

Thank you for the opportunity to comment on this DEIR. Please contact me at (510) 208-7405 or Daniel Wu of my staff at (510) 208-7453 if you have any questions.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Tess Lengyel', with a long horizontal flourish extending to the right.

Tess Lengyel
Deputy Director of Planning and Policy

cc: Daniel Wu, Assistant Transportation Planner
file: CMP/Environmental Review Opinions/2015

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June 22, 2015

Shannon Allen
Principal Planner
City of Berkeley
Planning and Development Department
2120 Milvia St
Berkeley, CA 94704

SUBJECT: Response to the Addition to the Final Environmental Impact Report and Response to Comments for the 2211 Harold Way Mixed-Use Project

Dear Ms. Allen,

Thank you for notifying us of the Addition to the Final Environmental Impact Report (FEIR) and Response to Comments for the 2211 Harold Way Mixed-Use Project. In November 2014, Alameda CTC reviewed the project Draft Environmental Impact Report (DEIR) and determined that the project was exempt from review under the Congestion Management Program Land Use Analysis Program (LUAP) as it would not generate 100 p.m. peak hour trips in excess of trip generation expected from the existing land uses. We have reviewed the recommended project alternative in the Addition to the FEIR and concluded similarly that the project is exempt from LUAP review.

Please contact me at (510) 208-7405 or Daniel Wu of my staff at (510) 208-7453 if you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Tess Lengyel". The signature is fluid and cursive, with a long, sweeping underline.

Tess Lengyel
Deputy Director of Planning and Policy

cc: Daniel Wu, Assistant Transportation Planner
file: CMP/Environmental Review Opinions/2015

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Memorandum

7.5

1111 Broadway, Suite 800, Oakland, CA 94607

510.208.7400

www.AlamedaCTC.org

DATE: July 16, 2015

SUBJECT: Countywide Goods Movement Plan Contract Augmentation

RECOMMENDATIONS Authorize the Executive Director to execute Amendment No. 1 to Professional Services Agreement No. A13-0026 with Cambridge Systematics, Inc. for an additional \$50,000 for a total not-to-exceed amount of \$1,450,000

Summary

The Alameda CTC is developing a Countywide Goods Movement Plan that will identify short- and long-range strategies to efficiently and sustainably move goods by truck, rail, air, and sea. This effort is closely coordinated with the development of a Regional Goods Movement Plan by the Metropolitan Transportation Commission (MTC). To ensure consistency in the plans and for efficiency in technical analyses, the development of a regional goods movement plan is incorporated as a task in the Alameda CTC goods movement plan contract, with all funding coming from MTC. MTC's original task budget was for a not-to-exceed of \$500,000 and was approved as part of the overall contract with Cambridge Systematics. MTC wishes to augment the budget for the regional goods movement plan task by adding \$50,000, which requires an augmentation of the overall contract. The full \$50,000 will be supplied by MTC with their local funds through an existing interagency agreement. Attachment A includes MTC's request to augment their task budget for a not-to-exceed amount of \$550,000 on this contract.

Fiscal Impact: The proposed action does not encumber any additional Alameda CTC funds. Both the additional funding from MTC and the increase in contract amount will be incorporated in the FY15-16 midyear budget update. There are no Levine Act conflicts related to this contract.

Attachments

A. MTC Professional Services Agreement Amendment 2

Staff Contact

[Tess Lengyel](#), Deputy Director of Planning and Policy

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METROPOLITAN
TRANSPORTATION
COMMISSION

Joseph P. Boni Metropolitan
101 Eighth Street
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Dave Cortese, Chair
Santa Clara County

Alicia C. Aguirre
Cities of San Mateo County

Tom Azumbrado
U.S. Department of Housing
and Urban Development

Jason Baker
Cities of Santa Clara County

Tom Bates
Cities of Alameda County

David Campos
City and County of San Francisco

Dorene M. Giacopini
U.S. Department of Transportation

Federal D. Glover
Contra Costa County

Scott Haggerty
Alameda County

Anne W. Halsted
San Francisco Bay Conservation
and Development Commission

Steve Kinsey
Marin County and Cities

Sam Liccardo
San Jose Mayor's Appointee

Mark Luce
Napa County and Cities

Jake Mackenzie
Sonoma County and Cities

Julie Pierce
Association of Bay Area Governments

Bijan Sartipi
California State
Transportation Agency

Libby Sebaof
Oakland Mayor's Appointee

James P. Spering
Solano County and Cities

Adrienne J. Tassier
San Mateo County

Scott Wiener
San Francisco Mayor's Appointee

Ann Rein Worth
Cities of Contra Costa County

Steve Heminger
Executive Director

Alix Bockelman
Deputy Executive Director, Policy

Andrew B. Fremier
Deputy Executive Director, Operations

March 24, 2015

RECEIVED

APR 16 2015

ALAMEDA CTC

Arthur L. Dao
Executive Director
Alameda County Transportation Commission
1111 Broadway, Suite 800
Oakland, CA 94607

RE: Professional Services Agreement Amendment No. 2

Dear Mr. Dao:

This letter is Amendment No. 2 to our Funding Agreement (the "Agreement") dated April 28, 2014, and amended October 3, 2014, for the performance of the MTC Regional Goods Movement Study task of the Alameda Countywide Goods Movement Collaborative and Plan ("PROJECT").

The following provision of the Agreement is hereby modified:

1. Total compensation to be paid under the Agreement is increased by \$150,000 to five hundred fifty thousand dollars. (\$550,000).

Except as provided herein, all other terms and conditions of the Agreement remain unchanged and are herein incorporated by this reference as though set forth in full.

If you agree, please sign both copies of this letter in the space provided below and return one to us. The other copy is for your files.

Very truly yours,

Steve Heminger
Executive Director

MTC/Alameda CTC
Regional Goods Movement Study Task of Alameda Countywide
Goods Movement Collaborative and Plan - Funding Agreement
Amendment No. 2
Page 1

Accepted and Agreed to this 30 day
Of March, 2015.




Arthur Dao, Executive Director

SH: cc

J:\CONTRACT\Contracts-New\CON 13-14\Funding Agreements\ACTC_MTC Goods Movement\ACTC MTC goods movement
funding agreement - Amend 2_Final.docx

**ON-CALL SERVICE REQUEST FORM (OCSR)**

Approved request form must be on file for extra work performed.

Contract Number:	On-Call Service Request Number: 3
Consultant: Cambridge Systematics	Task Number: 7
Requested by: <input checked="" type="checkbox"/> ACTC <input type="checkbox"/> Consultant	Date of Request: May 4, 2015
REASON FOR REQUEST	
MTC requests that ACTC approve Cambridge Systematics to continue and add work for Task 7, Regional Goods Movement Study, as part of the Alameda Countywide Goods Movement Plan and Collaborative contract ACTC holds with Cambridge Systematics.	
The Funding Agreement has now been amended to add an additional \$150,000, bringing the full amount to \$550,000.	
SCOPE OF REQUEST (Include schedule details)	
Please see the attached funding agreement amendment. The amendment adds \$150,000 to the existing \$400,000 funding agreement.	
Work should be authorized to continue work on Task 7, with Consultant to not exceed \$550,000 of work.	
Task Budget (Not-to-Exceed)	\$550,000
Previously Approved OCSR's for Task	\$400,000
This OCSR Estimate (Attach Resource Estimate)	
Authorized OSCR Task Budget	
Remaining Task Budget	
Reviewer Comments:	
Reviewed and Approved by:	
Signature	Date
	5-4-15

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Memorandum

7.6

1111 Broadway, Suite 800, Oakland, CA 94607

• PH: (510) 208-7400

• www.AlamedaCTC.org

DATE: July 16, 2015

SUBJECT: California Transportation Commission June 2015 Meeting Summary

RECOMMENDATION: Receive an update on the June 2015 California Transportation Commission Meeting.

Summary

The June 2015 California Transportation Commission (CTC) meeting was held in Sacramento. Detailed below is a summary of the five (5) agenda items of significance pertaining to Projects/Programs within Alameda County that were considered at the meeting.

Background

The CTC is responsible for programming and allocating funds for the construction of highway, passenger rail, and transit improvements throughout California. The CTC consists of eleven voting members and two non-voting ex-officio members. The San Francisco Bay Area has three CTC members residing in its geographic area: Bob Alvarado, Jim Ghielmetti, and Carl Guardino.

Detailed below is a summary of the five agenda items of significance pertaining to Projects / Programs within Alameda County that were considered at the June 2015 CTC meeting (Attachment A).

1. **2016 State Transportation Improvement Program (STIP) – Draft Fund Estimate and Guidelines**

CTC approved the draft 2016 STIP Fund Estimate and Program Guidelines. The draft Fund Estimate shows an estimated \$32 million in available new capacity statewide over the 2016 STIP period (FY 16-17 through FY 20-21). This greatly reduced amount compares to \$1.26 billion in available new capacity for the 2014 STIP. Further, due to the reduction of capacity in the first three years of the STIP, currently programmed projects may also be delayed to the last two years of the STIP. The CTC is currently scheduled to hold a STIP Workshop on July 23, 2015 and adopt the Fund Estimate and Guidelines at its August 2015 meeting.

2. State Transportation Improvement Program (STIP) / Downtown Berkeley BART Plaza and Transit Area Improvements project

CTC approved reprogramming \$3,726,000 in Regional Improvement Program (RIP) construction funds from the Downtown Berkeley BART Plaza and Transit Area Improvements project to the BART Station Modernization Program project.

The Downtown Berkeley BART Plaza and Transit project is currently programmed for \$3,726,000 in RIP construction in FY 2016-17. In order to deliver this project early, BART is proposing to replace \$3,726,000 in RIP construction funds with an equal amount of Proposition 1B Public Transportation Modernization, Improvement, Service Enhancement (PTMISEA) funds from the BART Station Modernization Program project.

Outcome: Project delivery for the Downtown Berkeley BART Plaza and Transit project can be implemented beginning FY 2015-16.

3. 2014 Active Transportation Program (ATP) Cycle 1

CTC approved de-programming \$7,713,000 in regional ATP funds for the Bay Area Bike Share Expansion Project. MTC also has \$3,503,000 currently unprogrammed regional ATP cycle 1 funds as a result of deprogramming the Santa Rosa Jennings Avenue Railroad Crossing project. CTC also approved reprogramming \$11,216,000 to new ATP projects on MTC's contingency list.

Outcome: Alameda County jurisdictions receiving reprogrammed ATP cycle 1 funds include: City of Oakland Improvements for Safe Routes to School Project (\$1,236,000); City of Oakland High Street/ Courtland Avenue – Ygnacio Avenue Intersection Improvements Project (\$1,128,000); Alameda County Ashland Avenue Bicycle and Pedestrian Safe Routes to School Project (\$708,000)

4. 2014 ATP / City of Berkeley Safe Routes to School project

CTC approved the allocation of \$82,000 ATP funds for the Plans, Specifications and Estimates (PS&E) phase of the City of Berkeley Safe Routes to School project (LeConte Elementary).

Outcome: Allocation will fund the PS&E phase activities of the project.

5. State Transportation Improvement Program (STIP) / East Bay Bus Rapid Transit Project

CTC approved the allocation of \$7,995,000 STIP funds for the Construction phase of the East Bay Bus Rapid Transit project.

Outcome: The first two phases of construction were awarded in December 2014 and January 2015; they will relocate utility infrastructure and construct parking lots and intersection improvements related to the project. The third phase of construction will implement all the major portions of the BRT project and is planned to be awarded summer 2015.

Fiscal Impact: There is no fiscal impact.

Attachments

A. June 2015 CTC Meeting summary for Alameda County Project / Programs

Staff Contact

[James O'Brien](#), Interim Deputy Director of Programming and Projects

[Vivek Bhat](#), Senior Transportation Engineer

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June 2015 CTC Summary for Alameda County Projects/ Programs

Sponsor	Program / Project	Item Description	CTC Action / Discussion
Caltrans	2016 State Transportation Improvement Program (STIP) Draft Fund Estimate and Guidelines	Approve 2016 STIP Draft Fund Estimate and Guidelines.	Approved
BART	STIP / Downtown Berkeley BART Plaza and Transit Area Improvements project	Approve reprogramming \$3,726,000 in Regional Improvement Program (RIP) construction funds from the Downtown Berkeley BART Plaza and Transit Area Improvements project to the BART Station Modernization Program project	Approved
Caltrans	2014 Active Transportation Program (ATP)	Approve reprogramming \$11,216,000 of regional ATP cycle 1 funds to new ATP projects on MTC's contingency list	Approved
City of Berkeley	2014 ATP / City of Berkeley Safe Routes to School project	Approve allocation of \$82,000 ATP funds for the Plans, Specifications and Estimates (PS&E) phase of the City of Berkeley Safe Routes to School project (LeConte Elementary)	Approved
AC Transit	STIP/ East Bay Bus Rapid Transit Project	Approve allocation of \$7,995,000 STIP funds for the Construction phase of the East Bay Bus Rapid Transit project	Approved

http://www.catc.ca.gov/meetings/agenda/2015Agenda/2015-06/000_ETa.pdf

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Memorandum

7.7

1111 Broadway, Suite 800, Oakland, CA 94607

• PH: (510) 208-7400

• www.AlamedaCTC.org

DATE: July 16, 2015

SUBJECT: Alameda CTC Contracting Process

RECOMMENDATION: Receive a presentation on the Alameda CTC's Contracting and Procurement Policies and Procedures.

Summary

Staff will present a brief overview of Alameda CTC's Contracting and Procurement Policies and Procedures with a focus on the contract procurement and contract amendment processes for professional services contracts.

Background

In October 2013, the Commission approved the Contracting and Procurement Policies for Alameda CTC. The purpose of Alameda CTC's agency-wide procurement policies is to establish policies, guidelines, and procedures to govern the procurement of goods and services, including administrative, engineering, professional, construction, and other services and to deliver effective and efficient transportation investments while supporting businesses in Alameda County. To most effectively deliver transportation investments and optimize delivery of projects, programs, and administrative services related to transportation, Alameda CTC utilizes a mixture of funding sources, including local sales tax revenues, vehicle registration fees, and other local, regional, state, and federal funding.

The procurement method used by Alameda CTC is dictated by the type of funding utilized to fund each contract. For contracts funded with federal funds, Alameda CTC adheres to the federal procurement process and complies with the U.S. Department of Transportation's Disadvantaged Business Enterprise (DBE) Program which was adopted in accordance with federal regulations contained in 49 C.F.R. Part 26. For contracts funded with Measure B funds or a combination of Measure B and local funds, Alameda CTC follows a procurement process similar to the federal process and applies its own contract equity program, the Local Business Contract Equity (LBCE) Program, in lieu of the federally required DBE Program. An overview of the procurement process for professional services contracts is provided as Attachment A. The procurement process from contract identification to contract execution is typically four months in duration and results in two key deliverables: the advertisement package and the executed contract. A sample Request for Proposal (RFP) package for a federally funded project has been provided as Attachment B.

Professional services contracts for capital projects, due to their complex scopes and longer durations, are likely to encounter situations that do not align with the original project assumptions. If the situation necessitates a change to the terms of the contract, an amendment will be required. The amendment evaluation process is intended, among other things to ensure that the integrity of the procurement process for a fair and competitive selection is not compromised. Amendments that propose to modify contract scope, cost, or time undergo a comprehensive review to determine if the amendment is warranted and feasible, or if some other alternative is preferred. An overview of the process is provided as Attachment C.

Fiscal Impact: There is no fiscal impact.

Attachments:

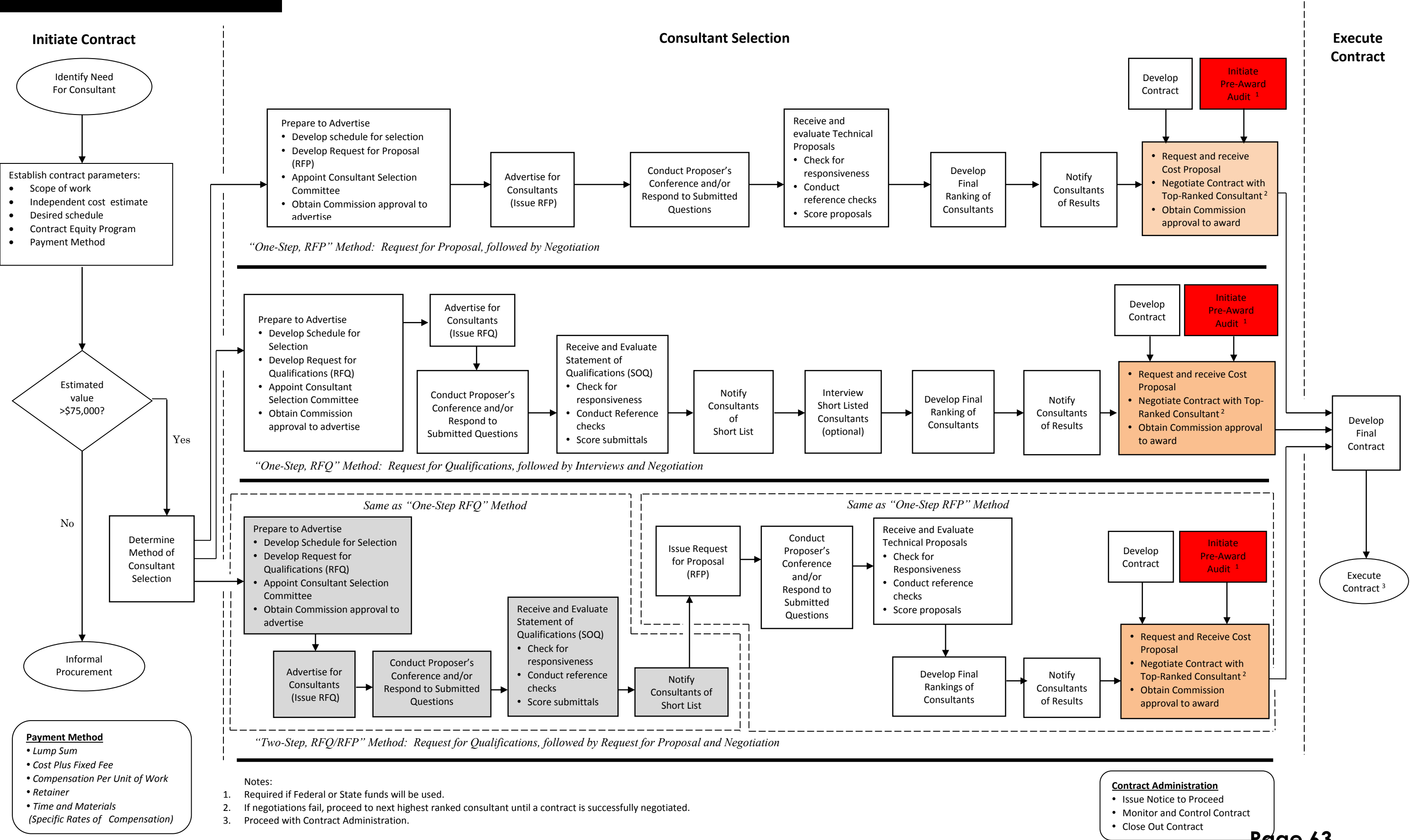
- A. Contract Procurement Flow Chart
- B. [RFP Project Sample\(hyperlinked to the web\)](#)
- C. Amendment Evaluation Process

Staff Contact

[James O'Brien](#), Interim Deputy Director of Programming and Projects

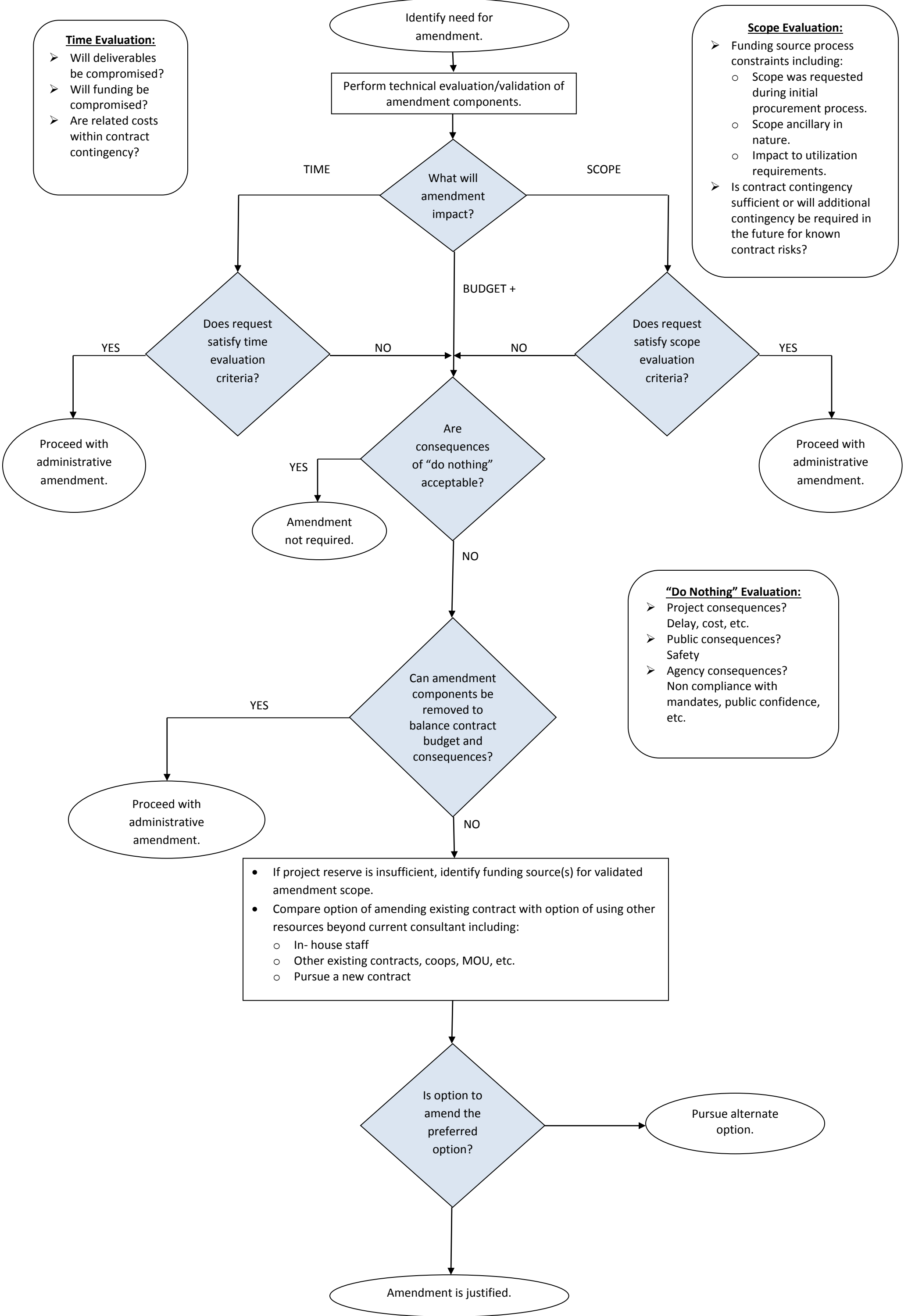
[Raj Murthy](#), Project Controls Team

[Trinity Nguyen](#), Sr. Transportation Engineer



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AMENDMENT EVALUATION PROCESS



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Memorandum

7.8

1111 Broadway, Suite 800, Oakland, CA 94607

PH: (510) 208-7400

www.AlamedaCTC.org

DATE:	July 16, 2015
SUBJECT:	I-680 Northbound Express Lane Project (PN 721.0): Approval of Professional Services Agreement A15-0035 with WMH Corporation; and Right-of-Way Activities to Support Project Delivery
RECOMMENDATION:	<ol style="list-style-type: none">1. Approve and authorize the Executive Director to execute Professional Services Agreement A15-0035 with WMH Corporation for a not-to-exceed amount of \$10,500,000 to provide Final Design / Plans, Specifications and Estimates services; and2. Approve \$3,000,000 for the right-of-way phase budget and authorize the Executive Director to perform contractual actions related to the right-of-way phase for the project.

Summary

The Alameda CTC is the implementing agency for the project development phases of the I-680 Northbound Express Lane project (PN 721.0). This project proposes to widen I-680 to construct a Northbound HOV/Express Lane from SR 237 to SR 84 in Santa Clara and Alameda Counties. The 14-mile project is scheduled to obtain environmental approval under California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) in summer 2015. In order to provide accelerated congestion relief in this corridor, staff has developed a conceptual plan to deliver an initial phase of the project (Phase 1 Modified Project), which would eliminate the current bottlenecks that contribute significantly to the daily congestion. The Phase 1 Modified Project will add 8.2 miles of HOV/Express Lane from Auto Mall to SR 84, and its construction phase is anticipated to begin in early 2017.

On April 23, 2015, the Commission authorized staff to release a Request for Proposals (RFP) for the Final Design/ PS&E Phase and proceed with negotiations with the top ranked firm. On May 22, 2015, Alameda CTC issued RFP No. A15-0035 for Professional Engineering Services for the I-680 Sunol Express Lanes Northbound – South Grimmer Blvd. to North SR84 (Phase 1 Modified). Proposals were received from three firms and at the conclusion of the Alameda CTC procurement selection process, WMH Corporation was selected as the top ranked firm. Staff is in final stages of negotiations with WMH Corporation and anticipates that the contract will be ready for execution in August 2015, pending approval of the Caltrans pre-award audit.

Staff recommends that the Commission approve and authorize the Executive Director to 1) execute a Professional Services Agreement for a not-to-exceed amount of \$10,500,000 with WMH Corporation to provide Final Design / PS&E services; and 2) approve \$3,000,000 for the

right-of-way phase budget and authorize the Executive Director to perform contractual actions related to the right of way phase for the project.

Background

I-680 from SR 237 to SR 84 is the one of the most congested freeways in the San Francisco Bay Area. With the recent economic upturn which has revitalized commute and goods movement in this corridor, the level of traffic congestion and delays has increased. Traffic forecasts indicate that traffic congestion is expected to worsen in the coming years. Given the magnitude of delays that motorists currently experience, a conceptual plan has been developed to deliver an initial construction phase (Phase 1 Modified Project), which will provide operational benefits with minimal construction funds to expedite congestion relief. The Phase 1 Modified Project scope would:

- Add a new northbound HOV/Express Lane between Auto Mall Parkway and SR 84, which will eliminate the two bottlenecks near Washington Boulevard and at the lane drop at the truck scales (located between Sheridan Road and Andrade Road), and
- Incorporate a Caltrans pavement rehabilitation project (from Auto Mall Parkway to SR 84) into the project.

Staff recommends the approval of the following actions to deliver the I-680 Northbound Phase 1 Modified Project:

ACTION 1: Authorize the Executive Director to execute Professional Services Agreement A15-0035 for a not-to-exceed amount of \$10,500,000 with WMH Corporation to provide Final Design /PS&E services.

On April 23, 2015, the Commission authorized staff to release a RFP for the Final Design/ PS&E Phase and proceed with negotiations with the top ranked firm. On May 22, 2015, Alameda CTC issued RFP No. A15-0035 for Professional Engineering Services for the I-680 Sunol Express Lanes Northbound – South Grimmer Blvd. to North SR84 (Phase 1 Modified) and held a prep-proposal meeting on June 3, 2015. Proposals were received from three firms: HDR Engineering, Mark Thomas and Company, and WMH Corporation. All three firms were shortlisted. Interviews were held on June 29, 2015 and teams were evaluated by an independent selection panel comprised of Alameda CTC staff and one representative each from Caltrans District 4, The City of Fremont and The Santa Clara County Valley Transportation Authority. Proposers were scored on the following criteria: knowledge and understanding, management approach and staffing plan, qualifications and interview effectiveness. Ultimately, WMH Corporation was selected as the top ranked firm, based on the qualifications of their Project Manager and the firm's knowledge and previous experience. Currently staff is in final stages of negotiations with WMH Corporation and anticipates that a contract will be ready for execution in August 2015, pending approval of the Caltrans pre-award audit. The funding summary for Professional Services Agreement for the Final Design/PS&E Phase is shown in Table A.

**TABLE A: Funding Summary- Phase 1 Modified
Professional Service Agreement No. A15-0035 for Final Design (PS&E) Phase**

SOURCE	FUNDING PARTNER	FUND TYPE	TOTAL
State	Caltrans	TCRP	\$ 6,327,000
Local	Alameda CTC	2000 Measure B	\$ 3,650,000
Local	Alameda CTC	Measure BB	\$ 523,000
Total			\$10,500,000

Levine Act Statement: *The WMH Team did not report any conflict in accordance with the Levine Act.*

ACTION 2: *Approve \$3,000,000 for the right of way phase budget and authorize the Executive Director to perform contractual actions related to the right of way phase for the project.*

As the implementing agency for this project, the Alameda CTC bears the responsibility of addressing all right-of-way issues. Right-of-way tasks are expected to occur during preliminary design, final design, construction, and project closeout phases. Right-of-way agreements are typically entered into with various entities, including Caltrans, utility owners, local agencies, property owners, and support vendors, as required. Staff recommends the approval of \$3,000,000 for the right-of-way phase budget and authorization for the Executive Director to perform contractual actions related to the right-of-way phase. Additional budget for right-of-way phase is anticipated for the project in the future. Staff will seek Commission approval for additional budget in the future. Measure B/BB funds have been allocated to date for the current need, and upon approval of this item, will be available for encumbrance and subsequent expenditure. The funding summary for the Right-of-Way Phase is shown in Table B.

**TABLE B: Funding Summary - Phase 1 Modified
Right-of-Way Phase Budget**

SOURCE	FUNDING PARTNER	FUND TYPE	TOTAL
Local	Alameda CTC	2000 Measure B	\$ 1,500,000
Local	Alameda CTC	Measure BB	\$ 1,500,000
Total			\$3,000,000

Fiscal Impact: These actions will authorize the encumbrance of \$10,500,000 and \$3,000,000 in Traffic Congestion Relief Program (TCRP), Measure B and Measure BB funding which has been previously allocated. This amount is included in the appropriate project funding plans and sufficient budget has been included in the Alameda CTC Adopted FY 2015-2016 Operating and Capital Program Budget.

Staff Contacts

[Raj Murthy](#), Project Controls Team

[Susan Chang](#), Project Controls Team



Memorandum

7.9

1111 Broadway, Suite 800, Oakland, CA 94607

• PH: (510) 208-7400

• www.AlamedaCTC.org

DATE:	July 16, 2015
SUBJECT:	I-80 Gilman Interchange Improvement Project (PN 765.0): Approval of Professional Services Agreement A15-0034 with Parsons Transportation Group
RECOMMENDATION:	Approve and authorize the Executive Director to execute Professional Services Agreement A15-0034 with Parsons Transportation Group for \$2,600,000 to provide services for the Project Approval and Environmental Document Phase.

Summary

The Alameda CTC is the implementing agency for the I-80 Gilman Interchange Improvement Project (PN 765.0). This project proposes to reconfigure the I-80 Gilman interchange, located in northwest Berkeley near its boundary with the City of Albany. The Alameda CTC completed the Project Initiation Document (PID) to establish potential alternatives and solutions to improve the I-80/Gilman Street interchange.

On March 19, 2015, the Commission approved the release of a Request for Proposals (RFP) for preliminary engineering, environmental studies and final design services. The RFP was issued on May 5, 2015 and proposals were received from four firms: Parsons Transportation Group, Parsons Brinkerhoff, Rajappan & Meyer Consulting Engineers, and Kimley Horn & Associates. At the conclusion of the Alameda CTC procurement selection process, Parsons Transportation Group was selected as the top ranked firm. The estimated duration to complete the PA/ED scope of services is two years.

Staff recommends that the Commission approve and authorize the Executive Director to execute a Professional Services Agreement A15-0034 with Parsons Transportation Group for \$2,600,000 to provide services to complete the PA/ED Phase. The Final Design Plans, Specifications and Estimates (PS&E) phase is an optional task, which may be contracted with the PA/ED consultant dependent on the successful outcome and delivery of this phase.

Background

The Alameda CTC is the implementing agency for the I-80 Gilman Interchange Improvement Project located in northwest Berkeley near its boundary with the City of Albany. The purpose of the project is to improve navigation and traffic operations on Gilman Street between West Frontage Road and 2nd Street through the I-80 interchange so that congestion is reduced, queues are shortened and merging and turn conflicts are minimized. A Project Study Report-

Project Development Support (PSR-PDS) document that explored potential alternatives to improve the Gilman Street interchange with I-80 in the City of Berkeley was approved by Caltrans on September 2, 2014. A combination of federal funds and local matching funds were used for the PID phase. The next phase for the project is to perform preliminary engineering and environmental studies followed by final design.

On March 19, 2015, the Commission approved the release a RFP for preliminary engineering, environmental studies and final design services. The RFP was issued on May 5, 2015 and a pre-proposal meeting was held on May 19, 2015. Proposals were received from four firms: Parsons Transportation Group, Parsons Brinkerhoff, Rajappan & Meyer Consulting Engineers, and Kimley Horn & Associates. All four firms were shortlisted. Interviews were held on June 17, 2015 and teams were evaluated by an independent selection panel comprised of Alameda CTC staff and one representative each from Caltrans District 4, and the City of Berkeley. Proposers were scored on the following criteria; knowledge and understanding, management approach and staffing plan, qualifications and interview effectiveness. Ultimately, Parsons Transportation Group was selected as the top ranked firm. Staff negotiated with Parsons Transportation Group to perform the PA/ED phase of the project and anticipates that a contract will be ready for execution in August 2015, pending approval of the Caltrans pre-award audit.

Staff recommends the Commission approve and authorize the Executive Director to execute Professional Services Agreement A15-0034 with Parsons Transportation Group an amount of \$2,600,000 to provide services for the PA/ED phase. The Final Design PS&E phase is an optional task, which may be contracted with the consultant dependent on the successful outcome and delivery of the PA/ED phase.

The I-80 Gilman Street Interchange Improvement project is in the 2014 Transportation Expenditure Plan (TEP No. 029) with a commitment of \$24,000,000. Funds necessary for professional services for the PA/ED and PS&E phases will utilize a combination of funds included in the FY 2015-16 Measure BB Allocation Plan approved by the Commission at the March 2015 meeting and remaining funds from the previous phase.

Levine Act Statement: The Parsons Transportation Group Team did not report a conflict in accordance with the Levine Act.

Fiscal Impact: The action will authorize the encumbrance of previously allocated project funds for subsequent expenditure. This amount is included in the appropriate project funding plans and sufficient budget has been included in the Alameda CTC Adopted FY 2015-2016 Operating and Capital Program Budget.

Staff Contact:

[Raj Murthy](#), Project Controls Team

[David Caneer](#), Project Controls Team



Memorandum

7.10

1111 Broadway, Suite 800, Oakland, CA 94607

• PH: (510) 208-7400

• www.AlamedaCTC.org

DATE: July 16, 2015

SUBJECT: I-580 Westbound HOV Lane Project (PN 724.4 & 724.5): Approval of Amendment No. 7 to Professional Services Agreement No. A07-011.BKF.Ph2 with BKF Engineers

RECOMMENDATION: Approve and authorize the Executive Director to execute Amendment No. 7 to the Professional Services Agreement No. A07-011.BKF.Ph2 with BKF Engineers for an additional amount of \$350,000 for a total not-to-exceed amount of \$15,350,780 for Design Services During Construction.

Summary

The I-580 Westbound High Occupancy Vehicle (HOV) Lane project is one of the Alameda CTC's projects funded by the Proposition 1B Bond (I-Bond) funding approved by the California voters in November 2006. The preliminary engineering, environmental studies were performed as a single project for the entire westbound corridor. The final design and construction was split into two separate contracts to allow for more competitive local bidding. Caltrans is currently administering the construction of both segments, scheduled to complete by the end of 2015.

Staff and the project controls team have determined that additional scope is required during construction to provide design services for locally funded change orders are implementing express lane improvements throughout the corridor. \$350,000 is the estimated need for the additional work.

Staff recommends the Commission approve and authorize the Executive Director to execute Amendment No. 7 to the Professional Services Agreement No. A07-011.BKF.Ph2 with BKF Engineers for an additional amount of \$350,000 to provide additional contract budget to provide design support through the completion of the construction project and closeout process.

Background

As the project sponsor, Alameda CTC agreed to implement the project development and right of way phases for the I-Bond projects in Alameda County, and therefore in turn is responsible for providing supporting design services during construction (DSDC). The Alameda CTC has cobbled together local, regional, state and federal funding from a

number of sources to fund the project development, right of way and construction support phases of the I-Bond projects.

Staff recommends the Commission approve and authorize the Executive Director to execute Amendment No. 7 to Agreement A07-011.BKF.Ph2 with BKF for \$350,000. The action would increase the contract not-to-exceed amount as shown in Table A of this report, for additional contract budget to provide design support through the completion of the construction project and closeout process. The additional funds will be metered out as needed by task order, and will only be accessible to the consultant with prior written approval by the Alameda CTC.

The project funding plan for the I-580 westbound HOV Lane Project includes CMIA, federal earmark, SHOPP, TCRP, CMA TIP, TVTC and Measure B funds for the project development, right of way and construction support phases. Table A below summarizes the contract actions related to Agreement No. A07-011.BKF.Ph2.

Table A: Summary of Agreement No. A07-011.BKF.Ph2			
Contract Status	Work Description	Value	Total Contract Not-to-Exceed Value
Professional Services Agreement (PSA) with BKF Engineers (A07-011.BKF.Ph2) July 2007	Project Development Services – Preliminary Engineering, Environmental Clearance, Project Approval & Final Design	\$ 2,380,553	\$ 2,380,553
Amendment No. 1 May 2008	Final Design Services (Plans, Specs & Estimate)	\$ 7,294,089	\$ 9,674,642
Amendment No. 2 August 2009	Preparation of PSSR	\$ 438,623	\$ 10,113,265
Amendment No. 3 April 2010	Final Design Services (Revise PS&E to include major pavement rehabilitation scope)	\$ 1,007,515	\$ 11,120,780
Amendment No. 4 November 2012	Final Design Services Agreed Lump Sum Completion & Construction Phase Services	\$ 2,900,000	\$ 14,020,780
Amendment No. 5 January 2013	Final Design Services Adjustment to Agreed Lump Sum Completion	\$ 680,000	\$ 14,700,780
Amendment No. 6 February 2014	Design Support - Provide design support services DSDC	\$ 300,000	\$ 15,000,780
Proposed Amendment No. 7 (This Agenda Item)	Provide additional DSDCs for locally funded change orders	\$ 350,000	\$ 15,350,780
Total Amended Contract Not-to-Exceed Amount			\$ 15,350,780

Levine Act Statement: The BKF team did not report a conflict in accordance with the Levine Act.

Fiscal Impact: The fiscal impact of approving this item is \$350,000. The action will authorize the encumbrance of additional project funding for subsequent expenditure. This budget is included in the appropriate project funding plans and has been included in the Alameda CTC Adopted FY 2014-2015 Operating and Capital Program Budget.

Staff Contact

[Raj Murthy](#), Project Controls Team

[Stefan Garcia](#), Project Controls Team

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Memorandum

7.11

1111 Broadway, Suite 800, Oakland, CA 94607

• PH: (510) 208-7400

• www.AlamedaCTC.org

DATE: July 16, 2015

SUBJECT: East Bay Greenway Project, Segment 7A (PN 635.1): Approval of Amendment No. 4 to Professional Services Agreement No. A10-0026 with HQE and Associates

RECOMMENDATION: Approve and authorized the Executive Director to execute Amendment No. 4 to the Professional Services Agreement No. A10-0026 with HQE and Associates for an amount of \$25,000 and additional time, to provide services for Closeout and Maintenance Phases of Segment 7A.

Summary

The East Bay Greenway is a regional bicycle and pedestrian trail facility that is included in the Alameda Countywide Bicycle and Pedestrian Plans and is a named project in the Measure BB Transportation Expenditure Plan. The East Bay Greenway will provide inter-jurisdictional active transportation connections and access to BART stations and other key destinations.

Alameda CTC is the sponsor of the East Bay Greenway Project – Segment 7A which is a half-mile segment of the larger East Bay Greenway Trail located between 75th and 85th Avenues. This segment of the alignment is adjacent to San Leandro Street and beneath the aerial Bay Area Rapid Transit (BART) tracks, in the City of Oakland. The project was accelerated to construction to take advantage of a TIGER II grant received by the East Bay Regional Park District in 2012 and demonstrate an initial commitment to the larger East Bay Greenway. The project is currently in construction and nearing completion with remaining work finishing on decorative iron fencing, striping and punch list items.

In accordance with the Memorandum of Understanding (MOU) for the project, Alameda CTC is committed to maintaining the path for 20 years and \$350,000 in Measure B funds have been previously allocated for the maintenance. Staff recommends approval of Amendment No. 4 to Agreement A10-0026 with HQE for \$25,000 and additional time in order to prepare the necessary as-built drawings of completed construction work and bid documents necessary to procure a path maintenance contractor.

Background

The East Bay Greenway – Segment 7A project is a half-mile segment of the East Bay Greenway Trail and is located between 75th and 85th Avenues, adjacent to San Leandro Street and beneath the aerial BART tracks in the City of Oakland. The project started construction in October 2013 and is currently in construction. The project is nearing completion with remaining work of decorative iron fence, striping and punch list.

The project is located in the City of Oakland's right of way and the City is the owner/operator of the path. During the project planning and design phase, the City of Oakland determined that it was unable to assume the responsibility for maintenance obligations for the new path improvements. On June 28, 2012, Alameda CTC, BART and the City of Oakland executed an MOU which set forth the above referenced parties understandings and agreements in connection with the maintenance and liability for East Bay Greenway Project – Segment 7A. In accordance with the MOU, Alameda CTC is responsible for maintaining Segment 7A of the path.

Per the MOU, Alameda CTC is required to maintain the path for a period of twenty years and \$350,000 in Measure B funds have been allocated for this task. At the February 20, 2014 commission meeting, approval was given to procure a contractor to perform path maintenance for Segment 7A of the East Bay Greenway. An estimated cost of \$25,000 is needed for the amendment in order to prepare the necessary as-built drawings and bid documents to procure a contractor for path maintenance. It is recommended that this additional scope be performed under the existing contract by HQE and Associates who is the designer for the project.

Table A provides a summary of Agreement No. A10-0026 with HQE and Associates:

<u>TABLE A: Agreement No. A10-0026 Contract Summary</u>			
Contract Status	Work Description	Value	Total Contract Not-to-Exceed Value
Original Professional Services Agreement with HQE (A10-0026) <i>September 2010</i>	Preliminary engineering, environmental studies, and preparing an environmental document.	\$500,000	\$500,000
Amendment No. 1 <i>September 2011</i>	Provide additional budget to prepare plans, specifications and estimate (PS&E)	\$477,659	\$977,659
Amendment No. 2 <i>February 2013</i>	Provide additional budget for design services during construction and a 1 year time extension to March 31, 2014	\$35,000	\$1,012,659

Amendment No. 3 <i>February 2014</i>	Provide additional budget for design services during construction and a 1 year time extension to March 31, 2015	\$18,000	\$1,030,659
<i>Proposed</i> Amendment No. 4 July 2015 (<i>This Item</i>)	Provide additional budget to prepare maintenance bid documents and one year time extension to March 31, 2016	\$25,000	\$1,055,659
Total Amended Contract Not-to-Exceed Amount			\$1,055,659

Levine Act Statement: HQE and Associates did not report a conflict in accordance with the Levine Act.

Fiscal Impact: The recommended action will encumber subsequently allocated project funds. This encumbrance amount has been included in the appropriate project funding plan and the Alameda CTC Adopted FY 2015-2016 Operating and Capital Program Budget.

Staff Contact

[Raj Murthy](#), Project Controls Team

[Connie Fremier](#), Project Controls Team

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Memorandum

7.12

1111 Broadway, Suite 800, Oakland, CA 94607

• PH: (510) 208-7400

• www.AlamedaCTC.org

DATE: July 16, 2015

SUBJECT: Approval of Administrative Amendments to Various Project Agreements (A11-0033, A13-0061 and A07-007 Ph3)

RECOMMENDATION: Approve and authorize the Executive Director to execute administrative amendments to various project agreements in support of the Alameda CTC's Capital Projects and Program delivery commitments.

Summary

Alameda CTC enters into agreements/contracts with consultants and local, regional, state, and federal entities, as required, to provide the services, or to reimburse project expenditures incurred by project sponsors, necessary to meet the Capital Projects and Program delivery commitments. Agreements are entered into based upon estimated known project needs for scope, cost, and schedule.

The administrative amendment requests shown in Table A have been reviewed and it has been determined that the requests will not compromise the project deliverables.

Staff recommends the Commission approve and authorize the administrative amendment requests listed in Table A.

Background

Amendments are considered "administrative" if they do not result in an increase to the existing allocation authority approved for use by a specific entity for a specific project. Examples of administrative amendments include time extensions and project task/phase budget realignments which do not require additional commitment beyond the total amount currently encumbered in the agreement, or beyond the cumulative total amount encumbered in multiple agreements (for cases involving multiple agreements for a given project or program).

Agreements are entered into based upon estimated known project needs for scope, cost, and schedule. Throughout the life of a project, situations may arise that warrant the need for a time extension or a realignment of project phase/task budgets.

The most common justifications for a time extension include (1) project delays and (2) extended project closeout activities.

The most common justifications for project task/phase budget realignments include 1) movement of funds to comply with timely use of funds provisions; 2) addition of newly obtained project funding; and 3) shifting unused phase balances to other phases for the same project.

Requests are evaluated to ensure that the associated project deliverable(s) are not compromised. The administrative amendment requests identified in Table A have been evaluated and are recommended for approval.

Levine Act Statement: No firms reported a conflict in accordance with the Levine Act.

Fiscal Impact: There is no significant fiscal impact to the Alameda CTC budget due to this item.

Attachments

A. Table A: Administrative Amendment Summary

Staff Contact

[James O'Brien](#), Interim Deputy Director of Programming and Projects

[Raj Murthy](#), Project Controls Team

[Trinity Nguyen](#), Sr. Transportation Engineer

A. Table A: Administrative Amendment Summary

Index No.	Firm/Agency	Project/Services	Agreement No.	Request	Reason Code	Fiscal Impact
1	CDM Smith Inc.	I-580 and I-680 NB Express Lane Projects	A11-0033	Three-year time extension.	2	None
2	East Bay Regional Parks District	Bay Trail – Gilman to Buchanan	A13-0061	Two-year time extension.	1	None
3	Kimley-Horn Associates	I-80 Integrated Corridor Mobility Project / After Studies, As-Built and extended close-out activities	A07-007 Ph3	Two-year time extension.	1	None

- (1) Project delays.
- (2) Extended project closeout activities.
- (3) Movement of funds to comply with timely use of funds provisions.
- (4) Addition of newly obtained project funding.
- (5) Unused phase balances to other project phase(s).

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Attachment A
Alameda CTC Community Advisory Committee Appointment Detail for
Nancy Ortenblad, Alameda County Mayors' Conference

Check the box(es) and date and sign this form to approve reappointment of members whose terms are expiring or to appoint new members.

Bicycle and Pedestrian Advisory Committee (BPAC)

RECEIVED

JUN 19 2015

ALAMEDA CTC

Current Appointment: D1 Kristi Marleau
 (no action required)

Term Began: December 2014
Term Ends: December 2016

☒ **Reappoint:**
 (action required)

D2 Ben Schweng

Term Began: June 2013
Term Ends: June 2015

Current Appointment: D3 Jeremy Johansen
 (no action required)

Term Began: September 2013
Term Ends: September 2015

Current Appointment: D4 Midori Tabata
 (no action required)

Term Began: September 2013
Term Ends: September 2015

Current Appointment: D5 Sara Zimmerman
 (no action required)

Term Began: April 2014
Term Ends: April 2016

(over)

Citizens Watchdog Committee (CWC)



Reappoint:

(action required)

D1 Steven Jones



Term Began: December 2012

Term Ends: December ~~2014~~ 2016

Current Appointment:

(no action required)

D2 Jo Ann Lew



Term Began: September 2013

Term Ends: September 2015

Current Appointment:

(no action required)

D3 Harriette Saunders



Term Began: July 2014

Term Ends: July 2016

Current Appointment:

(no action required)

D4 Robert A. Tucknott



Term Began: June 2014

Term Ends: June 2016

Current Appointment:

(no action required)

D5 Cynthia Dorsey



Term Began: January 2014

Term Ends: January 2016

6/17/15
Date

Nancy Ortenblad, Alameda County Mayors' Conference

To fill a vacancy, submit a committee application and corresponding resume to Alameda County Transportation Commission (Alameda CTC) for each new member. Return the form(s) by email, mail, or fax to:

Alameda CTC
Attn: Angie Ayers
1111 Broadway, Suite 800
Oakland, CA 94607
Email: aaayers@alamedactc.org
Fax: (510) 893-6489



Bicycle and Pedestrian Advisory Committee Meeting Minutes Thursday, April 9, 2015, 5:30 p.m.

1111 Broadway, Suite 800, Oakland, CA 94607

510.208.7400

www.AlamedaCTC.org

1. Welcome and Introductions

BPAC Chair Midori Tabata called the meeting to order at 5:35 p.m. The meeting began with introductions, and the chair confirmed a quorum. All BPAC members were present.

2. Public Comment

Ken Bukowski told the committee that on April 4, 2015 he did a video recording of a workshop hosted by Supervisor Keith Carson on "Planning and Caring for Aging Loved Ones." The workshop topics included financial planning, housing options, self-care, etc. Ken let the committee know that the recording may be viewed at <http://regional-video.com/>.

3. Approval of January 8, 2015 Minutes

Preston Jordan moved to approve the January 8, 2015 minutes. Jeremy Johansen seconded the motion. The motion passed 10-0.

4. Complete Streets Project Review Training

Matt Bomberg informed the committee that to prepare for their new role, Alameda CTC arranged a training on complete streets design to help BPAC members review projects. He gave an overview of the items in the packet that are part of this agenda item.

Matt told the committee that ideally they will receive a project to review two weeks before the meeting and the Project Review Checklist will help members to organize their comments. He then introduced Matthew Ridgeway and Carrie Nelson from Fehr & Peers to perform the project review training.

Matthew Ridgeway and Carrie Nelson discussed with the committee Complete Streets design principles and planning to help educate them on what to look for and things to consider while reviewing projects. Matthew and Carrie mentioned that looking at a street and considering what is best for every user is difficult. They discussed a variety of situations and solutions on how to address different designs for pedestrians, bicyclists, and vehicles.

Questions/feedback from members:

- A member requested a definition on infrequent vehicles. Matthew if a truck is present on a street twice a day that's infrequent. It's up to the city engineers to determine what is frequent versus infrequent.
- What is the experience with the solutions discussed versus actual practice? Matthew and Carrie discussed projects in different jurisdictions that went well and others that did not go well because of poor design.

5. Guided Example: Complete Streets Project Review

Matthew Ridgeway and Carrie Nelson walked through with BPAC a sample project review exercise using a project in Sacramento, CA. The committee critiqued the project design.

Questions/feedback from members:

Some members of the committee were concerned about their ability to understand a project design, identify issues, and prioritize problems. Other members expressed that working with project design drawings gets easier with practice and that in their experience reviewing designs for local projects they have helped city staff to improve project designs. One committee member offered that a helpful way to understand a design drawing is to imagine oneself as a driver, a bicyclist, and a pedestrian at different points in the drawing and think through how one would navigate the roadway or intersection. Matt Bomberg noted that in the future BPAC members would be reviewing projects in locations they are familiar with and would have more time to prepare for meetings. Matt also offered that the graphics from the example project make it difficult to see what the project proposes to change as before and after are shown in the same figure.

To address these concerns, members requested additional training. A member also suggested that another approach is to establish subcommittees and pair members with more experience with members with less experience. Tess Lengyel suggested that before Alameda CTC offer additional training on design review, BPAC members should try an actual project review meeting. Tess also offered that BPAC members can meet informally prior to the meeting to help each other understand the project materials.

6. Transportation Development ACT Article 3 Projects

Matt Bomberg informed the committee that one role of the BPAC is to review and provide input on Transportation Development Act Article 3 projects in Alameda County, on request by local jurisdictions. He stated that the BPAC has been requested to review projects submitted by two local jurisdictions, the City of Hayward and the Alameda County Public Works Agency (ACPWA) for funding in fiscal year 2015-2016. The City of Hayward is proposing to spend its full TDA Article 3 allocation on an ADA Curb Ramp program install wheel chair ramps in downtown Hayward. The ACPWA is proposing to spend its funds on three different projects and Carol Levine with ACPWA will discuss those projects.

Matt said the City of Livermore is forming a BPAC and will update its local bicycle/pedestrian master plan through its expenditures of the TDA Article 3 funds, and as such does not need BPAC review and approval of its proposed TDA Article 3 expenditures.

He noted that all projects submitted for TDA Article 3 funding in this funding cycle are listed in the agenda packet.

Carol Levine stated that ACPWA will request their TDA Article 3 funds as follows:

- \$100,000 for the Bicycle and Pedestrian Improvements
- \$100,000 for Pedestrian Ramps
- \$100,000 for Bicycle and Pedestrian Program which focus on bike to work and bike to school day

Questions/feedback from members (and further responses from city staff obtained via email):

- A member mentioned his concerns over the design of curb ramps and requested curb ramp designs ensure that the retaining curb is outside of the sidewalk width. ACPWA staff responded that pedestrian ramps are designed to Manual on Uniform Traffic Control Devices standards.
- Members inquired if the City of Hayward is really implementing ADA ramps downtown Hayward and noted Hayward has used TDA 3 funds for this purpose several years in a row while other cities are using the funds to create Bicycle/Pedestrian Master Plans, support bicycle/pedestrian safety programs, and implement various other projects. Hayward staff noted that the City has funds programmed to support an update of the current Bicycle and Pedestrian Plan and hopes to kick off this work before fall if possible.
- What is the activity done for Bike to Work Day for the unincorporated areas? ACPWA staff explained that funds support stations located at Castro Valley BART station, Bay Fair BART station, Grant Elementary School and Stanley Blvd (Shadow Cliff entrance in East County).

7. City of Piedmont Bicycle and Pedestrian Master Plan Project Closeout Presentation

Kate Black and Janet Chang with the City of Piedmont along with Niko Letunic with Eisen | Letunic Transportation, Environmental and Urban Planning reported this is the final reporting period for the City of Piedmont and Pedestrian Master Plan Project. Nico stated that Eisen | Letunic was hired as a consultant to work with the City of Piedmont to create the Bicycle and Pedestrian Master Plan. He informed BPAC that the outreach process was very comprehensive and the community involvement was impressive considering the City of Piedmont is a small community. Kate discussed lesson learned from the outreach process. She said the City learned a better way of doing public outreach for public projects and developed a comprehensive approach using the workshops and surveys that Niko recommended that involved the community and resulted in working collaboratively. Janet said that planning staff has been working with the public works director and city engineer are working together to coordinate the implementation of the high priority projects and the city maintenance plan.

BPAC inquired about the first project the City will implement. Janet said the city is implementing signage project and coordinating with the City of Oakland on a Grand Avenue Road Diet project that would implement bike lanes. The City of Piedmont said that the project took 13 months to complete.

8. Commission Actions and Staff Reports

8.1. Alameda CTC Countywide Multimodal Plans and Comprehensive Investment Plan

Tess Lengyel gave an overview of the Alameda CTC Countywide multimodal plans. She highlighted each of the below plans:

- Countywide Goods Movement Plan that is being coordinated with the Regional Goods Movement Plan.
- Countywide Transit Plan that is being coordinated with AC Transit major corridor study.
- Countywide Arterial Plan that is being coordinated with local circulation elements.

Questions/feedback from Members:

- Will Alameda County provide funding for rail like Union Pacific Railroad? Tess said that several rail lines run through the heart of many local communities in Alameda County and the plans are looking at how rail lines affect communities.
- To what degree does the Goods Movement plan impact biking, walking and health? The goods movement plan includes last-mile and local delivery issues which often occur on local roads that are shared by bicyclists and pedestrians. The plan is also looking at air quality issues from port operations, trucks, and rail.
- Members requested that Alameda CTC use data from Caltrans Origination and Destination Study in planning studies. Matt noted that the member was referring to the Caltrans Statewide Household Travel Survey data, and that MTC is currently reviewing the data and developing a sample weighting scheme to correct for the fact that many surveys were conducted when children were not in school. Alameda CTC has requested the data several times but it has not been ready.

Tess gave an overview of the Comprehensive Investment Plan (CIP). She stated that the CIP is a programming document that will translate long range plans into short-term commitments of funding. Tess stated that the CIP will include a 5 year fiscally constrained programming budget, a two-year allocation plan, and that all funding sources under Alameda CTC's purview will be included in the CIP, including capital projects, as well as programs and plans. She noted that since the BPAC reviewed CIP scoring criteria in January 2015, the Commission took an action on initial CIP two-year allocation plan in March 2015.

8.2. State Active Transportation Program Cycle II

Matt Bomberg informed the committee that on March 26th, the California Transportation Commission approved the Cycle 2 Active Transportation Program Guidelines. The Cycle 2 Call for projects applications is due by June 1, 2015, and includes Fiscal Years 2016-17, 2017-18 and 2018-19 funding years totaling \$360 million.

8.3. Bay Area Bikeshare Expansion

Matt Bomberg shared that MTC approved the contract to expand the Bikeshare regionally and specific in Oakland, Berkeley, and Emeryville at their April 8, 2015 committee meeting and that the item will soon go to the full MTC Commission for approval.

Matt Bomberg informed the committee that Alameda CTC will be unveiling the I Bike and I Walk campaigns in preparation for bike month in May.

9. BPAC Member Report

Ben Schweng announced two events in Hayward that will take place on Saturday, May 16, 2015:

- Cyclepath – an event to raise community awareness of bicycle related transportation issues in Hayward Downtown area.

- Downtown Hayward Bicycle Street Fair – will include Bike Rodeo, vintage BMX show, and street jam

Midori Tabata informed the group that Walk Oakland – Bike Oakland with the support from Bike East Bay is hosting a women's group ride on Sunday April 19th at the Fruitvale BART Bike Station assist women/girls to get confident and stay safe on their bikes.

Preston Jordan reiterated his request for a future agenda item for Pavement Management Plans specifically recommending that Alameda CTC and then to MTC a requirement that the pavement management programs incorporate criteria for streets that are bicycle routes.

Preston Jordan said the City of Albany is developing its 2035 General Plan and about year ago he started suggesting they consider automated vehicle technology. Preston is concerned that many of the investments the county is making may be irrelevant in the next 10 to 20 years and he's requesting a future agenda item to discuss this.

Lucy Gigli invited BPAC members to two complete streets projects in the City of Alameda on April 14 and April 29 for Clement Street.

Matt Turner discussed the Castro Valley BPAC. He said many demographic shifts are happening in Castro Valley and many new people in the community are getting involved in the process of discussing the Bicycle and Pedestrian Master Plan.

9.1. BPAC Roster

The committee roster is in the agenda packet for review purposes.

10. Meeting Adjournment

The meeting adjourned at 8:50 p.m. The next meeting is scheduled for July 9, 2015 at the Alameda CTC offices.

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**Alameda County Transportation Commission
Bicycle and Pedestrian Advisory Committee
Roster and Attendance Fiscal Year 2015-2016**

	Suffix	Last Name	First Name	City	Appointed By	Term Began	Re-apptmt.	Term Expires	Mtgs Missed Since Jul '15
1	Ms.	Tabata, Chair	Midori	Oakland	Alameda County Mayors' Conference, D-4	Jul-06	Sep-13	Sep-15	0
2	Ms.	Zimmerman, Vice-Chair	Sara	Berkeley	Alameda County Mayors' Conference, D-5	Apr-14		Apr-16	0
3	Mr.	Fishbaugh	David	Fremont	Alameda County Supervisor Scott Haggerty, District 1	Jan-14		Jan-16	0
4	Ms.	Gigli	Lucy	Alameda	Alameda County Supervisor Wilma Chan, District 3	Jan-07	Oct-12	Oct-14	0
5	Mr.	Johansen	Jeremy	San Leandro	Alameda County Mayors' Conference, D-3	Sep-10	Sep-13	Sep-15	0
6	Mr.	Jordan	Preston	Albany	Alameda County Supervisor Keith Carson, District 5	Oct-08	Oct-14	Oct-16	1
7	Ms.	Marleau	Kristi	Dublin	Alameda County Mayors' Conference, D-1	Dec-14		Dec-16	0
8	Mr.	Schweng	Ben	Alameda	Alameda County Mayors' Conference, D-2	Jun-13		Jun-15	0
9	Ms.	Shaw	Diane	Fremont	Transit Agency (Alameda CTC)	Apr-14		Apr-16	0
10	Mr.	Turner	Matt	Castro Valley	Alameda County Supervisor Nate Miley, District 4	Apr-14		Apr-16	0
11		Vacancy			Alameda County Supervisor Richard Valle, District 2				

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Citizens Watchdog Committee Meeting Minutes Monday, June 8, 2015, 6:30 p.m.

1111 Broadway, Suite 800, Oakland, CA 94607

510.208.7400

www.AlamedaCTC.org

1. Welcome and Call to Order

CWC Chair James Paxson called the meeting to order at 6:30 p.m. The meeting began with introductions, and the chair confirmed a quorum. All CWC members were present, except the following: Cynthia Dorsey, Brian Lester, and Robert Tucknott. James welcomed new member Cheryl Brown.

2. Public Comment

There were no public comments.

3. CWC Meeting Minutes

3.1. Approval of March 9, 2015 CWC Meeting Minutes

The committee requested that staff listen to the recording from the March 2015 meeting to confirm the first bullet in the March 9, 2015 CWC Meeting Minutes under agenda item 4 regarding the fund balance. James Paxson requested staff update the minutes if necessary.

Herb Hastings moved to approve the minutes with the requested update if necessary. Steve Jones seconded the motion. The motion passed with four abstentions, Cheryl Brown, Miriam Hawley, Deborah Taylor, and Hale Zukas (Cynthia Dorsey, Brian Lester, and Robert Tucknott were absent).

4. Alameda CTC's Independent Auditor to Discuss FY2014-15 Audit

Ahmad Gharaibeh with Vavrinek, Trine, Day & Co., LLP (VTD) informed the committee that he is leading the Alameda CTC independent audit, and he described how VTD is performing the audit in two phases: 1) an interim phase, which allows VTD to understand Alameda CTC's internal controls and place an emphasis on procurement, payroll review, and cash receipts; 2) a final phase that allows VTD to ensure the financial statements are fairly stated, which is the overall objective of the audit.

VTD will confirm the balances with third parties and will do a set of audit procedures to ensure the financial statements are fairly stated. At the end of the audit, VTD will issue an opinion on the financial statements. Additional opinions are also included for compliance with laws and regulation and federal granting requirements. He noted that if Alameda CTC receives certain state grants, an opinion will be included. Ahmad stated that this year, VTD will provide financial statements, limitations worksheets for both Measure B and Measure BB and opinions.

Questions/feedback from members:

- A request was made for Ahmad to discuss his review of last year's audit of the Master Programs Funding Agreements (MPFAs) and if VTD will do further examinations regarding MPFAs. Ahmad stated that the CWC requested that the auditors perform tests to look at the cities and agencies that receive Measure B

funds to determine if they were compliant with the carry-over requirements. VTD said the majority of agencies were in compliance. Four agencies (City of Alameda, City of Dublin, City of Emeryville, and San Francisco Bay Area Water Emergency Transportation Authority) requested an extension from the Commission. Ahmad informed the committee that Alameda CTC and the Commission needed to approve additional items not in the audit scope of work.

- When will the final audit report be available? Patricia Reavey said that the audit will be complete in late August or early September. The Comprehensive Annual Financial Report (CAFR) will go to the Finance and Administration Committee (FAC) in November for review.
- Who completes the compliance reports? James Paxson said that staff takes in the information from individual agencies that receive the funds and compiles it.
- Does the Alameda CTC internal auditor review if the compliance reports are compliant to the MPFAs? Ahmad stated that the jurisdictions and agencies have their independent auditors and provide Alameda CTC with the audit results. Staff said that the compliance report is an internal tool created by staff to track the agencies' compliance with the MPFA's requirements. The CWC use the compliance report to review the recipients' expenditures. Staff said that each recipient is required to have an independent audit performed.

5. Discussion of CWC Audit Review

Audit Subcommittee Discussion

James Paxson informed the committee that normally the CWC creates an Audit Subcommittee to discuss and express its concerns to the auditor prior to the audit. He told the committee that normally the Audit Subcommittee would have a Pre- and Post-Audit Subcommittee meeting without staff being present.

Art Dao stated that the CWC process has evolved over time without input from staff. He informed the committee that the auditor meets with the Commission's Audit Committee to engage in required communications related to fraud. The CWC's function is to review expenditures after the fact. He stated that the CWC can let the auditor know its concerns; however, the committee cannot tell the auditor what to audit. Art also stated that the CWC as a whole should be involved, not a smaller committee, such as an Audit Subcommittee. He stated that the CWC is the right venue to express members' concerns to the auditor, and the auditor may choose to develop an audit plan that tests concerns the CWC expressed.

Neal Parish, with Wendel Rosen Black & Dean LLP, stated that from a legal point of view, to fulfill the intent of the Expenditure Plan, the CWC should meet as a whole with the auditor. The 2000 and 2014 Expenditure Plans clearly state that a balanced committee is needed to represent Alameda County in its entirety. Neal also said that it's not appropriate for CWC members to ask staff to leave the room when meeting with the auditor.

The committee discussed several options and ideas associated with meetings with the auditor and how to convey auditing concerns to the auditor.

The CWC requested staff provide the following documents to the committee:

- Audit Scope of Work
- Audit Subcommittee 2014 Meeting Minutes
- Fiscal Year 2013-14 CAFR

Staff noted that the auditor will come twice to the full committee: Once pre-audit where members can express concerns, and then post-audit to report audit outcomes. James Paxson requested the committee members bring their concerns to the July meeting. He also stated that the CWC will forgo the Audit Subcommittee and bring any auditing concerns to the July meeting.

Public comment: Ken Bukowski stated that today, June 8, 2015, the auditor had a closed meeting with the FAC, and he inquired if it was a public meeting. Staff informed the committee that the auditor met with the Commission's Audit Subcommittee in a closed meeting, and it was not a public meeting. Patricia Reavey said as part of the audit, the auditor is required to meet with the Commission's Audit Subcommittee.

Bylaws Discussion

A discussion of the change in bylaws approval process at Alameda CTC was presented including that Alameda CTC will be the approving body of all committee bylaws. Members express concern about the change and the desire to review the bylaws prior to Commission approval.

Questions/feedback from the members:

- A member suggested postponing taking the bylaws to the full Commission to allow the advisory committees an opportunity to review them.
- Overall, the committee wanted to know if the advisory committees will have the ability to review and make comments on the bylaws. Tess informed the committee that staff will take the bylaws to the committees in July.
- A member noted that the committees know more about what their role is than the Commission, and therefore, they should be able to advise the Commission, while the bylaws are being developed.

James Paxson requested staff provide a redline version of the bylaws to the committee for review, and the committee will have an opportunity to make comments.

Pat Piras moved to approve that the Commission allow CWC/IWC to review a redline version of the bylaws at the IWC July meeting prior to the Commission adopting them in late July. Deborah Taylor seconded the motion. The motion passed 11-0 with two abstentions, Steve Jones and Miriam Hawley.

6. Finalize Draft CWC Annual Report Content

James Paxson explained what the CWC has done historically to generate the CWC Annual Report. He informed the committee that once the updates are complete, staff will email the updated report to the CWC Annual Report Subcommittee for review. The final report will be presented to the full CWC at the July meeting for adoption.

Questions/feedback from members:

Note that the pages and comments referenced below on the preliminary content the CWC reviewed correspond to the pages from the actual report in the July IWC Agenda Packet.

- Include the CWC's findings in the beginning of the report.
- On page 1, modify the first sentence in column two under "Measure B Sales Tax Activities" to read "... to ensure appropriate use of sales tax funds."

- On page 1, modify the last sentence in column two under "Measure B Sales Tax Activities" to read "Alameda CTC received an unmodified or clean independent audit opinion for FY2013-14, and the CWC accepted the auditor's opinion."
- On page 2, modify the last two sentences in column one under "Financials At-a-Glance" to provide clarity as follows, "The net revenues allocated 60 percent to programs and 40 percent to projects in the Expenditure Plan are used over the life of the Measure B program to ultimately achieve the split indicated in the Expenditure Plan."
- On page 3, modify the last sentence in column two under "Citizens Watchdog Committee Activities" to specify the agencies that did not meet the timely use of funds policy. Combine the "Annual Report to the Public" and the "Annual Report Outreach Objectives" bullets if possible. Ensure the responses to CWC and public requests for information are included. Include a callout box regarding the CWC to IWC name change. Ensure that the projects and programs that were presented to the CWC are shown. For example, the Dumbarton Corridor Area Transportation Improvements and the BART Oakland Airport Connector.

7. Projects and Programs Watch List

James Paxson requested staff include in the letters to the project sponsors a request for them to specify which agenda items are related to Measure B. He reminded members to fill out the watch list and to submit the list to staff as soon as possible. James requested staff include a sample letter to the jurisdictions in the July Agenda Packet.

8. Review of Agency Reporting Procedures and Related Analytics

James Paxson said that one thing the CWC talked about with staff is to meet with staff to review the compliance analytics. His preference is to work through the compliance reports/process and to inform the agency on how to make it easier for viewing. He requested that CWC members volunteer to serve on a Compliance Reporting Subcommittee to meet with staff to discuss some ideas he has regarding the reporting and to provide input on the process.

The following members volunteered to serve on the CWC Subcommittee:

- JoAnn Lew
- Murphy McCalley
- James Paxson
- Pat Piras

Staff reiterated that the compliance reporting spreadsheets are an internal tool created to track if the agencies are in compliance with the requirements of Measure B. If the CWC wants changes, staff will need to discuss them before additional time is dedicated to modifying a process that is already functional. [Note to Committee Members: This subject will be discussed at a meeting in March 2016 and will include a full overview of the program compliance process.]

9. Responses to CWC Requests for Information

Patricia Reavey informed the committee that Jo Ann Lew submitted the following questions related to the CWC Annual Report. Note that Patricia provided a verbal response to each question.

- Will the CWC Annual Report cover two years of CWC activities from July 1, 2013 through June 30, 2015, or through July 2015, which is the fiscal year 2015-2016?

- Measure B revenues totaled \$127.1 million and expenditures totaled \$172.7 million. Please explain why expenditures exceeded revenues for FY2013-14.
- The 60 percent and 40 percent funding for programs and projects respectively. However, the reference to \$66.8 million expended on direct local distribution and \$96 million expended on capital projects do not reflect the 60/40 funding plan. Please explain why the FY2013-2014 expenditures are not consistent with the Measure B Expenditure Plan.
- Under "Alameda CTC Programs," the report states \$71.8 million was expended in FY2013-2014, yet the percentages of the funds expended are not consistent with the Expenditure Plan. Please provide an explanation.

Pat Piras raised a question regarding the City of Oakland using Direct Local Distribution (DLD) funds to establish the Office of Transportation. If that is true, does the Expenditure Plan say anything to prohibit agencies from using the funds in that manner? Art Dao stated that Alameda CTC will not know how the City of Oakland utilized the DLD funds until after the compliance audit process. The Expenditure Plan does not prohibit the cities from using the DLD funds for transportation purposes or staffing. Art stated that in 2008 the City of Berkeley decided to use most of its DLD funds to keep projects moving. The CWC raised concerns, but after the analysis, this use was consistent with the voter's mandate.

Pat Piras requested an update on priority development areas (PDAs). She noted that she understands the basic role of the Watchdog Committee is to look at expenditures, not future allocations; however, it would be helpful if the committee can receive a "baseline" understanding of the status and viability of Alameda County's PDAs as Alameda CTC prepares to have Measure BB funds available for their improvements. Art Dao stated that this is pertaining to the PDA Investment and Growth Strategy under the One Bay Area Grant Program. He stated that the Surface Transportation Program and the Congestion Mitigation & Air Quality Improvement Program funds are used for PDAs and are not under the purview of the CWC.

James Paxson encouraged the committee to forward any questions to him or Patricia Reavey on any topic of interest.

10. CWC Member Reports/Issues Identification

10.1. CWC Issues Identification Process Form

James Paxson explained the process for this agenda item.

10.2. Issues Discussion

Jo Ann Lew requested responses to her interest on the grant process during the next annual project and program update in January.

Additional questions/feedback from members:

- CWC members said it would be helpful to know how the discretionary funds are awarded, before the CWC reviews the Measure BB expenditures.
- Members stated that they need more detail on the front end of the project cycle and on who decides how grants are awarded. Having this knowledge beforehand will allow members to review the expenditures thoroughly. Staff reiterated that the CWC's role is to review the expenditures. Alameda CTC can share policies with the committee; however, it's important not to use staff's time outside of the scope of the CWCs role.

- It was noted that Page 35 in the 2014 Transportation Expenditure Plan states that the IWC has the responsibility of overseeing and reviewing the sales tax funds. "Overseeing" is not in 2000 Transportation Expenditure Plan.

11. Staff Reports/Board Actions (Verbal)

11.1. Draft Compliance Summary and Audit Report Review

John Nguyen gave an update on this agenda item. He mentioned that the CWC received an update on the Direct Local Distribution Program in March, and the jurisdictions reported back to the CWC's and staff's comments. He stated the program compliance report summarizes the jurisdictions expenditures for FY2013-14.

CWC members discussed San Joaquin Regional Rail Commission's (SJRRRC) request for an extension for FY2013-14. John stated the SJRRRC is limited by an existing Cooperative Service Agreement to expend only a certain amount of Measure B funds each year on the Altamont Corridor Service. As a result, SJRRRC maintains a fund balance that exceeds the annual reserve limits until corridor operations are increased per SJRRRC's service plans. John stated SJRRRC's request to exceed the reserve limit is brought to the Commission for final approval.

11.2. Mid-Year FY2014-15 Budget Update

James Paxson requested the members review this agenda item and email questions/comments to staff.

11.3. Final FY2014-15 Sales Tax Budget Update

James Paxson requested the members review this agenda item and email questions/comments to staff.

11.4. Alameda CTC FY2014-15 Third Quarter Investment Report

James Paxson requested the members review this agenda item and email questions/comments to staff.

11.5. CWC Calendar FY14-15

The calendar is in the agenda packet for review purposes.

11.6. CWC Roster

The committee roster is in the agenda packet for review purposes.

11.7. Alameda CTC Commission Action Items

The Commission action items are listed in the agenda packet.

12. Adjournment

The meeting adjourned at 9:10 p.m. The next meeting is scheduled for July 13, 2015 at the Alameda CTC offices.



CITIZEN WATCHDOG COMMITTEE

June 8, 2015

ROSTER OF MEETING ATTENDANCE

Present	CWC Member	Appointed By
<i>CS</i>	Brown, Cheryl	Alameda Labor Council AFL-CIO
<i>CS</i>	Dorsey, Cynthia	Alameda County Mayors' Conference, District 5
<i>CS</i>	Hamlat, Sandra	Bike East Bay
<i>HH</i>	Hastings, Herb	Paratransit Advisory and Planning Committee
<i>MH</i>	Hawley, Miriam	League of Women Voters
<i>SS</i>	Jones, Steven	Alameda County Mayors' Conference, District 1
<i>SS</i>	Lester, Brian	Alameda County, District 1 Supervisor Scott Haggerty
<i>SL</i>	Lew, Jo Ann	Alameda County Mayors' Conference, District 2
<i>MM</i>	McCalley, Murphy	Alameda County, District 4 Supervisor Nate Miley
<i>GN</i>	Nate, Glenn	Alameda County, District 2 Supervisor Richard Valle
<i>JP</i>	Paxson, James, Chair	East Bay Economic Development Alliance
<i>Pais</i>	Piras, Pat	Sierra Club
<i>HS</i>	Saunders, Harriette	Paratransit Advisory and Planning Committee
<i>DT</i>	Taylor, Deborah, Vice Chair	Alameda County, District 3 Supervisor Wilma Chan
<i>DT</i>	Tucknott, Robert	Alameda County Mayors' Conference, District 4
<i>HZ</i>	Zukas, Hale	Alameda County, District 5 Supervisor Keith Carson

STAFF

Present	Staff/Consultants	Title
<i>Pp</i>	Arthur L. Dao	Executive Director
<i>Pp</i>	Tess Lengyel	Deputy Director of Planning and Policy
<i>Pp</i>	Patricia Reavey	Director of Finance
<i>Pp</i>	John O'Brien	Interim Deputy Director of Programming and Allocations
<i>Pp</i>	Raj Murthy	Program Manager
<i>Pp</i>	John Nguyen	Senior Transportation Planner
<i>Pp</i>	Trinity Nguyen	Senior Transportation Engineer
<i>Pp</i>	Angie Ayers	Public Meeting Coordinator

NAME	JURISDICTION/ ORGANIZATION	PHONE #	E-MAIL
1. Nottliam Edelman	Indep Auditor		
2. Ahmad Gharaibeh	Indep Auditor		
3. Tamara Halbrichter	Alameda CTC		
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Alameda County Transportation Commission
Independent Watchdog Committee
Roster - Fiscal Year 2015-2016

	Title	Last	First	City	Appointed By	Term Began	Re-apptmt.	Term Expires	Mtgs Missed Since July '15*
1	Ms.	Taylor, Vice Chair	Deborah	Oakland	Alameda County Supervisor Wilma Chan, D-3	Jan-13		Jan-15	0
2	Ms.	Brown	Cheryl	Oakland	Alameda Labor Council (AFL-CIO)	Apr-15		N/A	0
3	Ms.	Dorsey	Cynthia	Oakland	Alameda County Mayors' Conference, D-5	Jan-14		Jan-16	0
4	Ms.	Hamlat	Sandra	Oakland	Bike East Bay	Apr-13		N/A	1
5	Mr.	Hastings	Herb	Dublin	Paratransit Advisory and Planning Committee	Jul-14		N/A	0
6	Ms.	Hawley	Miriam	Berkeley	League of Women Voters	Apr-14		N/A	0
7	Mr.	Jones	Steven	Dublin	Alameda County Mayors' Conference, D-1	Dec-12	Jan-15	Jan-17	1
8	Mr.	Lester	Brian	Pleasanton	Alameda County Supervisor Scott Haggerty, D-1	Sep-13		Sep-15	1
9	Ms.	Lew	Jo Ann	Union City	Alameda County Mayors' Conference, D-2	Oct-07	Sep-13	Sep-15	0
10	Mr.	McCalley	Murphy	Castro Valley	Alameda County Supervisor Nate Miley, D-4	Feb-15		Feb-17	0
11	Mr.	Naté	Glenn	Union City	Alameda County Supervisor Richard Valle, D-2	Jan-15		Jan-17	0
12	Ms.	Piras	Pat	San Lorenzo	Sierra Club	Jan-15		N/A	0
13	Ms.	Saunders	Harriette	Alameda	Alameda County Mayors' Conference, D-3	Jul-09	Jul-14	Jul-16	0
14	Mr.	Tucknott	Robert A.	Dublin	Alameda County Mayors' Conference, D-4	Jun-14		Jun-16	0
15	Mr.	Zukas	Hale	Berkeley	Alameda County Supervisor Keith Carson, D-5	Jun-09	May-14	May-16	0

Alameda County Transportation Commission
Independent Watchdog Committee
Roster - Fiscal Year 2015-2016

16		Vacancy			Alameda County Taxpayers Association				
17		Vacancy			East Bay Economic Development Alliance				



Paratransit Advisory and Planning Committee
Meeting Minutes
Monday, May 18, 2015, 1:00 p.m.

1111 Broadway, Suite 800, Oakland, CA 94607

510.208.7400

www.AlamedaCTC.org

MEETING ATTENDEES

Attendance Key (A = Absent, P = Present)

Members:

<u>P</u> Sylvia Stadmire, Chair	<u>P</u> Sandra Johnson-Simon	<u>A</u> Carmen Rivera- Hendrickson
<u>P</u> Will Scott, Vice-Chair	<u>P</u> Jonah Markowitz	<u>P</u> Michelle Rousey
<u>P</u> Larry Bunn	<u>A</u> Rev. Carolyn Orr	<u>A</u> Harriette Saunders
<u>P</u> Shawn Costello	<u>P</u> Thomas Perez	<u>P</u> Esther Waltz
<u>P</u> Herb Hastings	<u>P</u> Sharon Powers	<u>P</u> Hale Zukas
<u>P</u> Joyce Jacobson	<u>P</u> Vanessa Proee	

Staff:

P Jacki Taylor, Program Analyst
P Naomi Armenta, Paratransit Coordinator
P Krystle Pasco, Paratransit Coordination Team
P Terra Curtis, Paratransit Coordination Team
P Christina Ramos, Project Controls Team
P Richard Weiner, Paratransit Coordination Team

Guests:

Dana Bailey, City of Hayward Paratransit Program; Jennifer Cullen, Senior Support Program of the Tri-Valley; Sarah Dawn-Smith; Bay Area Outreach and Recreation Program; Ron Halog, Ala Costa Center; Miguel Martinez, AC Transit; Hakeim McGee, City of Oakland Paratransit Program

MEETING MINUTES

1. Welcome and Introductions

Sylvia Stadmire, PAPCO Chair, called the meeting to order at 1:10 p.m. and confirmed a quorum. The meeting began with introductions and a review of the meeting outcomes.

2. Public Comment

There were no public comments.

3. Administration

3.1. March 23, 2015 PAPCO Meeting Minutes

Will Scott moved to approve the March 23, 2015 PAPCO Meeting minutes as written. Michelle Rousey seconded the motion. The motion passed (11-0-1; Member Herb Hastings abstained). Members Larry Bunn, Shawn Costello, Herb Hastings, Joyce Jacobson, Sandra Johnson-Simon, Jonah Markowitz, Sharon Powers, Michelle Rousey, Will Scott, Sylvia Stadmire, Esther Waltz, and Hale Zukas were present.

3.2. April 27, 2015 PAPCO Meeting Minutes

Will Scott moved to approve the April 27, 2015 PAPCO Meeting minutes as written. Michelle Rousey seconded the motion. The motion passed (11-0-1; Member Herb Hastings abstained). Members Larry Bunn, Shawn Costello, Herb Hastings, Joyce Jacobson, Sandra Johnson-Simon, Jonah Markowitz, Sharon Powers, Michelle Rousey, Will Scott, Sylvia Stadmire, Esther Waltz, and Hale Zukas were present.

3.3. April 27, 2015 Joint PAPCO and ParaTAC Meeting Minutes

Will Scott moved to approve the April 27, 2015 Joint PAPCO and ParaTAC Meeting minutes as written. Michelle Rousey seconded the motion. The motion passed (11-0-1; Member Herb Hastings abstained). Members Larry Bunn, Shawn Costello, Herb Hastings, Joyce Jacobson, Sandra Johnson-Simon, Jonah Markowitz, Sharon Powers, Michelle Rousey, Will Scott, Sylvia Stadmire, Esther Waltz, and Hale Zukas were present.

4. FY 2015-16 Gap Grant Cycle 5 Extension Recommendation

Naomi Armenta reviewed the Gap Grant Cycle 5 extension recommendation. She discussed the background, FY 15-16 extension requests, funds for capital purchases and grant matching, and next steps.

Questions and feedback from PAPCO members:

- Is the additional funding of \$100,000 for grant matching and capital purchases available to just the 13 programs that originally applied for Gap Grant Cycle 5? No, eligible applicants for this additional funding include current Measure B and BB recipients and nonprofit organizations that meet the requirements.
- Why didn't some of the programs receive the full amount of funding they requested? The details for the funding allocations are described in the memo in the meeting's agenda packet. Also staff wanted to have a balance between Committee members' concerns regarding the performance measures of some of the programs and still supporting important services in the County. All of the programs will also have the opportunity to resubmit their budgets and performance measures to determine whether the reduced funding is viable. At that point, staff will do another evaluation of the funding extension allocation.
- Did LAVTA receive their funding? LAVTA did not apply for the original Gap Grant Cycle 5 funding so they were not eligible to apply for an extension. However, LAVTA did receive 5310 funding for the Small Urbanized Area (Small UZA) grant funding. This funding is intended for their Para-Taxi program.

Jonah Markowitz moved to approve the FY 2015-16 Gap Grant Cycle 5 extension funding recommendation. Esther Waltz seconded the motion. The motion passed (10-0-2; Members Larry Bunn and Hale Zukas abstained). Members Larry Bunn, Shawn Costello, Herb Hastings, Joyce Jacobson, Sandra Johnson-Simon, Jonah Markowitz, Sharon Powers, Michelle Rousey, Will Scott, Sylvia Stadmire, Esther Waltz, and Hale Zukas were present.

5. FY 2015-16 Paratransit Direct Local Distribution (DLD) Program Plans Recommendation

Naomi Armenta reviewed the FY 2015-16 Paratransit Direct Local Distribution (DLD) program plans recommendation. She discussed the summary, background and the PAPCO subcommittee recommendations. She also reviewed the ratio of reserves to expected reserves and the Paratransit Program Plan Review subcommittee meeting notes.

Questions and feedback from PAPCO members:

- A member suggested that a follow up be given regarding the City of Oakland's new dialysis trip provider or a report back on the provider's performance be given during a future scheduled discussion around dialysis transportation challenges.

Herb Hastings moved to approve the PAPCO Program Plan Review Subcommittee's recommendations for FY 2015-16 paratransit Direct Local Distribution (DLD) program plans. Sandra Johnson-Simon seconded the motion. The motion passed (13-0-0). Members Larry Bunn, Shawn Costello, Herb Hastings, Joyce Jacobson, Sandra Johnson-Simon, Jonah Markowitz, Sharon Powers, Vanessa Proee, Michelle Rousey, Will Scott, Sylvia Stadmire, Esther Waltz, and Hale Zukas were present.

6. Gap Grant Cycle 5 Program Report: Ala Costa Capital Funding (Verbal)

Ron Halog gave a Gap Grant Cycle 5 program report on the use of Ala Costa's capital funding. Ron gave an overview of Ala Costa's programs and services, goals and recent activities.

Questions and feedback from PAPCO members:

- What are some examples of how the vehicle purchase helped your program participants become more independent? One of the popular programs at the Oakland site is the Costa Club, a place where participants can buy food but also learn about entrepreneurship (i.e. buying food, setting the menu, selling the food, bookkeeping, and accounting). This program allows them to learn these crucial job skills.
- Can you describe more broadly who your clients are and how many there are? For the afterschool programs at Berkeley, Oakland and Alameda we serve students with developmental disabilities ages 5-22. For the adult program, we decided to bring back a community based program that was no longer going to be providing their services. The program is called Adult Community Training (ACT) and we provide service to adults with developmental disabilities in the Berkeley, Oakland, Emeryville

and Alameda areas. The program provides job support and/or vocational training to the participants and runs primarily in the afternoon. There is also a collaborative program with the Berkeley Unified School District that works with school age participants aged 18-22 who transition into Ala Costa's Adult Transition (ACAT) program. There are about 150 participants in all of Ala Costa's programs.

- Would you be interested in travel training classes for your program participants? Yes, we would be interested in having someone lead a travel training workshop for our participants as some of them have already reached out to CRIL for their own travel needs.
- Members expressed interest in receiving Ala Costa informational materials.

7. Gap Grant Cycle 5 Program Report: BORP Capital Funding (Verbal)

Sarah Dawn-Smith gave a Gap Grant Cycle 5 program report on the use of Bay Area Outreach and Recreation Program's (BORP) capital funding. Sarah gave an overview of BORP's programs, services, vehicle purchases, impact on clients, and plans for the capital funding.

Questions and feedback from PAPCO members:

- How many ambulatory and wheelchair bound individuals can you fit in your vehicle? We can fit six wheelchairs and no ambulatory individuals or four wheelchairs and four ambulatory individuals on bench seats. The configuration of the vehicles is fairly flexible in accommodating wheelchairs and ambulatory individuals. Our current vehicle can hold up to 20 ambulatory individuals and just one wheelchair.
- Between the two vehicles, how many ambulatory individuals can you take? We can transport up to 20 ambulatory individuals in one vehicle and up to six wheelchairs in the other vehicle.
- What is the expected vehicle life that you mentioned in your presentation? For the type III vehicle that we are waiting to receive, the useful life is expected to be five years or 150,000 miles. The type IV vehicle that we currently have is useful for seven years or 200,000 miles and we have had the vehicle for at

least five years. There are only 68,000 miles on that vehicle since we primarily transport locally.

- What vehicle are you purchasing? We are purchasing a Ford E450 vehicle which was recommended by Caltrans.
- Has BORP ever had a bowling team? There are no current plans for BORP to have a bowling team; however, BORP does have group trips that involve bowling.
- How often are your group trips? The Adventures and Outings program take place on most Sundays but with the new vehicle, BORP hopes to have more Saturday and weekday trips.
- What is the potential contract with the City of Alameda? BORP staff will follow up with more information on this question.
- Does BORP have any fishing activities available? BORP does not currently have any fishing activities available but staff will pass along that suggestion to the program coordinator. However, some activities include sea kayaking and oyster tasting in Point Reyes and Sausalito.

8. Mobility Workshop Strategy FY 2015-16 (Verbal)

Richard Weiner gave an update on the Mobility Workshop strategy for FY 2015-16. He noted that staff is interested in taking a more effective and interactive approach by hosting four strategic planning workshops throughout the year versus one big workshop once a year. This approach will also better inform PAPCO's work plan for the fiscal year. The first workshop will take place on Monday, July 27th in place of the regularly scheduled PAPCO and Joint PAPCO and ParaTAC meetings. The first strategic planning workshop will be focused on dialysis transportation challenges as requested and the second workshop will likely focus on accessible taxi issues.

Questions and feedback from PAPCO members:

- Where will the strategic planning workshops be held? The workshops will be held at the Alameda CTC offices.
- Who would be invited to attend the strategic planning workshops? They will be open to the public as are all PAPCO and ParaTAC meetings and extra outreach will be put into publicizing the workshops to a broader audience.

- A member expressed concerns regarding losing the resource fair component of the Mobility Workshops. Staff will look into the feasibility of incorporating a resource fair into the new strategic planning workshop structure.
- Is this change in structure based on the lack of participation in previous Mobility Workshops? No, this change does not reflect the drop in attendance in previous Mobility Workshops. However, staff does recognize that there has been a decrease in attendance towards the end of the Mobility Workshop program.
- How long will the strategic planning workshops run for? They will run as long as a regular PAPCO meeting.
- A member suggested that a representative from the DaVita Dialysis center be invited to speak at the next strategic planning workshop since the focus will be around dialysis transportation challenges.
- A member expressed interest in the new workshop structure. He liked the proposed allotment of time and the more focused approach.
- A member expressed interest in being a presenter or speaker at the next workshop.
- A member expressed interest in continuing to see Bonnie Nelson's opening speech on the state of the system at future strategic planning workshops. Staff noted that this type of speech or presentation can be incorporated within various PAPCO related meetings including these workshops, PAPCO and ParaTAC meetings.
- A member expressed interest in seeing the latest in mobility equipment i.e. walkers, canes, wheelchairs, scooters, etc. once again.
- A member expressed concern regarding the accessibility of the Alameda CTC offices as well as parking in the general downtown Oakland area.
- A member expressed interest in seeing the bingo activity and other fun activities continue to be incorporated into the new structure. He also noted that he would like to see speakers from other parts of the nation come and share their expertise. He is open to seeing how the new structure plays out in the next year.

9. Member Reports on PAPCO Mission, Roles, and Responsibilities Implementation

Michelle Rousey shared that there will be a Capital Action Day on Wednesday, May 20th in Sacramento. Transportation information is available through CRIL or CIL.

Vanessa Proee noted that CRIL is working on street improvements for disabled people in the Hayward area.

Sylvia Stadmire noted that she attended the Oakland Older Americans Month event hosted by the Mayor's office and the Commission on Aging on Wednesday, May 6th. The turnout was great.

Will Scott noted that the Alameda County Behavioral Health Care Services is sponsoring a walk-a-thon and is looking for sponsorships. He will bring more information to the next meeting.

Shawn Costello noted that he is looking forward to going to the Senior Days at the Alameda County Fair.

Joyce Jacobson gave an update on the funding for the Emery-Go-Round shuttle service. The current proposal will be presented to the City of Emeryville City Council in June and voting will take place soon thereafter. Official results will be tallied at a public City Council meeting in August. Joyce noted that there are major changes to the proposal, including fees placed on City of Emeryville homeowners that will be discussed.

10. Committee Reports (Verbal)

10.1. East Bay Paratransit Service Review Advisory Committee (SRAC)

Naomi Armenta reported that the last SRAC meeting was on Tuesday, May 5th. A majority of the meeting was focused on the ethics training but the activities celebrating the ADA's 25th anniversary and the open house at the new brokerage office in mid June was also discussed. The next SRAC meeting is on Tuesday, July 7th at 12:30 p.m.

10.2. Citizens Watchdog Committee (CWC)

Herb Hastings reported that the last CWC meeting took place on Monday, March 9th and the committee will be called the Independent Watchdog Committee (IWC) starting July 1st. The next CWC meeting is on Monday, June 8th at 6:30 p.m.

11. ADA Mandated Program and Policy Reports

PAPCO members were asked to review the information provided in their meeting agenda packets.

12. Information Items

12.1. Mobility Management – There's an App for That: Apps Help Mobility Management Professionals Empower Their Customers

Naomi Armenta reviewed the mobility management attachment in the meeting agenda packet. She noted that the attachment is a good summary of applications that Mobility Managers and Travel Trainers can help customers use.

Naomi also noted that the last Travel Training meeting on Friday, May 1st went really well. She also noted that the Alameda CTC hosted the last Regional Mobility Management Working Group meeting on Thursday, May 14th. Lastly, she reported that she is now serving as the Vice Chair for that working group.

12.2. Outreach Update

Krystle Pasco gave an update on the following outreach events:

- 5/6/15 – Oakland Older Americans Month Event, Frank Ogawa Plaza from 11:00 a.m. to 2:00 p.m.
- 5/7/15 – Senior Health and Wellness Resource Fair, Kenneth Aitken Senior and Community Center from 9:00 a.m. to 1:00 p.m.
- 5/28/15 – California Senior Injury Prevention Education Forum, Hilton Garden Inn from 8:00 a.m. to 4:00 p.m.
- 6/5/15 – Four Seasons of Health Expo, Fremont Senior Center from 10:00 a.m. to 2:00 p.m.

- 6/11/15 – Senior Resource Expo, Albany Senior Center from 10:00 a.m. to 1:00 p.m.
- 6/18/15 – Senior Day at the Alameda County Fair, Alameda County Fairgrounds from 12:00 p.m. to 5:00 p.m.

12.3. Other Staff Updates

Laurel Poeton requested information from all PAPCO members regarding Alameda CTC's Title VI reporting requirements.

13. Draft Agenda Items for June 22, 2015 PAPCO Meeting

13.1. PAPCO Committee Skills Training

13.2. FY 2015-16 Officer (Chair, Vice Chair, SRAC, CWC) Elections

13.3. FY 2015-16 PAPCO Meeting Day, Time, and Location Approval

13.4. FY 2015-16 PAPCO Work Plan Development and Approval

14. Adjournment

The meeting adjourned at 2:50 p.m. The next PAPCO meeting is scheduled for June 22, 2015 at Alameda CTC's offices located at 1111 Broadway, Suite 800, in Oakland.

Alameda County Transportation Commission
Paratransit Advisory and Planning Committee
Roster - Fiscal Year 2015-2016

	Title	Last	First	City	Appointed By	Term Began	Re-apptmt.	Term Expires	Mtgs Missed Since July '15
1	Ms.	Stadmire, Chair	Sylvia J.	Oakland	Alameda County Supervisor Wilma Chan, D-3	Sep-07	Jan-13	Jan-15	0
2	Mr.	Scott, Vice Chair	Will	Berkeley	Alameda County Supervisor Keith Carson, D-5	Mar-10	May-14	May-16	0
3	Mr.	Bunn	Larry	Union City	Union City Transit Wilson Lee, Transit Manager	Jun-06	Dec-13	Dec-15	0
4	Mr.	Costello	Shawn	Dublin	City of Dublin Mayor David Haubert	Sep-08	May-14	May-16	0
5	Mr.	Hastings	Herb	Dublin	Alameda County Supervisor Scott Haggerty, D-1	Mar-07	Jan-14	Jan-16	0
6	Ms.	Jacobson	Joyce	Emeryville	City of Emeryville Mayor Ruth Atkin	Mar-07	Jan-14	Jan-16	0
7	Ms.	Johnson-Simon	Sandra	San Leandro	Alameda County Supervisor Nate Miley, D-4	Sep-10	Dec-13	Dec-15	0
8	Mr.	Markowitz	Jonah	Berkeley	City of Albany Vice Mayor Peter Maass	Dec-04	Oct-12	Oct-14	0
9	Rev.	Orr	Carolyn M.	Oakland	City of Oakland Councilmember Rebecca Kaplan	Oct-05	Jan-14	Jan-16	0
10	Mr.	Perez	Thomas M.	Fremont	Alameda County Supervisor Richard Valle, D-2	Feb-14		Feb-16	0
11	Ms.	Powers	Sharon	Fremont	City of Fremont Mayor William Harrison	Dec-07	Jan-14	Jan-16	0
12	Ms.	Proee	Vanessa	Hayward	City of Hayward Councilmember Marvin Peixoto	Mar-10	Jan-14	Jan-16	0

	Title	Last	First	City	Appointed By	Term Began	Re-apptmt.	Term Expires	Mtgs Missed Since July '15
13	Ms.	Rivera-Hendrickson	Carmen	Pleasanton	City of Pleasanton Mayor Jerry Thorne	Sep-09	Feb-14	Feb-16	0
14	Ms.	Rousey	Michelle	Oakland	BART Director Tom Blalock	May-10	Jan-14	Jan-16	0
15	Ms.	Saunders	Harriette	Alameda	City of Alameda Mayor Trish Spencer	Jun-08	Oct-12	Oct-14	0
16	Ms.	Waltz	Esther Ann	Livermore	LAVTA Executive Director Michael Tree	Feb-11	May-14	May-16	0
17	Mr.	Zukas	Hale	Berkeley	A. C. Transit Director Elsa Ortiz	Aug-02	Jan-14	Jan-16	0
18		Vacancy			City of Berkeley Councilmember Laurie Capitelli				
19		Vacancy			City of Livermore Mayor John Marchand				
20		Vacancy			City of Newark Councilmember Luis Freitas				
21		Vacancy			City of Piedmont Mayor Margaret Fujioka				
22		Vacancy			City of San Leandro Mayor Pauline Cutter				
23		Vacancy			City of Union City Mayor Carol Dutra-Vernaci				



Memorandum

9.1

1111 Broadway, Suite 800, Oakland, CA 94607

• PH: (510) 208-7400

• www.AlamedaCTC.org

DATE: July, 16, 2015

SUBJECT: Second Reading and Adoption of I-580 Express Lanes: Toll Enforcement Ordinance

RECOMMENDATION: Conduct a second reading by title only and adopt "Alameda County Transportation Commission Ordinance for Administration of Tolls and Enforcement of Toll Violations for the I-580 Express Lanes"

Summary

As the Commission is aware, the I-580 Express Lanes project ("Project") is part of an overall 550-mile Bay Area express lane network that will expand commuter choices and maximize the efficiency of the highly congested I-580 corridor by employing emerging technologies, such as real-time congestion pricing and automated toll violation enforcement. The Project will implement high occupancy vehicle (HOV)/express lanes from Hacienda Drive to Greenville Road in the eastbound direction and from Greenville Road to San Ramon Road/Foothill Road in the westbound direction. See Attachment A – Project Location Map.

As discussed at previous Commission meetings, the Project incorporates a vehicle enforcement system (VES) which will allow Alameda CTC to implement automated toll evasion violation enforcement, which is expected to minimize revenue leakage from the Project. In order to implement the VES and collect the resulting penalties, the Commission must adopt a toll enforcement ordinance. To a large extent, the content and language of the ordinance is dictated by applicable State law in conjunction with the procedures of the Bay Area Toll Authority (BATA), the agency that will be implementing the automated enforcement on-behalf of Alameda CTC. The remainder of the proposed ordinance has been drafted to conform to previous Commission actions.

At its regular meeting on June 23, 2015, the Commission introduced by title the "Alameda County Transportation Commission Ordinance for Administration of Tolls and Enforcement of Toll Violations for the I 580 Express Lanes" and voted to approve the same. As required by State law, the Commission must now conduct a second reading to adopt the ordinance, which will become effective 30 days after adoption. Detailed discussion of the ordinance and the action requested of the Commission is provided below. In order to conform to State law, the title of the ordinance must be read by the clerk, Legal Counsel, or by the Chair prior to consideration of the items on the consent calendar.

Background

Over the last two decades, the I-580 corridor has consistently been rated as one of the most congested freeway segments within the San Francisco Bay Area region. As the next step in strategic investments in this corridor, Alameda CTC is implementing express lanes in both the east- and west-bound directions. The express lanes will include the implementation of an ETS that will provide a new choice to single occupancy vehicle (SOV) users, enabling them to make use of the unused capacity in the HOV lane for a fee, if they choose to use the lanes.

By providing this new choice, express lanes are expected to provide the following benefits:

- Optimize the existing corridor capacity and improves efficiency of the corridor
- Provide travel reliability
- Create a revenue source to pay for future corridor improvements, including
 - HOV gap closures
 - Transit and other highway improvements that directly help reduce corridor congestion

As previously reported, the Project will implement a near continuous access configuration to improve access opportunities to/from the express lanes. This access type could result in revenue leakage, if not properly enforced. The toll industry has estimated toll revenue leakage at 15-25 percent of gross revenue when lanes are not properly enforced. Therefore, staff researched cost effective solutions and included a VES in Project implementation to enforce automated toll evasion violation enforcement. The VES employs license plate recognition (LPR) capabilities (i.e. cameras which are capable of capturing the license plate images to form a trip, when vehicles fail to carry valid transponders). To single out the toll violators, as authorized under AB1811, HOV users will be required to carry an electronic device, FasTrak flex (aka switchable transponder), for enforcement purposes while travelling on the express lanes toll-free.

In order to assess toll evasion violation penalties, the Commission must adopt a toll enforcement ordinance pursuant to and consistent with Vehicle Code Section 40250. Attached to this staff memorandum as Attachment B is a toll enforcement ordinance prepared by legal counsel and Alameda CTC staff which conforms to the legal requirements. This ordinance encompasses numerous elements including penalties for failure to pay the required tolls and administrative processes associated with toll evasion violations. The administrative processes include processing violation notices, responding to customer inquiries about the notices, providing impartial administrative hearings, and preparing toll operator packages for court proceedings, among other issues.

To a large extent, the content and language of the ordinance is dictated by applicable State law, in conjunction with the procedures of BATA, as the agency that will be

implementing the automated enforcement mechanism. The remainder of the proposed ordinance has been drafted to conform to previous Commission actions.

In March 2015, the Commission approved the enforcement and collection processes underlying the attached toll enforcement ordinance, and the Commission also approved the schedule of penalties. In June 2015, the Commission approved a cooperative agreement with BATA for customer services required for the implementation of the Express Lanes on I-580.

Based on the above discussions and the Commission's approval on a first reading of the ordinance at the June meeting, staff requests the Commission's second reading and adoption of the toll ordinance, in order to enable the agency to implement automated toll evasion violation enforcement on the Project.

Fiscal Impact: Approval of the toll ordinance will enable staff to enact toll evasion violation enforcement on the I-580 Express Lane that is expected to curtail toll revenue leakage, estimated by the toll industry to be at 15-25 percent of gross revenue.

Attachments

- A. Project Location Map
- B. Toll Enforcement Ordinance

Staff Contact

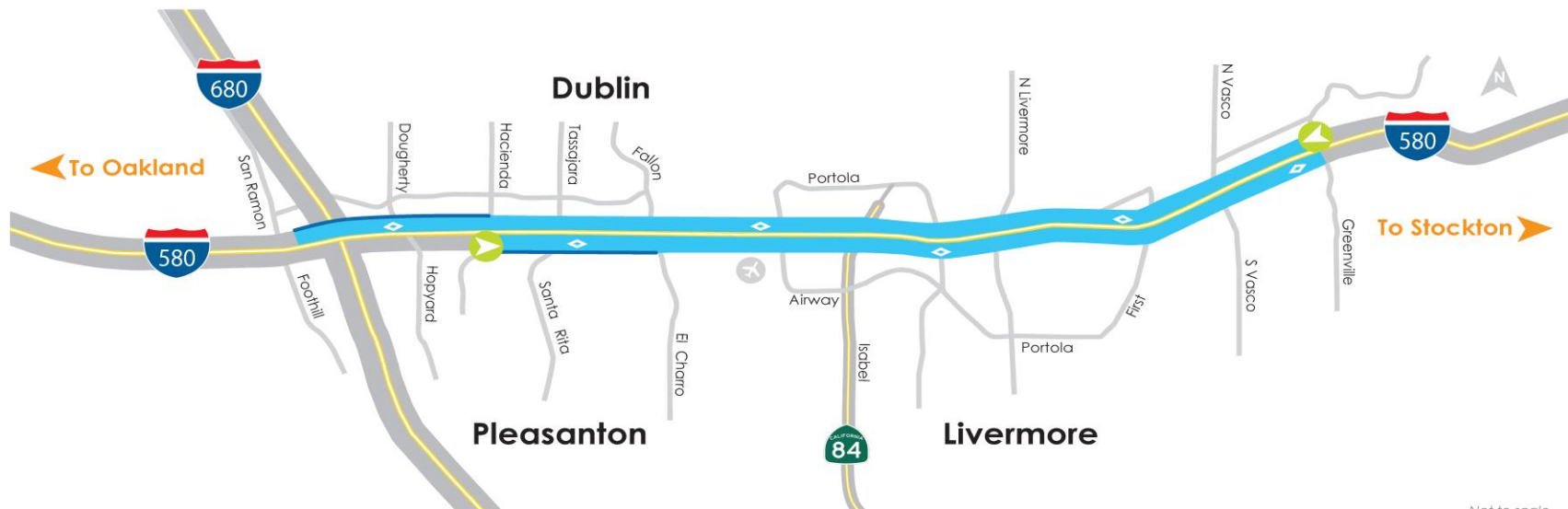
[Kanda Raj](#), Project Controls Team

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I-580 Express Lanes Project Location Map

9.1A



Not to scale



Two Eastbound Express Lanes

Lanes begin at Hacienda



No entry/exit from eastbound express lanes from Hacienda to Fallon / El Charro.

Please note: For access to Santa Rita Road, do not enter express lanes.



One Westbound Express Lane

Lane begins at Greenville



No entry/exit from westbound express lane from Hacienda to end.

Please note: For access to I-680 or Dougherty, exit express lane before Hacienda.

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ALAMEDA COUNTY TRANSPORTATION COMMISSION

ORDINANCE FOR ADMINISTRATION OF TOLLS AND ENFORCEMENT OF TOLL VIOLATIONS FOR THE I-580 EXPRESS LANES

PREAMBLE

The Alameda County Transportation Commission (“Alameda CTC”) is authorized pursuant to California Streets and Highways Code section 149.5 to conduct, administer, and operate a value pricing high-occupancy vehicle program (“Express Lane”) on Interstate 580 (“I-580”) in Alameda County. As of the date of this Ordinance, the Alameda CTC is in the process of constructing two eastbound Express Lanes which shall operate on eastbound I-580 from Hacienda Drive to Greenville Road (“I-580 Eastbound Express Lanes”), and a westbound Express Lane which shall operate on westbound I-580 from Greenville Road to San Ramon Road / Foothill Road (“I-580 Westbound Express Lane”). The I-580 Eastbound Express Lanes and the I-580 Westbound Express Lane shall hereinafter be collectively referenced herein as the “I-580 Express Lanes.” Tolls on the I-580 Express Lanes shall be determined through a dynamic process pursuant to certain procedures and limitations adopted by the Alameda CTC, as may be modified from time to time.

While traveling in the I-580 Express Lanes, motorists are required to have a properly mounted transponder associated with a valid FasTrak® Account to facilitate vehicle occupancy validation and the toll collection process pursuant to California Vehicle Code (“Code”) section 23302 *et seq.*, and California Streets and Highways Code Section 194.5(b). Code Section 23302.5 provides that it is unlawful for a person to evade or attempt to evade the payment of tolls or other charges on any vehicular crossing or toll highway, and further provides that such acts are subject to civil penalties. Code Division 17, Chapter 1, Article 4, commencing with section 40250 (“Article 4”), provides for enforcement of civil penalties for violation of Code Section 23302.5 and any ordinance enacted by local authorities including joint powers authorities, pursuant to civil administrative procedures set forth in Article 4. This Ordinance establishes the administrative procedures and penalties, enacted pursuant to Article 4, to ensure that motorists who evade the payment of tolls while travelling on the I-580 Express Lanes shall be subject to civil penalties, while ensuring fairness in the treatment of violators.

Now, therefore, the governing body of the Alameda County Transportation Commission hereby ordains as follows:

ARTICLE I - GENERAL

Section 1. Title

This ordinance shall be known as the “I-580 Express Lanes Toll Enforcement Ordinance.”

Section 2. Definitions

In addition to the definitions set forth hereinabove, the following definitions shall apply throughout this Ordinance:

- (a) “BATA” means the Bay Area Toll Authority.
- (b) “Commission” means the governing body of the Alameda CTC.
- (c) “Delinquent Penalty” is the amount assessed when a Violation is deemed to be delinquent as set forth in **Section 5** of this Ordinance.
- (d) “Department” shall mean the California Department of Motor Vehicles.
- (e) “Due Date” shall mean the date specified in the Notice of Toll Evasion Violation and Notice of Delinquent Toll Evasion Violation by which payment of the Penalty or written explanation of contest must be received.
- (f) “FasTrak” or “FasTrak[®]” means the electronic toll collection system, managed by BATA in the San Francisco Bay Area, which allows Motorists to prepay tolls on the I-580 Express Lanes and other toll facilities in the Bay Area and elsewhere in California.
- (g) “FasTrak Account” shall mean an account established with any of the California toll operators to administer the payment of tolls.
- (h) “Motorist” shall mean the registered owner, rentee, lessee and/or driver of a Vehicle.
- (i) “Notice of Delinquent Toll Evasion Violation” shall mean the written notice provided to the registered owner of a Vehicle when a Penalty has not been timely received by Alameda CTC.
- (j) “Notice of Toll Evasion Violation” shall mean the written notice provided to the registered owner of a Vehicle which has committed a Violation.
- (k) “Penalty” shall mean the monetary amounts assessed to each toll Violation, including the unpaid Tolls, the Toll Evasion Penalty and the Delinquent Penalty, and constitutes a toll evasion penalty under Code section 40252.
- (l) “Processing Agency” shall mean Alameda CTC, or the contractor or vendor designated by Alameda CTC, as the party responsible for the processing of the notices of toll evasion.
- (m) “Repeat Violator” means any registered owner for whom more than five (5) Notices of Toll Evasion Violation have been issued in any calendar month within the preceding twelve (12) month period.

(n) “Switchable Transponder” or “FasTrak flex[®]” shall each mean a Transponder with a switch which allows Motorists to self-declare the number of vehicle occupants.

(o) “Terms and Conditions” shall mean the obligations of Alameda CTC and a FasTrak customer with regard to the usage and maintenance of a FasTrak Account as published by BATA or other applicable California toll operator from time to time.

(p) “Toll” shall mean the monetary charges for use of the I-580 Express Lanes as applicable at the time a Motorist enters either of the I-580 Express Lanes, as determined through the dynamic pricing system established by Alameda CTC.

(q) “Toll Evasion Penalty” is the amount assessed under **Section 5** of this Ordinance.

(r) “Transponder” shall mean a FasTrak electronic device issued by any of the California toll operators that meets the specifications of California Code of Regulations Title 21 and is used to pay tolls electronically.

(s) “Vehicle” shall mean any vehicle as defined in Code section 670.

(t) “Violation” shall mean the commission of any activity proscribed in **Sections 3** and **4** of this Ordinance.

Section 3. I-580 Express Lanes Usage Requirements

(a) While traveling in the I-580 Express Lanes, Motorists shall have a properly mounted transponder associated with a valid FasTrak Account to facilitate vehicle occupancy validation and the toll collection process. Motorists traveling in the I-580 Express Lanes with the minimum number of vehicle occupants to qualify for high occupancy lane use at that time must have a Switchable Transponder set to the required number of occupants or they will be charged the posted single occupancy Toll.

(1) I-580 Express Lanes users with a Switchable Transponder in the Vehicle traveling in the I-580 Express Lanes shall set the self-declaration switch to the actual number of vehicle occupants prior to travel.

(2) Motorists in single occupancy vehicles authorized pursuant to California law as eligible users of high occupancy vehicle lanes shall carry a Switchable Transponder and set the self-declaration to either the two or three position prior to entering the Express Lane.

(3) I-580 Express Lanes users without a Switchable Transponder in the Vehicle traveling in the I-580 Express Lanes will be charged the posted single occupancy Toll rate.

(4) Vehicle occupancy violations, including falsely self-declaring the vehicle occupancy, are subject to citation by the California Highway Patrol.

(b) The FasTrak Account associated with the Transponder contained in any Vehicle must have a balance sufficient to pay the charged Tolls each the time the Vehicle enters the I-580 Express Lanes.

(c) I-580 Express Lanes FasTrak accountholders shall adhere to the Terms and Conditions provided at the time of account opening as updated thereafter with notification to the accountholders.

Section 4. Liability for Failure to Pay Toll

(a) No person shall cause a Vehicle to enter the I-580 Express Lanes without payment of the Toll for the Vehicle by use of a Transponder, issued by Alameda CTC or any California toll agency, which is associated with a FasTrak Account containing a balance sufficient to pay those Tolls.

(b) Except as provided herein, the registered owner and the driver, rentee or lessee of a Vehicle which is the subject of any Violation shall be jointly and severally liable for any Penalty imposed under this Ordinance, unless the registered owner can demonstrate that the Vehicle was used without the express or implied consent of the registered owner. Anyone who pays any Penalty pursuant to this Ordinance shall have the right to recover the same from the driver, rentee or lessee, and not from the Alameda CTC or the Processing Agency.

(c) The driver, rentee or lessee of a Vehicle who is not the owner of the Vehicle may contest the Notice of Toll Evasion Violation in accordance with this Ordinance.

(d) Any Motorist assessed a Penalty for a Violation shall be deemed to be charged with a non-criminal, civil violation.

Section 5. Penalties and Processing of Violation(s)

(a) The Penalties for a Violation of this Ordinance shall be the amounts set forth in the Schedule of Penalties attached hereto as **Appendix A** and incorporated by reference herein. The Schedule of Penalties was adopted by the Commission on March 26, 2015, and may be amended by action of the Commission from time to time without the need to amend or reconsider this Ordinance, provided that such Penalties but may not be greater than the amounts established under Code section 40258 as the maximum Penalties for civil toll evasion violations. If the driver of any Vehicle is arrested pursuant to Article 1 (commencing with Section 40300) of Chapter 2 of the Code, the civil procedure for enforcement of violations established by this Ordinance shall not apply. Revenues received from the Penalties assessed pursuant to this subsection shall be returned to the Alameda CTC.

(b) If a Violation is detected by any means (including automated device, photograph, video image, visual observation, or otherwise), a Notice of Toll Evasion Violation shall be sent to the registered owner by first class mail at the address for the registered owner as shown on the record of the Department within twenty-one (21) days of the Violation. In the case of joint ownership, the Notice of Toll Evasion Violation shall be issued to the first name appearing in the registration. If accurate information concerning the identity and address of the registered owner is not available within twenty-one (21) days from the Violation, the Processing Agency

shall have an additional forty-five (45) calendar days to obtain such information and forward the Notice of Toll Evasion Violation, provided that where the registered owner is a Repeat Violator, the Processing Agency shall forward the Notice of Toll Evasion Violation within ninety (90) calendar days of the Violation.

Section 6. Notice of Toll Evasion Violation

(a) The Notice of Toll Evasion Violation shall contain (1) sufficient information to enable the recipient thereof to determine the date, time and location of the alleged Violation, (2) the section of the Code allegedly violated, (3) the Penalty due for that Violation, (4) the identity and address of the registered owner, (5) the alphanumeric designation of the license plate on the Vehicle that was used in the alleged Violation, (6) if practicable, the registration expiration date and the make of the Vehicle, (7) the procedure to follow for payment of the amount due, (8) a statement in bold print that payments may be sent in the mail, (9) the date and time within which the Penalty must be paid, (10) a clear and concise explanation of the procedures for filing an affidavit of non-liability in those circumstances set forth in subsections B, C and D of this **Section 6**, and for contesting the alleged Violation and appealing an adverse decision in accordance with **Section 9** of this Ordinance, (11) the Due Date, which is also the date by which the written explanation of contest must be received by Alameda CTC, and (12) a statement that there will be additional court costs and fees incurred by the Motorist according to the local jurisdiction rules if collection is pursued through court action.

(b) The Notice of Toll Evasion Violation shall contain, or be accompanied an affidavit of non-liability and information of what constitutes non-liability, information as to the effect of executing the affidavit, and instructions for returning the affidavit to the Processing Agency.

(c) If the affidavit of non-liability is returned to the Processing Agency within twenty-one (21) days of the issuance of the Notice of Toll Evasion Violation together with proof that the driver at the time of the Violation did not possess express or implied consent to drive the Vehicle as evidenced by a stolen vehicle police report, if the Processing Agency is satisfied that the registered owner is not responsible for the Violation, the Processing Agency shall cancel the Notice of Toll Evasion Violation and make an adequate record of the reasons.

(d) If the affidavit of non-liability is returned to the Processing Agency by the Due Date with proof that the registered owner given the Notice of Toll Evasion Violation has made a bona fide sale or transfer of the Vehicle and has delivered possession thereof to the purchaser prior to the date of the alleged Violation and either (1) such owner has complied with section 5602 of the Code, or (2) the Processing Agency is satisfied with evidence that establishes that the transfer of ownership and possession of the Vehicle occurred prior to the date of the alleged Violation, and has obtained verification from the Department, then the Processing Agency shall terminate proceedings against the originally served registered owner and proceed against the new owner of the Vehicle.

(e) If the affidavit of non-liability is returned to the Processing Agency by the Due Date of the Notice of Toll Evasion Violation together with the proof of an executed written rental agreement or lease between a bona fide renting or leasing company and its customer that

identifies the rentee or lessee and provides the driver's license number, name and address of the rentee or lessee, the Processing Agency shall serve or mail to the rentee or lessee identified in the affidavit of non-liability a Notice of Toll Evasion Violation.

(f) If payment of the Penalty is not received by Processing Agency by the Due Date on the Notice of Toll Evasion Violation, the Processing Agency shall deliver by first-class mail a Notice of Delinquent Toll Evasion Violation.

(g) If the description of the Vehicle in the Notice of Toll Evasion Violation does not match the corresponding information on the registration card for that Vehicle, the Processing Agency may, on written request of the Motorist, cancel the Notice of Toll Evasion Violation without the necessity of appearance by that person.

Section 7. Dismissal of Notice of Toll Evasion Violation

(a) If, after a copy of the Notice of Toll Evasion Violation has been sent to the Motorist, the Processing Agency determines that due to failure of proof of apparent Violation the Notice of Toll Evasion Violation shall be dismissed, the Processing Agency shall cancel the Notice of Toll Evasion Violation, and the Motorist shall be so notified by first-class mail.

(b) If the full amount of the Penalty is received by the person authorized to receive the payment of the Penalty by the Due Date and there is no contest as to that Violation, proceedings under this Ordinance shall terminate.

(c) If (i) the Motorist is a holder of a FasTrak Account in good standing with BATA or other California toll operator or (ii) the Motorist has never received a prior Notice of Toll Evasion Violation under this Ordinance and opens a new FasTrak account, and such Motorist follows the procedures and meets the deadlines established by the Processing Agency, as such procedures and deadlines may be modified from time to time, to pay the Toll due on such Notice of Toll Evasion Violation from the Motorist's FasTrak Account in a timely manner, the Toll shall be charged to such Motorist's FasTrak Account and proceedings under this Ordinance shall terminate.

(d) If the registered owner of the Vehicle provides proof to the Processing Agency that he or she was not the registered owner on the date of the Violation as set forth in **Sections 6 and 8** of this Ordinance, proceedings against the notifying party shall terminate. This does not limit the right of the Processing Agency to pursue collection of the delinquent toll evasion Penalty from the person who was the registered owner of the Vehicle on the date of the alleged Violation.

Section 8. Notice of Delinquent Toll Evasion Violation

(a) If the payment of the Penalty is not received by the Processing Agency by the Due Date on the Notice of Toll Evasion Violation, and there is no contest as to that Violation as set forth in **Section 10** of this Ordinance, the Processing Agency shall deliver by first-class mail to the registered owner of the Vehicle a Notice of Delinquent Toll Evasion Violation.

(b) Alameda CTC or Processing Agency shall establish a procedure for providing, upon request, a copy of the original Notice of Toll Evasion Violation or an electronically produced facsimile of the original Notice of Toll Evasion Violation within fifteen (15) days of a request therefor. Alameda CTC may charge a fee sufficient to recover the actual costs of providing the copy not to exceed Two Dollars (\$2), to be established by the Executive Director of Alameda CTC. Until the Processing Agency complies with a request for a copy of the original notice of Violation, the Processing Agency may not proceed to collection of amounts covered by such notice.

(c) The Notice of Delinquent Toll Evasion Violation shall contain the information required to be contained in the original Notice of Toll Evasion Violation and, additionally, shall contain a notice to the registered owner that, unless the registered owner pays the Penalty, contests the Violation pursuant to the procedure set forth in the Notice of Toll Evasion Violation, or completes and returns to the Processing Agency an affidavit of non-liability, as provided with the Notice of Toll Evasion Violation and in compliance with subsections D, E and F of **Section 6**, within fifteen (15) days after the mailing of the Notice of Delinquent Toll Evasion Violation (the Due Date): (1) the Penalty shall be considered a debt due and owing Alameda CTC, (2) the renewal of the Vehicle registration shall be contingent upon compliance with the Notice of Delinquent Toll Evasion Violation at Alameda CTC's election, and (3) Alameda CTC may seek to recover in any lawful manner, as provided for in **Section 12**.

(d) The Notice of Delinquent Toll Evasion Violation shall contain, or be accompanied with, an affidavit of non-liability and information of what constitutes non-liability, information as to the effect of executing the affidavit, and instructions for returning the affidavit to the Processing Agency.

(e) If the affidavit of non-liability is returned to the Processing Agency within fifteen (15) days of the mailing of the Notice of Delinquent Toll Evasion Violation (the Due Date) together with proof that the driver at the time of the Violation did not possess express or implied consent to drive the Vehicle as evidenced by a stolen vehicle police report, if the Processing Agency is satisfied that the registered owner is not responsible for the Violation, the Processing Agency shall cancel the Notice of Toll Evasion Violation and make an adequate record of the reasons.

(f) If the affidavit of non-liability is returned to the Processing Agency by the Due Date with proof that the registered owner given the Notice of Toll Evasion Violation has made a bona fide sale or transfer of the Vehicle and has delivered possession thereof to the purchaser prior to the date of the alleged Violation and either (1) such owner has complied with section 5602 of the Code, or (2) the Processing Agency is satisfied with evidence that establishes that the transfer of ownership and possession of the Vehicle occurred prior to the date of the alleged Violation, and has obtained verification from the Department, then the Processing Agency shall terminate proceedings against the originally served Motorist and proceed against the unauthorized driver at the time of the Violation, or the new owner of the Vehicle.

(g) If the affidavit of non-liability is returned to the Processing Agency within fifteen (15) days of the mailing of the Notice of Delinquent Toll Evasion Violation (the Due Date set forth in the Notice of Delinquent Toll Evasion Violation) together with the proof of an

executed written rental agreement or lease between a bona fide renting or leasing company and its customer that identifies the rentee or lessee and provides the driver's license number, name, and address of the rentee or lessee, the Processing Agency shall mail to the rentee or lessee identified in the affidavit of non-liability a Notice of Delinquent Toll Evasion Violation. If payment is not received within fifteen (15) days of such mailing of the Notice of Delinquent Toll Evasion Violation, the Penalty shall be considered a debt due and owing Alameda CTC, and Alameda CTC may seek to recover in any lawful manner, as provided for in **Section 12**, from the rentee or lessee.

Section 9. Payment After Notice of Delinquent Toll Evasion Violation

If a Motorist who was mailed a Notice of Delinquent Toll Evasion Violation pursuant to **Section 8** of this Ordinance, or any other person who presents the Notice of Toll Evasion Violation or Notice of Delinquent Toll Evasion Violation, deposits the Penalty due with a person authorized to receive it, then the Processing Agency shall follow the procedures set forth in Section 40266 of the Code.

Section 10. Contest of Notice of Toll Evasion Violation or Notice of Delinquent Toll Evasion Violation

(a) A person may contest a Notice of Toll Evasion Violation or Notice of Delinquent Toll Evasion Violation within twenty-one (21) days of the issuance of the Notice of Toll Evasion Violation, or within fifteen (15) days of the issuance of the Notice of Delinquent Toll Evasion Violation, as applicable.

(b) The Processing Agency shall establish a fair and impartial investigation process to investigate the circumstance of the notice with respect to the contestant's written explanation of reasons for contesting a Violation. The Processing Agency shall investigate with its own records and staff the circumstances of the notice with respect to the contestant's written explanation of reasons for contesting the Violation. If based upon the results of that investigation, the Processing Agency is satisfied that the Violation did not occur or that the registered owner was not responsible for the Violation, the Processing Agency shall cancel the Notice of Toll Evasion Violation or Notice of Delinquent Toll Evasion Violation and make an adequate record of the reasons for cancelling the notice. The Processing Agency shall mail the results of the investigation to the person who contested the Notice of Toll Evasion Violation or the Notice of Delinquent Toll Evasion Violation.

(c) A person who contests a Notice of Toll Evasion Violation or Notice of Delinquent Toll Evasion Violation and is not satisfied with the results of the investigation may, within fifteen (15) days of the mailing of the results of the investigation, deposit the amount of the Penalty as set forth in subsection D of this **Section 10** and request an administrative review. The Processing Agency shall hold the administrative review within ninety (90) calendar days following the receipt of the request for an administrative review accompanied by the required deposit amount. The person requesting the administrative review may request one (1) continuance, not to exceed twenty-one (21) calendar days. The person requesting the administrative review shall indicate to the Processing Agency his or her election for a review by mail or personal conference.

(d) The deposit for requesting an administrative review shall be as follows:

(1) Except as provided herein, an individual seeking an administrative review shall deposit the full amount of the Penalty due at the time of the request.

(2) Individuals unable to pay the required deposit may apply for a hardship exception, which may be granted by the Processing Agency in its discretion.

(e) If the person requesting an administrative review is a minor, that person shall be permitted to appear at an administrative review or admit responsibility for a Violation without the necessity of the appointment of a guardian. The Processing Agency may proceed against that person in the same manner as if that person were an adult.

(f) As evidence of the Violation the Processing Agency shall produce the Notice of Toll Evasion Violation or a copy thereof, information received from the Department identifying the registered owner of the Vehicle, and a statement under penalty of perjury from the person authorized to issue a notice of Violation that the Tolls or other charges and any applicable fee were not paid in accordance with Alameda CTC's policies. This documentation in proper form shall be prima facie evidence of the Violation.

(g) The reviews shall be conducted in accordance with the written procedures established by the Processing Agency which shall ensure a fair and impartial review of the contested Violations. The Processing Agency shall provide its decision by first-class mail to the contestant. If a notice of appeal to the California Superior Court is not filed within the period set forth in **Section 11**, the decision shall be deemed final.

(h) The Processing Agency shall designate one or more individuals to serve here as the hearing officer(s) appointed to conduct administrative reviews pursuant to this **Section 10**. Each hearing officer shall demonstrate the qualifications, training and objectivity necessary to perform fair and impartial reviews. No hearing officer's employment, performance evaluation, compensation and benefits shall be directly or indirectly linked to the outcome of reviews or the revenue generated by such reviews.

Section 11. Appeal to Superior Court

A person who requests an administrative review and is not satisfied with the results of the review, may within twenty (20) days after the mailing of the Processing Agency's final decision seek review by filing an appeal to the Alameda County Superior Court, where the case shall be heard de novo, except that the contents of the Processing Agency's file in the case on appeal shall be received in evidence. For the purposes of computing the twenty (20)-day period, section 1013 of the Code of Civil Procedure shall be applicable. The Processing Agency shall admit into evidence as prima facie evidence of the facts stated therein, a copy of the Notice of Toll Evasion Violation and/or Notice of Delinquent Toll Evasion Violation. A copy of the notice of appeal shall be served in person or by first-class mail upon the Processing Agency by the contestant. Notwithstanding section 72055 of the Government Code, the fee for filing the notice of appeal shall be Twenty-Five Dollars (\$25). If the appellant prevails, this fee, together with the deposit of the Penalty made by the contestant, shall be promptly refunded by the Processing Agency in accordance with the judgment of the court.

Section 12. Collection of Unpaid Penalties

If payment is not received within the time periods set forth herein, and no contest has been timely filed, or has been resolved, Alameda CTC and the Processing Agency are authorized to proceed under one or more of the following options for the collection of unpaid Penalties:

(a) Transmit an itemization of unpaid Penalties with the Department for collection with the registration of the Vehicle. Alameda CTC shall pay the fees assessed by the Department associated with the recording of the Notice of Delinquent Toll Evasion Violation and may charge the amount of the fee to the Motorists to be collected by the Department.

(b) If more than Four Hundred Dollars (\$400) in unpaid Penalties have been accrued by any person or registered owner, Alameda CTC may file proof of that fact with the Superior Court with the same effect as a civil judgment. Execution may be levied and other measures may be taken for the collection of the judgment as are authorized for the collection of any unpaid civil judgments entered against a defendant in an action on a debt. The court may assess costs against a judgment debtor to be paid upon satisfaction of the judgment. The Processing Agency shall mail a notice by first-class mail to the person or registered owner indicating that a judgment shall be entered for the unpaid Penalties and that after thirty (30) days from the date of the mailing of the notice, the judgment shall have the same effect as an entry of judgment against a judgment debtor. The notice shall include all information required by Code section 40267. The filing fee and any costs of the collection shall be added to the judgment amount.

(c) If the Processing Agency has determined that registration of the Vehicle has not been renewed for sixty (60) days beyond the renewal date, and the Penalty has not been collected by the Department pursuant to section 4770 of the Code, file proof of unpaid Penalties with the court with the same effect as a civil judgment as provided above, except that if the amount of the unpaid Penalty is not more than Four Hundred Dollars (\$400), the filing fee shall be collectible by the court from the debtor.

(d) Contract with a collection agency to collect Penalty amounts.

(e) Submit a request to the California State Controller for an offset of unpaid Penalty owing by a Motorist against any amount owing the person or entity by a claim for a refund from the Franchise Tax Board under Personal Income Tax Law or the Bank and Corporation Law or from winnings in the California State Lottery, as authorized by California Government Code section 12419.12. Alameda CTC shall provide notice of intent to request an offset by first-class mail to the Motorist thirty (30) days prior to the request date.

(f) Pursue such other remedies and enforcement procedures that are authorized under the laws of the State of California.

Section 13. Termination of Proceedings

The Processing Agency shall terminate proceedings on the Notice of Delinquent Toll Evasion Violation in any of the following cases:

(a) Upon receipt of collected penalties remitted by the Department under Code section 4772 for that Notice of Delinquent Toll Evasion Violation.

(b) If the Notice of Delinquent Toll Evasion Violation was returned to the Processing Agency pursuant to Code section 4774 and five (5) years have elapsed since the date of the Violation.

(c) The Processing Agency receives information that the Penalties have been paid to the Department pursuant to Code section 4772.

Section 14. Confidentiality

Any information obtained during the enforcement of Violations shall not be used for any purpose other than to pursue the collection of Violations or process Tolls.

Section 15. Other Notices

Nothing herein shall prohibit Alameda CTC or the Processing Agency from establishing informal methods of notifying Motorists of Violations and from collecting Tolls and Penalties for Violations through such means.

Section 16. Implementation

Alameda CTC's Executive Director is hereby authorized and directed to develop procedures, forms, documents and directives which may be necessary to implement the terms of this Ordinance, and the Executive Director may delegate such duties and obligations under this Ordinance to staff of, or consultants under contract to, the Alameda CTC.

Section 17. Severability

If any term, covenant or condition of this Ordinance shall be held by a court of competent jurisdiction to be invalid or unenforceable, then the remainder of this Ordinance shall not be affected and each remaining provision shall be valid and enforceable to the fullest extent permitted by law unless any of the stated purposes of this Ordinance would be defeated.

ARTICLE II -PUBLICATION OF ORDINANCE.

Upon adoption on the second reading hereof, the Clerk of the Commission shall cause the publication of this Ordinance, within fifteen days of its adoption, once each in a newspaper of general circulation printed and published within Alameda County, and the Clerk of the Commission shall attest to such adoption and publication of this Ordinance. This Ordinance shall become effective thirty (30) days after adoption.

PASSED AND ADOPTED by the Commission of the Alameda County Transportation Commission on July 23, 2015 by the following vote:

AYES:

NOES:

EXCUSED:

Date Published: _____

Attested to:

Dated: _____

Clerk of the Commission

APPENDIX A
SCHEDULE OF PENALTIES

(as adopted by the Commission on March 26, 2015)

Toll Evasion Penalty: \$25 (plus original toll)

Delinquent Penalty: \$70 (\$25 Toll Evasion Penalty plus \$45 late fee; plus original toll).
If toll is paid within 15 days, penalty is reduced to \$25.

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Memorandum

10.1

1111 Broadway, Suite 800, Oakland, CA 94607

• PH: (510) 208-7400

• www.AlamedaCTC.org

DATE: July 16, 2015

SUBJECT: Legislative Update

RECOMMENDATION: Receive an update on state and federal legislative activities

Summary

This memo provides an update on federal, state and local legislative activities including an update on the federal budget, federal transportation issues, legislative activities and policies at the state level, as well as an update on local legislative activities.

Alameda CTC's legislative program was approved in December 2014 establishing legislative priorities for 2015 and is included in summary format in Attachment A. The 2015 Legislative Program is divided into six sections: Transportation Funding, Project Delivery, Multi-Modal Transportation and Land Use, Climate Change, Goods Movement and Partnerships. The program was designed to be broad and flexible to allow Alameda CTC the opportunity to pursue legislative and administrative opportunities that may arise during the year, and to respond to political processes in Sacramento and Washington, DC. Each month, staff brings updates to the Commission on legislative issues related to the adopted legislative program, including recommended positions on bills as well as legislative updates.

Background

State Update

State Budget Update: On Monday, June 15th, the Legislature approved a 2015-16 budget and a few non-controversial budget trailer bills, thus meeting the Constitutional requirement. The budget sent to the Governor reflected the Legislators spending priorities and relied on the LAO's higher revenue forecast. The strategy was to approve a budget on time and then continue to negotiate with the Governor on Medi-Cal provider rates, the repeal of the Maximum Family Grant rule, and increases in child care, among other issues. The Monday budget includes \$117 billion in General Fund spending, which is \$2.2 billion larger than the Administration's.

Less than 24 hours later a deal was reached. The deal reverts back to the Governor's revenue estimates and increases spending above the Governor's budget by about \$68 million, for a general fund budget of \$115.4 billion. The agreement maintains support for some of the Legislature's priorities by providing Medi-Cal to undocumented children, expands pre-school slots, and one time funding to restore IHHS worker hours. In addition, the budget places \$3.5 billion into the Prop 2 Rainey Day Fund and sets aside \$1.1 billion in reserve.

The announcement of the budget deal also included an announcement of two special sessions. One special session is being called to address the funding needs facing the state's healthcare system. The goal of the health care special session is to enact a stable funding source for Medi-Cal services, ongoing funding for IHSS hours, and developmental disability services. The other special session being called is to address the funding crisis facing the state and local transportation infrastructure needs.

Transportation Budget Items: The budget act and the transportation trailer bill, AB 95, made several fairly non-controversial changes to various transportation items.

- Adopts Governor's Budget proposal to accelerate the implementation of road user charge pilot program.
- Extends an existing exemption for one year that restricts transit agencies from using State Transit Assistance funding on operations if their operational costs exceeded the consumer price index.
- Approves 25 positions to create a \$500 million project shelf for the State Highway Operations and Preservation Program.
- Appropriates \$12 million from the State Highway Account for fleet greening at Caltrans
- Identifies \$842 million in pre-Proposition 42 borrowing from 2000-01 as general borrowing.
- Adopts reporting language to require Caltrans to study possible improvements to the State's intercity rail system through additional investment in grade separation at key intersections.
- Approves language to allow Sacramento County to use existing local streets and roads funds to complete the Walerga Park Soundwall.
- Appropriates \$5 million State Highway Account for the construction of fish passages in areas where state highways currently block fish.
- Adopts provisional language to allow Caltrans to relinquish the Tower Bridge, and includes expenditure authority of \$15 million necessary to bring the bridge up to a state of good repair.
- Abolishes three obsolete special funds that are no longer active: the Transportation Investment Fund, the Pedestrian Safety Account, and the Clean Renewable Energy Bonds Subaccount in the Special Deposit Fund.
- Funds Amtrak contract changes, pursuant to federal government requirements.

Transportation Special Session: As part of the agreement reached on spending priorities in the 2015-16 budget, the Governor, along with the Speaker Atkins and Senate President Pro-Tem de Leon, announced the formation of a special session focusing on funding the state's transportation needs; membership on the Extraordinary Session on Infrastructure is shown on Attachment B for both the Senate and the Assembly. The transportation infrastructure Proclamation focuses solely infrastructure maintenance needs of state highways and local streets and roads, as well as trade corridor improvements. It does not mention the needs for mass transit facilities or service.

The Proclamation outlines the legislative topics aimed at addressing pay-as-you-go, permanent, and sustainable funding for the following issues:

- Funding to adequately maintain and repair the state's transportation system and other critical infrastructure.
- Improve the state's key trade corridors.
- Funding to repair and maintain local transportation infrastructure.

In addition, the Proclamation encourages legislation that establishes performance criteria that would measure progress via a percentage of roadways in good condition, and proposals that expedite project delivery or reduce costs.

The creation of a special session allows legislation to be introduced and be heard outside the restrictions of the regular legislative session timelines. While special session bills take affect sooner than regular session bills with only a majority vote, any tax increase or new fee proposal still requires a 2/3 vote of the legislature.

The Governor did not release his own proposal to fund the state's transportation needs, and he did not express any preferences at the press conference. He only stated that everything is on the table.

While the Governor stating everything is on the table with respect to funding transportation, it does not include anything that is outside the box of existing taxes, fees and fund shifts. The funding proposals that have been unveiled or discussed are all, so far, short-term solutions with the underlying assumption that a road user change being the ultimate goal will be implemented in the coming years. In addition, these proposals place another confusing layer on top of past solutions and budget gimmicks and do not propose to repeal the swap.

- Excise Tax: SB 16 currently calls for 10 cent increase for gasoline excise tax, and 12 cent increase for diesel fuel. SB 16 directs all of these funds, except for 2 cents of the diesel excise tax, to a new distribution formula that directs the funds to SHOPP projects and local streets and roads. The extra 2 cents is dedicated to the Trade Corridors Improvement Fund.

- Weight Fees: The “gas tax swap” was created to alleviate general fund pressures during a time of need. This was done through a round-about means that shifted truck weights fees to a special account that is used to pay the debt payments on transportation bonds. SB 16, the Speakers proposal, and the Senate Republican Caucus support returning these funds back to transportation accounts. However, this will result in a \$1 billion impact to the general fund, and any transportation funding proposal will need to backfill this loss. The Senate Republican Caucus is supporting SCA 7, which would amend the Constitution to return the weight fees to transportation accounts, and dedicate any increase in the Vehicle License Fee to transportation projects.
- Vehicle Fees: The Speakers proposal included a proposal that would place fee, of approximately \$50, on every vehicle registered in the state. This revenue would be used to backfill the general fund for the return of the weight fees, with the balance being used for transportation infrastructure maintenance.

SB 16 includes several vehicle fees that include base registration fee increase of \$35 and \$100 fee imposed on all zero emission vehicles. In addition, SB 16 proposes a Vehicle License Fee increase .35%. SB 16 would use the VLF revenue to backfill the general fund for the loss of the weight fees. However, the Senate Republican Caucus has introduced SCA 7, which would dedicate any increased VLF revenue to transportation projects, thus eliminating the ability to use the revenue to backfill the general fund.

- Cap & Trade Revenue: SB 16 and the Speaker's proposal do not include the use of cap & trade auction revenue as a source to fund transportation maintenance needs. However, the Senate Republican Caucus has proposed redirecting \$1.9 billion in auction funds to transportation maintenance needs. The \$1.9 billion figure is the estimated amount of auction proceeds attributed to including fuels in the auction.
- Repaying Loans: All of the proposals call for the repayment of numerous loans made from various transportation accounts to the general fund. Depending on the how you calculate this debt there is \$1-2 billion that the general fund owes transportation.

Since the proclamation establishing the Extraordinary Session on Infrastructure, several bills have been reintroduced that reflect earlier bills going through the regular legislative process; however, no hearing dates have been scheduled as of this writing. These bills include:

- ABX 1-1 (Alejo). This bill is similar to AB 227 which proposes to eliminate the use of truck weight fees to pay for transportation bond debt and instead use the funds for the STIP, SHOPP and local streets and roads.

- SBX 1-1 (Beall). This bill is similar to SB 16 which would increase funds for transportation through a combination of revenue enhancements including the excise tax, vehicle registration fee, truck weight fees for transportation and repayment of existing loans. The revenue would fund road and highway projects in counties that have not yet passed sales tax measures (5% annually), state highway maintenance and local roads maintenance (50% each after the 5% off the top).
- SCAX 1-1 (Huff). This bill is similar to SCA 1 which would restrict expenditures derived from motor vehicle fees and taxes to disallow payments for transportation bond debt and

Cap & Trade: The Legislature will delay action on the cap & trade expenditure plan. However, the continuously appropriates funds for High Speed Rail, Low Carbon Transit Operations, Transit & Intercity Rail Capital, and the Affordable Housing & Sustainable Communities Program will flow.

The Senate, Assembly, and the Administration are far from an agreement on how to spend the additional cap & trade auction revenue. While the 40% funds that includes \$350 million for CARB programs appears secure, the main focus of negotiations is on how to spend the \$500 million in reserve funds. In addition, southern California counties have expressed their frustration with the Affordable Housing & Sustainable Communities program process, and they are pushing a request to allocate cap & trade revenues directly to regional authorities to implement sustainable communities programs, with the allocations weighted toward the number of disadvantaged communities in the region.

Federal Update

The following updates provide information on activities and issues at the federal level and include information contributed from Alameda CTC's lobbyist team (CJ Lake/Len Simon).

MAP-21 Reauthorization Update: On June 24, the bipartisan leaders of the Senate Environment and Public Works Committee released the text of a six-year highway program reauthorization. EPW Chairman James Inhofe (R-OK), Ranking Member Barbara Boxer (D-CA), and Sens. David Vitter (R-LA) and Tom Carper (D-DE) unveiled the "Developing a Reliable and Innovative Vision for the Economy Act" (DRIVE Act).

The bill would provide \$278 billion in Highway Trust Fund contract authority over six fiscal years (FY 2016-2021). That averages out to about

\$43 billion per year or an increase of 3 percent annually over the next six years over current level funding.

In general, the existing core highway program structure from MAP-21 is maintained, including: the National Highway Performance Program (NHPP); the Highway Safety Improvement Program (HSIP); the Surface Transportation Program (STP); and the Congestion Mitigation and Air Quality Improvement Program (CMAQ).

The Senate EPW Committee approved the bill by a unanimous roll call vote. The passed bill included a manager's amendment package that included a provision to incentivize the planting of "pollinator friendly" plants along roadways. The bill is the first of the transportation bills to head to the Senate floor.

In March, the Administration submitted its GROW AMERICA Act that would have provided \$478 billion over six years (or a 30% increase from current FY15 levels).

Both of these proposals, along with other introduced modal specific bills, will inform the larger discussions that will take place when Congress comes back in session in early July. The current continuing resolution for the surface transportation bill expires at the end of July 2015.

Fiscal Impact: There is no fiscal impact.

Attachments

- A. Alameda CTC 2014 Legislation Program
- B. Extraordinary Session on Infrastructure Legislative Members from Senate and Assembly

Staff Contact

[Tess Lengyel](#), Deputy Director of Planning and Policy



2015 Alameda County Transportation Commission Legislative Program

The legislative program herein supports Alameda CTC’s transportation vision below adopted in the 2012 Countywide Transportation Plan:

1111 Broadway, Suite 800, Oakland, CA 94607
510.208.7400
www.AlamedaCTC.org

“Alameda County will be served by a premier transportation system that supports a vibrant and livable Alameda County through a connected and integrated multimodal transportation system promoting sustainability, access, transit operations, public health and economic opportunities. Our vision recognizes the need to maintain and operate our existing transportation infrastructure and services while developing new investments that are targeted, effective, financially sound and supported by appropriate land uses. Mobility in Alameda County will be guided by transparent decision-making and measureable performance indicators. Our transportation system will be: Multimodal; Accessible, Affordable and Equitable for people of all ages, incomes, abilities and geographies; Integrated with land use patterns and local decision-making; Connected across the county, within and across the network of streets, highways and transit, bicycle and pedestrian routes; Reliable and Efficient; Cost Effective; Well Maintained; Safe; Supportive of a Healthy and Clean Environment.”

(adopted December 2014)

Issue	Priority	Strategy Concepts
Transportation Funding	Increase transportation funding	<ul style="list-style-type: none">• Support efforts to lower the two-thirds-voter threshold for voter-approved transportation measures.• Support increasing the buying power of the gas tax and/or increasing transportation revenues through vehicle license fees, vehicle miles traveled, or other reliable means.• Support efforts that protect against transportation funding diversions.
	Protect and enhance voter-approved funding	<ul style="list-style-type: none">• Support legislation and increased funding from new and/or flexible funding sources to Alameda County for operating, maintaining, restoring, and improving transportation infrastructure and operations.• Support increases in federal, state, and regional funding to expedite delivery of Alameda CTC projects and programs.• Support efforts that give priority funding to voter-approved measures and oppose those that negatively affect the ability to implement voter-approved measures.• Support efforts that streamline financing and delivery of transportation projects and programs.• Support rewarding Self-Help Counties and states that provide significant transportation funding into transportation systems.• Seek, acquire, and implement grants to advance project and program delivery.
Project Delivery	Advance innovative project delivery	<ul style="list-style-type: none">• Support environmental streamlining and expedited project delivery.• Support contracting flexibility and innovative project delivery methods.• Support high-occupancy vehicle/toll lane expansion in Alameda County and the Bay Area, implementation of AB 1811, and efforts that promote effective implementation.• Support efforts to allow local agencies to advertise, award, and administer state highway system contracts largely funded by local agencies.
	Ensure cost-effective project delivery	<ul style="list-style-type: none">• Support efforts that reduce project and program implementation costs.• Support accelerating funding and policies to implement transportation projects that create jobs and economic growth.
Multimodal Transportation and Land Use	Reduce barriers to the implementation of transportation and land use investments	<ul style="list-style-type: none">• Support legislation that increases flexibility and reduces technical and funding barriers to investments linking transportation, housing, and jobs.• Support local flexibility and decision-making on land-use for transit oriented development (TOD) and priority development areas (PDAs).• Support innovative financing opportunities to fund TOD and PDA implementation.
	Expand multimodal systems and flexibility	<ul style="list-style-type: none">• Support policies that provide increased flexibility for transportation service delivery through innovative, flexible programs that address the needs of commuters, youth, seniors, people with disabilities and low-income people and do not create unfunded mandates.• Support investments in transportation for transit-dependent communities that provide enhanced access to goods, services, jobs, and education.• Support parity in pre-tax fringe benefits for public transit/vanpooling and parking.

Issue	Priority	Strategy Concepts
Climate Change	Support climate change legislation to reduce greenhouse gas (GHG) emissions	<ul style="list-style-type: none">• Support funding for innovative infrastructure, operations, and programs that relieve congestion, improve air quality, reduce emissions, and support economic development.• Support cap-and-trade funds to implement the Bay Area's Sustainable Communities Strategy.• Support rewarding Self-Help Counties with cap-and-trade funds for projects and programs that are partially locally funded and reduce GHG emissions.• Support emerging technologies such as alternative fuels and fueling technology to reduce GHG emissions.
Goods Movement	Expand goods movement funding and policy development	<ul style="list-style-type: none">• Support goods movement efforts that enhance the economy, local communities, and the environment, and reduce impacts.• Support a designated funding stream for goods movement.• Support goods movement policies that enhance Bay Area goods movement planning, funding, delivery, and advocacy.• Ensure that Bay Area transportation systems are included in and prioritized in state and federal planning and funding processes.
Partnerships	Expand partnerships at the local, regional, state and federal levels	<ul style="list-style-type: none">• Support efforts that encourage regional cooperation and coordination to develop, promote, and fund solutions to regional transportation problems and support governmental efficiencies and cost savings in transportation.• Support policy development to influence transportation planning, policy, and funding at the county, regional, state, and federal levels.• Support efforts to maintain and expand local-, women-, minority- and small-business participation in competing for contracts.



FOR IMMEDIATE RELEASE

June 24, 2015

CONTACT: John Casey (916) 319-2408

Speaker Atkins Announces Assemblymembers to Serve on Special Session Committees

SACRAMENTO—Assembly Speaker Toni G. Atkins (D-San Diego) announced today the Assemblymembers who will serve on the special session committees. Each special session consists of three committees.

Extraordinary Session on Infrastructure

Rules Committee – Same membership as regular session.

Finance Committee

Assemblymember Jimmy Gomez (D-Northeast Los Angeles), Chair
 Assemblymember Frank Bigelow (R-O'Neals), Vice Chair
 Assemblymember Richard Bloom (D-Santa Monica)
 Assemblymember Reginald Byron Jones-Sawyer (D-South Los Angeles)
 Assemblymember Kevin McCarty (D-Sacramento)
 Assemblymember Melissa Melendez (R-Lake Elsinore)
 Assemblymember Jay Obernolte (R-Big Bear Lake)
 Assemblymember Phil Ting (D-San Francisco)
 Assemblymember Shirley Weber (D-San Diego)

Transportation and Infrastructure Development

Assemblymember Jim Frazier (D-Oakley), Chair
 Assemblymember Katcho Achadjian (R-San Luis Obispo), Vice Chair
 Assemblymember Luis Alejo (D-Salinas)
 Assemblymember Autumn Burke (D-Inglewood)
 Assemblymember David Chiu (D-San Francisco)
 Assemblymember Bill Dodd (D-Napa)
 Assemblymember Susan Talamantes Eggman (D-Stockton)
 Assemblymember Mike Gatto (D-Glendale)
 Assemblymember David Hadley (R-Torrance)
 Assemblymember Young Kim (R-Fullerton)
 Assemblymember Eric Linder (R-Corona)
 Assemblymember Adrin Nazarian (D-Sherman Oaks)
 Assemblymember Patrick O'Donnell (D-Long Beach)

Extraordinary Session on Health Care

Rules Committee – Same membership as regular session.

Finance Committee

Assemblymember Shirley Weber (D-San Diego), Chair
Assemblymember Melissa Melendez (R-Lake Elsinore), Vice Chair
Assemblymember Frank Bigelow (R-O'Neals)
Assemblymember Richard Bloom (D-Santa Monica)
Assemblymember Jimmy Gomez (D-Northeast Los Angeles)
Assemblymember Reginald Byron Jones-Sawyer (D-South Los Angeles)
Assemblymember Kevin McCarty (D-Sacramento)
Assemblymember Jay Obernolte (R-Big Bear Lake)
Assemblymember Phil Ting (D-San Francisco)

Public Health and Developmental Services

Assemblymember Rob Bonta (D-Oakland), Chair
Assemblymember Brian Maienschein (R-San Diego), Vice Chair
Assemblymember Catherine Baker (R-Pleasanton)
Assemblymember Susan Bonilla (D-Concord)
Assemblymember Nora Campos (D-San Jose)
Assemblymember Eduardo Garcia (D-Riverside)
Assemblymember Marc Levine (D-San Rafael)
Assemblymember Chad Mayes (R-Yucca Valley)
Assemblymember Miguel Santiago (D-Los Angeles)
Assemblymember Marc Steinorth (R-Rancho Cucamonga)
Assemblymember Mark Stone (D-Monterey Bay)
Assemblymember Tony Thurmond (D-Richmond)
Assemblymember Jim Wood (D-Healdsburg)

The letters to the Chief Clerk of the Assembly are attached.

Website of Assembly Speaker Toni G. Atkins: www.asmdc.org/speaker

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FOR IMMEDIATE RELEASE: June 24, 2015

CONTACT: Claire.Conlon@sen.ca.gov or (916) 651-4024

Pro Tem De León Announces Senators to Serve on Special Session Committees

SACRAMENTO – Senate President pro Tempore Kevin de León has announced the Senators who will serve on the special session committees. Each special session consists of three committees.

Extraordinary Session on Infrastructure

Rules & Appropriations Committees – same membership as regular session.

Transportation and Infrastructure Development Committee:

Jim Beall (D-San Jose), Chair
Anthony Cannella (R-Ceres), Vice-Chair
Benjamin Allen (D-Santa Monica)
Patricia Bates (R-Laguna Niguel)
Tom Berryhill (R-Twain Harte)
Ted Gaines (R-Roseville)
Robert Hertzberg (D-Van Nuys)
Connie Leyva (D-Chino)
Carol Liu (D-La Cañada/Flintridge)
Mike McGuire (D-Healdsburg)
Tony Mendoza (D-Artesia)
Fran Pavley (D-Agoura Hills)
Bob Wieckowski (D-Fremont)

Extraordinary Session on Health Care

Rules & Appropriations Committees – same membership as regular session.

Public Health and Developmental Services Committee:

Ed Hernandez (D-West Covina), Chair
Mike Morrell (R-Rancho Cucamonga), Vice-Chair
Joel Anderson (R-Alpine)
Jim Beall (D-San Jose)

Isadore Hall, III (D-South Bay)
Mark Leno (D-San Francisco)
Mike McGuire (D-Healdsburg)
Holly Mitchell (D-Los Angeles)
John Moorlach (R-Irvine)
Bill Monning (D-Carmel)
Jim Nielsen (R-Gerber)
Richard Pan (D-Sacramento)
Lois Wolk (D-Davis)

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Claire Conlon

Press Secretary

Office of Senate President pro Tempore
Senator Kevin de León
24th Senate District – Los Angeles
(916) 651-4024

<http://sd24.senate.ca.gov>



Memorandum

10.2

1111 Broadway, Suite 800, Oakland, CA 94607

• 510.208.7400

• www.AlamedaCTC.org

DATE: July 16, 2015

SUBJECT: Overview of 2016 Alameda Countywide Transportation Plan (CTP) and Approval of Vision and Goals

RECOMMENDATION: Approve the 2016 CTP Vision and Goals.

Summary

Alameda CTC is responsible for preparation and implementation of the Alameda Countywide Transportation Plan (CTP), a long-range planning and policy document that guides future transportation investments for all transportation modes and users in Alameda County. It is updated every four years. The existing CTP was adopted in 2012 and is currently being updated for adoption in June 2016.

The 2016 CTP Update process began with a Request for Proposal (RFP) release in January 2015. In April 2015, Alameda CTC awarded a contract, to complete the update to a consultant team led by Nelson\Nygaard Consulting Associates. The CTP process officially launched with release of the project/program application in early June 2015. Alameda CTC will be soliciting applications for projects and programs to include in the CTP until July 31.

This CTP update occurs simultaneously with the update of the Regional Transportation Plan/Sustainable Communities Strategy, known as Plan Bay Area, led by the Metropolitan Transportation Commission (MTC) and the Association of Bay Area Governments (ABAG). The Plan Bay Area update, known as Plan Bay Area 2040, is already underway and scheduled to be adopted in the Spring of 2017. Since the CTP is the basis for and informs the Plan Bay Area regarding long term transportation improvements for Alameda County, Alameda CTC will actively participate in the Plan Bay Area 2040 development process and coordinate the CTP development with the Plan Bay Area 2040 development.

The first stage of the CTP update is to approve the CTP Vision and Goals. The vision and goals for the 2012 CTP were adopted after an extensive, several-month long process which included several rounds of input from the community, jurisdiction staff, policy makers, Alameda CTC committees, and the Commission. It is recommended that the 2012 CTP Vision and Goals be re-adopted for the 2016 CTP update without changes given the exhaustive nature of the last Vision/Goals development effort and the continuing relevance and applicability of the vision and goals.

Discussion

Alameda CTC develops and updates the Countywide Transportation Plan, the long range transportation planning and policy document for the County. This document establishes a vision for Alameda County's multimodal transportation system to support the transportation needs of all users, develops a list of projects, programs and strategies to support the vision, inventories available funding and identifies gaps where funding and needs do not match and where additional sources of funding need to be secured. The existing CTP was adopted in 2012, and it was developed in conjunction with the development of the 2012 and 2014 Transportation Expenditure Plans.

State legislation mandates that the CTPs form the basis for the Regional Transportation Plan/Sustainable Communities Strategy and that the CTPs should consider the most recent RTP/SCS. Alameda CTC coordinated the 2012 CTP update with and provided input into the Plan Bay Area (RTP/SCS) development by MTC and ABAG that occurred during the same time. Both MTC and ABAG began the update process to the Plan Bay Area (Plan Bay Area 2040) recently. Additionally, MTC has updated the Guidelines for the Countywide Transportation Plans in September 2014 to reflect the new legislative requirements that connects the CTPs with the Plan Bay Area since the last update to the guidelines in 2000. As with the previous processes, the Alameda CTC will coordinate the 2016 CTP development process with the Plan Bay Area 2040 development and will ensure that the updated CTP conforms to the recently adopted guidelines for the CTP.

The 2016 CTP Update:

The 2016 CTP update will build on the work that was done for the 2012 CTP update, focusing on addressing the changes in the regulatory and financial environment to develop a strategy to guide the long term multimodal transportation improvements for all users in Alameda County. The update will coordinate with all internal planning efforts and existing resources. In that regard, to the extent possible, it will use the work from all the three ongoing Alameda CTC's modal planning efforts, the Countywide Transit Plan, Countywide Multimodal Arterial Plan and Countywide Goods Movement Plan, including the adopted Countywide Bicycle Plan and Countywide Pedestrian Plan, and the Congestion Management Program.

The update will also include components to address climate change responding to the Sustainable Communities and Climate Protection Act (SB 375), land use and transportation integration with the Priority Development Areas (PDA) and Priority Conservation Areas (PCAs), and Complete Streets policies. A new requirement under the MTC Guidelines for the Countywide Transportation Plans is the implementation of an equity analysis as part of the plan. This has been incorporated into this 2016 CTP update. The proposed investment plan for the CTP will include performance based evaluation of projects and programs that will also build off of, to the extent possible, the performance evaluation work from the three modal plans.

CTP Vision and Goals

The Vision and Goals are the foundation of the CTP. One of the primary purposes of the CTP is to conduct performance-based evaluation to establish a priority list of projects and programs for funding and implementation in Alameda County. The performance measures used for this evaluation are grounded in the vision and goals to ensure that the evaluation process reflects the full range of Alameda CTC's aspirations for the county's transportation system.

For development of the 2012 CTP, Alameda CTC involved residents and groups representing seniors, people with disabilities, bicycle advocates, environmental, education and faith-based groups, businesses and local jurisdictions. Alameda CTC also worked with a Steering Committee, Community Advisory Working Group, and Technical Advisory Working Group. These committees included representatives from 15 local jurisdictions, six transit operators, Caltrans District 4, the Port of Oakland, MTC and other community and agency stakeholders and the public. All these groups were involved in developing a comprehensive vision statement and a set of goals that captures the broad array of needs that the county's transportation system needs to meet.

Given the extensive process conducted in 2012, and the fact that the modal plans have each based their goals development on this adopted 2012 CTP vision and goals, staff recommends that the Commission simply reaffirm and approve the 2012 CTP vision and goals for the 2016 CTP.

2012 CTP VISION AND GOALS

Alameda County will be served by a premier transportation system that supports a vibrant and livable Alameda County through a connected and integrated multimodal transportation system promoting sustainability, access, transit operations, public health and economic opportunities.

Our vision recognizes the need to maintain and operate our existing transportation infrastructure and services while developing new investments that are targeted, effective, financially sound and supported by appropriate land uses. Mobility in Alameda County will be guided by transparent decision making and measurable performance indicators and will be supported by these goals:

Our transportation system will be:

- **Multimodal**
- **Accessible, Affordable and Equitable** for people of all ages, incomes, abilities and geographies
- **Integrated** with land use patterns and local decision-making
- **Connected** across the county, within and across the network of streets, highways and transit, bicycle and pedestrian routes
- **Reliable and Efficient**

- **Cost Effective**
- **Well Maintained**
- **Safe**
- **Supportive of a Healthy and Clean Environment**

CTP development process and schedule

Similar to the 2012 CTP development, the 2016 CTP update will be a transparent process, with Alameda CTC closely working with the jurisdictions, transit agencies, and key stakeholders including advocacy groups. Public outreach for the Plan will be coordinated closely with other outreach efforts that are underway at the agency to ensure strategic use of stakeholders time; CTP input will be sought at strategic points throughout the Plan development process. The 2016 CTP is expected to be adopted in June 2016.

Plan Bay Area 2040 Development

MTC and ABAG began the Plan Bay Area 2040 development at the end of 2014 with the release of the Public Participation Plan. The RTP call for projects was released in May 2015 and will be open through the summer. Alameda CTC must ensure that the draft list of projects/programs for Alameda County is submitted no later than September 30, 2015 and the final Commission-resolution adopting a list by October 31, 2015.

The Plan Bay Area 2040 development will be a focused update using the overall framework of the Plan Bay Area adopted in 2013. It will include emphasis on state of good repair and maintaining performance framework, focus on new initiatives and projects, and greater integration of other regional initiatives, including goods movement.

Fiscal Impact: There is no fiscal impact.

Staff Contact

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