



## Programs and Projects Committee Meeting Agenda Monday, January 14, 2019, 12:00 p.m.

Committee Chair:	Nate Miley, Alameda County, District 4	Executive Director	Arthur L. Dao
Vice Chair:		Staff Liaison:	<a href="#">Gary Huisingsh</a>
Members:	Marilyn Ezzy Ashcraft, Carol Dutra-Vernaci, Scott Haggerty, Dan Kalb, Rochelle Nason, Rebecca Saltzman	Clerk of the Commission:	<a href="#">Vanessa Lee</a>
Ex-Officio:	Richard Valle, Pauline Cutter		

### 1. Call to Order/Pledge of Allegiance

### 2. Roll Call

### 3. Public Comment

### 4. Consent Calendar Page/Action

4.1. <a href="#">Approve November 19, 2018 PPC Meeting Minutes</a>	1	A
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### 5. Regular Matters

5.1. <a href="#">Measure B, Measure BB and Vehicle Registration Fee Programs Update</a>	5	I
5.2. <a href="#">Measure B and Measure BB Capital Projects Update</a>	17	I
5.3. <a href="#">Substitution of the San Francisco Bay Area Rapid Transit District (BART) Small Business Program in lieu of Alameda CTC Local Business Contract Equity Program</a>	29	A
5.4. <a href="#">Global Opportunities at the Port of Oakland Project (GoPort) (PN 1442000): Approval of Project Actions for the Freight Intelligent Transportation Systems Component of the GoPort Project</a>	61	A
5.5. <a href="#">Approval of Administrative Amendment to Grant Funding Agreement A13-0057 to extend agreement expiration date</a>	69	A

### 6. Committee Member Reports

### 7. Staff Reports

### 8. Adjournment

Next Meeting: Monday, February 11, 2019

#### Notes:

- All items on the agenda are subject to action and/or change by the Commission.
- To comment on an item not on the agenda (3-minute limit), submit a speaker card to the clerk.
- Call 510.208.7450 (Voice) or 1.800.855.7100 (TTY) five days in advance to request a sign-language interpreter.

- If information is needed in another language, contact 510.208.7400. Hard copies available only by request.
- Call 510.208.7400 48 hours in advance to request accommodation or assistance at this meeting.
- Meeting agendas and staff reports are available on the [website calendar](#).
- Alameda CTC is located near 12th St. Oakland City Center BART station and AC Transit bus lines. [Directions and parking information](#) are available online.



## Alameda CTC Schedule of Upcoming Meetings:

### Commission Chair

Supervisor Richard Valle, District 2

### Commission Vice Chair

Mayor Pauline Cutter,  
City of San Leandro

### AC Transit

President Elsa Ortiz

### Alameda County

Supervisor Scott Haggerty, District 1  
Supervisor Wilma Chan, District 3  
Supervisor Nate Miley, District 4  
Supervisor Keith Carson, District 5

### BART

Vice President Rebecca Saltzman

### City of Alameda

Mayor Marilyn Ezzy Ashcraft

### City of Albany

Mayor Rochelle Nason

### City of Berkeley

Mayor Jesse Arreguin

### City of Dublin

Mayor David Haubert

### City of Emeryville

Councilmember John Bauters

### City of Fremont

Mayor Lily Mei

### City of Hayward

Mayor Barbara Halliday

### City of Livermore

Mayor John Marchand

### City of Newark

Councilmember Luis Freitas

### City of Oakland

Councilmember At-Large  
Rebecca Kaplan  
Councilmember Dan Kalb

### City of Piedmont

Vice Mayor Teddy Gray King

### City of Pleasanton

Mayor Jerry Thorne

### City of Union City

Mayor Carol Dutra-Vernaci

### Executive Director

Arthur L. Dao

Description	Date	Time
Paratransit Advisory and Planning Committee (PAPCO)	January 28, 2019	1:30 p.m.
Alameda CTC Commission Meeting	January 31, 2019	2:00 p.m.
Alameda County Technical Advisory Committee (ACTAC)	February 7, 2019	1:30 p.m.
Finance and Administration Committee (FAC)	February 11, 2019	8:30 a.m.
I-680 Sunol Smart Carpool Lane Joint Powers Authority (I-680 JPA)		9:30 a.m.
I-580 Express Lane Policy Committee (I-580 PC)		10:00 a.m.
Planning, Policy and Legislation Committee (PPLC)		10:30 a.m.
Programs and Projects Committee (PPC)		12:00 p.m.
Bicycle and Pedestrian Community Advisory Committee (BPAC)	February 21, 2019	5:30 p.m.
Joint Paratransit Advisory and Planning Committee (PAPCO) and Paratransit Technical Advisory Committee (ParaTAC)	February 25, 2019	1:30 p.m.
Independent Watchdog Committee (IWC)	March 11, 2019	5:30 p.m.
Paratransit Technical Advisory Committee (ParaTAC)	March 12, 2019	9:30 a.m.

All meetings are held at Alameda CTC offices located at 1111 Broadway, Suite 800, Oakland, CA 94607. Meeting materials, directions and parking information are all available on the [Alameda CTC website](http://www.AlamedaCTC.org).

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Programs and Projects Committee  
Meeting Minutes  
Monday, November 19, 2018, 12:15 p.m.

4.1

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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 Spencer and Commissioner Valle.

**3. Public Comment**

There were no public comments.

**4. Consent Calendar**

**4.1. Approve of the October 8, 2018 PPC Meeting Minutes**

*Commissioner Saltzman moved to approve the consent calendar. Commissioner Dutra-Vernaci seconded the motion. The motion passed with the following vote:*

Yes: Cutter, Dutra-Vernaci, Haggerty, Kalb, Maass, Miley, Saltzman  
No: None  
Abstain: None  
Absent: Spencer, Valle

**5. Regular Matters**

**5.1. Express Lanes Program: Approval of Amendment No. 2 to Professional Services Agreement A16-0075 with HNTB for System Manager Services**

Liz Rutman presented this item. Approval of this amendment to professional Service Agreement A16-0075 with HNTB Corporation will provide additional funding and a 24-month time extension to complete System Manager Services related to the I-580 and I-680 Express Lanes.

*Commissioner Dutra-Vernaci moved to approve this item. Commissioner Kalb seconded the motion. The motion passed with the following vote:*

Yes: Cutter, Dutra-Vernaci, Haggerty, Kalb, Maass, Miley, Saltzman  
No: None  
Abstain: None  
Absent: Spencer, Valle

**5.2. East Bay Greenway: Approve Release of Request for Proposal (RFP) for Preliminary Engineering Services and Authorize negotiations with the top-ranked firm**

Minyoung Kim presented this item. The East Bay Greenway will be a 16-mile bicycle and pedestrian facility that will connect seven BART stations and other downtown areas between Lake Merritt and South Hayward. Staff recommends approving the release of a request for proposals (RFP) for Professional Services to provide the

preliminary engineering services, including data collection, mapping, and right-of-way assessment, and authorize the Executive Director to negotiate with the top ranked firms.

Commissioner Dutra-Vernaci asked what the conversations with the railroads and Oakland subdivision are. Art Dao said Union Pacific expressed verbal interest that they want to dispose of the railway for the Rail-to-Trail. The RFP will help determine what a reasonable cost would be to make an offer for the right-of-way acquisition.

Commissioner Dutra-Vernaci asked for clarification of the Class 1 and Class 4 bicycle bikeway. Mr. Dao said there are two plans for this project: plan A is Rail-to-Trail where we are able to buy the Union Pacific Railroad (UPRR) right-of-way and plan B is if we're not able to buy the right-of-way from UPRR, the tracks would remain and encroach on the right-of-way. Ms. Kim explained Class 1 is a separated pathway that can only be used by bicycles and pedestrians and Class 4 is a bike path that also uses the local street.

Commissioner Haggerty expressed concern about the condition of the pilot segment in the City of Oakland, particularly as a result of the homeless and who is responsible. Mr. Dao stated that the City is responsible. Commissioner Haggerty requested to be copied on the letter to Oakland to address the condition of the facility.

Commissioner Maass asked how the Greenway would interface with existing bikeways with cities. Ms. Kim said they have been working with each city to ensure connectivity with existing and future planned paths. Mr. Dao said both approaches were created by working with BART, County and city planners and transit operators. Commissioner Maass then asked who governs the railroads. Mr. Dao said there are federal agencies that govern safety features of the railway. Operations are done within the railroad rights as a private entity.

*Commissioner Haggerty moved to approve this item. Commissioner Maass seconded the motion. The motion passed with the following vote:*

Yes:	Cutter, Dutra-Vernaci, Haggerty, Kalb, Maass, Miley, Saltzman
No:	None
Abstain:	None
Absent:	Spencer, Valle

## **6. Committee Reports**

### **6.1. Committee Chair's Referral: Presentation from Cyber Tran International Inc.**

Neil Sinclair from Cyber Tran International, Inc. gave a presentation on their high-speed rail system.

Commissioner Haggerty stated that Cyber Tran's system does not apply to I-580, the technology has been picked and it's in environmental phase.

Commissioner Saltzman said she's surprised that this item is on the PPC agenda. Mr. Dao said this is under the Chair's request and that this item would not go before the full Commission.

Commissioner Saltzman asked when the Commission will receive a presentation for the Valley Link project. Mr. Dao said a project presentation on Valley Link will be placed on the agenda.

Commissioner Haggerty noted that he had visited Cyber Tran's facilities and they did not have a test track. This was about 10 years ago when considering options along the I-580 corridor. The Board of Supervisors approved a resolution to not use this technology along the I-580 corridor.

Commissioner Cutter expressed that she was glad to know of the different available types of technology for transportation and feels presentations like these should be brought to the Committee for reference and review.

Commissioner Miley asked Mr. Dao what the process is for the request for proposals for the Innovation Fund. Mr. Dao explained the call for projects will go out in the spring and Alameda CTC does not provide funding to a private entity. A private entity would need to partner with a public entity to be considered.

*This item is for information only.*

Commissioner Saltzman announced that BART launched their APP called "BART official APP" that has a great trip planner, now available for Apples and Androids.

## **7. Staff Reports**

Art Dao said that Union Pacific Railroad corporate office is undergoing a reorganization of their company and have plans to cut 30 percent of their budget by 2020 in three phases. The first 10 percent cut happened two weeks ago. The West Coast office has been re-organized. Alameda CTC is working with the Roseville office directly now and this will impact the Global Opportunities at the Port of Oakland Project and other projects as the representatives will be all new to the projects.

## **8. Adjournment/ Next Meeting**

The next meeting is:

Date/Time: Monday, January 14, 2019 at 12:00 p.m.

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

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# Memorandum

5.1

1111 Broadway, Suite 800, Oakland, CA 94607

510.208.7400

www.AlamedaCTC.org

**DATE:** January 7, 2019

**TO:** Programs and Projects Committee

**FROM:** Vivek Bhat, Director of Programming and Project Controls  
John Nguyen, Senior Transportation Planner

**SUBJECT:** Receive an update on Alameda CTC's Measure B, Measure BB, and Vehicle Registration Fee Programs

## Recommendation

This item is to provide the Commission with an update on the Measure B, Measure BB, and Vehicle Registration Fee (VRF) Programs. This item is for information only.

## Summary

Alameda CTC is responsible for administering local funds collected from the 2000 Measure B and 2014 Measure BB transportation sales tax programs, and the 2010 VRF program. Collectively, the programs generate approximately \$304 million annually to support capital transportation improvements, roadway maintenance, transit, and paratransit operations within Alameda County.

Alameda CTC distributes Measure B/BB/VRF funds through two categorical types:

- 1) Direct Local Distributions (DLDs) - Monthly formula allocations distributed to eligible local jurisdictions and transit agencies.
- 2) Reimbursements - Payments made on a reimbursement basis after work is performed; i.e. capital projects and discretionary funded improvements.

Alameda CTC returns over half of Measure B/BB/VRF total revenues collected back to the twenty local jurisdictions and transit agencies as DLD funds. Recipients use DLD funds on locally prioritized transportation improvements that improve local access, safety, transit, infrastructure preservation and system reliability. Typical DLD funded projects include bicycle/pedestrian safety and gap closures, street resurfacing and maintenance, transit operations, and transportation services for seniors and people with disabilities. For fiscal year (FY) 2018-19, DLD recipients are projected to receive approximately \$164 million in DLD funds - \$80 million in Measure B, \$77 million in Measure BB, and \$7 million in VRF.

Each year, as part of the Annual Program Compliance Reporting process, Alameda CTC requires DLD recipients to complete Audited Financial Statements and Compliance Reports that summarizes the past fiscal year's financials, expenditures, and program achievements. The reports for the FY 2017-18 reporting period will be due December 2018. Compliance findings and program achievements will be presented to the Commission later in June 2019.

Additionally, Alameda CTC distributes discretionary Measure B/BB/VRF funds through competitive processes, and are subsequently monitored through separate funding agreements with project sponsors. There are currently \$316 million encumbered in active project sponsor agreements.

## Background

The Measure B and Measure BB sales tax programs, and the VRF program provide a significant funding stream for transportation improvements throughout Alameda County. Over half of all revenues generated are returned back to the local cities, transit agencies, and the county as "Direct Local Distributions" (DLD) to be used for locally identified and prioritized transportation improvements. From the start of the 2000 Measure B, 2010 VRF, and 2014 Measure BB programs to the end of FY 2017-18, Alameda CTC projects distributing over \$1.2 billion in total DLD funds to local recipients, with an additional \$164 million in DLD distributions estimated for FY 2018-19 (Attachment A – Historical Direct Local Distributions by Fund Program).

The Measure B/BB transportation sales tax programs provide the largest source of DLD funds that are distributed by formula from Alameda CTC to the fourteen cities, the County, and five transit agencies serving Alameda County. Measure B/BB DLDs are flexible funding sources that allows Alameda CTC and local jurisdictions to address a variety of countywide transportation needs from traditional roadway maintenance, infrastructure repair, bicycle/pedestrian enhancements, transit operations, to the implementation of large capital improvement projects. Similarly, VRF program funds are distributed to the fourteen cities and the County by formula, but are used exclusively for locally prioritized street and road related improvements.

For FY 2018-19, Alameda CTC's projections for DLD funding distribution by program category is depicted in Table 1 below.

<b>Table 1: Direct Local Distribution Projections (FY 2017-18)</b>				
<b>DLD Programs</b> <i>(dollars in millions)</i>	<b>MB</b>	<b>MBB</b>	<b>VRF</b>	<b>Total</b>
<i>Local Streets and Roads (Local Transportation for MB/MBB)</i>	\$31.6	\$28.9	\$6.8	<b>\$67.3</b>
Mass Transit	\$30.0	\$31.1		<b>\$61.1</b>
Special Transportation for Senior and People with Disabilities ( <i>Paratransit</i> )	\$12.8	\$13.0		<b>\$25.8</b>
Bicycle and Pedestrian Safety	\$5.3	\$4.3		<b>\$9.6</b>
<b>TOTAL</b>	<b>\$79.7</b>	<b>\$77.3</b>	<b>\$6.8</b>	<b>\$163.8</b>

In terms of DLD expenditures, on average, DLD recipients expend annually less than the amount of DLD funds received for a fiscal year. As a result, the fund balances across the DLD programs have increased with recipients building reserve funds identified for future and/or larger capital improvements. Per the most recent recipients' financial statements, as of June 30, 2017, there is a collective fund balance of approximately \$94.1 million in DLD funds across all DLD recipients \$45.6 million in Measure B, \$39.8 million in Measure BB, and \$8.7 million in VRF funds (Attachment B). Alameda CTC is monitoring the fund balances starting with fiscal Year 2016-17 ending fund balances under the DLD Timely Use of Funds Policies (approved December 2015). This policy states that a Recipient shall not carry a fiscal year ending fund balance greater than 40 percent of DLD revenue received for that same fiscal year for four consecutive fiscal years. DLD recipients have until the end of fiscal year 2019-20 to draw down fund balances to the 40 percent allowable limit. Alameda CTC provides DLD recipients regular updates on existing DLD fund balances, timely use of funds requirements, and reporting requirements to keep recipients informed and compliant to the program requirements and policies.

To facilitate DLD program compliance monitoring, Alameda CTC requires DLD recipients to complete separate annual Audited Financial Statements and Program Compliance Reports that summarizes the DLD recipients' fiscal year's financials, expenditures, fund balances, and program achievements. A program compliance workshop was held in September 2018 with the DLD recipients to guide them through the reporting requirements. The Audited Financial Statements and Program Compliance Reports for FY 2017-18 are due at the end of December. Alameda CTC staff, in conjunction with the Independent Watchdog Committee (IWC) will review the reports, and will provide an update on the DLD fund balances, DLD accomplishments, and overall compliance determination as part of the Annual Program Compliance Summary Reports to the Commission in June 2019.

### Discretionary Programs

Alameda CTC also distributes discretionary Measure B, Measure BB, and VRF funds for bicycle/pedestrian, transit, paratransit, freight, technology, and community development related projects. To streamline the programming and allocation of these funds, Alameda CTC consolidated the programming into one single process and document known as the Comprehensive Investment Plan (CIP), which covers a five-year programming horizon. In July 2018, the Commission approved the 2018 CIP Update with the latest programming and allocation for fiscal years 2017-18 to 2021-22, with a two-year allocation plan for the first two fiscal years of the CIP. The 2018 CIP includes the coordination of local Measure B/BB/VRF funds with other Alameda CTC administered funding including the Federal One Bay Area Grant Cycle 2 (OBAG 2) and the Transportation Fund for Clean Air (TFCA) Programs for selected improvements ranging from capital infrastructure, planning studies, transit operations, and program implementation.

Alameda CTC currently has approximately \$316 million in Measure B/BB/VRF discretionary programs funds in active agreements with various project sponsors. All discretionary grants are paid on a reimbursement basis upon after successful completion of the scope of work contained in funding agreements with the project sponsors. As of June 30, 2018, project sponsors have requested \$106 million in reimbursements against the \$316 million in active agreements. A current list of active Measure B/BB/VRF discretionary funded projects and programs is included in Attachment C. The next programming of discretionary funds is expected to occur in spring 2019 for the 2020 CIP.

**Fiscal Impact:** There is no fiscal impact associated with the requested action.

**Attachments:**

- A. Historical Direct Local Distributions by Fund Program
- B. Measure B/BB/VRF Direct Local Distribution Fund Balances
- C. Measure B/BB/VRF Discretionary Program Summary

**Measure B/Measure BB/Vehicle Registration Fee  
Historical Direct Local Distributions<sup>1</sup>**

<b>Fiscal Year</b>	<b>Measure B</b>	<b>Measure BB</b>	<b>Vehicle Registration Fee</b>	<b>Total</b>
FY 01/02	\$12,006,000			\$12,006,000
FY 02/03	\$49,455,451			\$49,455,451
FY 03/04	\$53,086,000			\$53,086,000
FY 04/05	\$54,404,793			\$54,404,793
FY 05/06	\$59,357,051			\$59,357,051
FY 06/07	\$61,176,456			\$61,176,456
FY 07/08	\$62,543,374			\$62,543,374
FY 08/09	\$54,501,184			\$54,501,184
FY 09/10	\$50,808,873			\$50,808,873
FY 10/11	\$56,693,936		\$527,810	\$57,221,746
FY 11/12	\$60,556,173		\$6,978,012	\$67,534,185
FY 12/13	\$64,812,051		\$6,877,080	\$71,689,131
FY 13/14	\$66,662,145		\$7,221,595	\$73,883,740
FY 14/15	\$69,516,036	\$13,429,323	\$7,369,866	\$90,315,225
FY 15/16	\$72,008,976	\$69,875,475	\$7,421,869	\$149,306,320
FY 16/17	\$74,971,061	\$72,194,974	\$7,452,819	\$154,618,854
FY 17/18	\$81,030,004	\$78,118,871	\$7,429,111	\$166,577,986
FY 18/19 <sup>2</sup>	\$79,724,412	\$77,358,758	\$6,840,000	\$163,923,171
<b>Total</b>	<b>\$1,083,313,976</b>	<b>\$310,977,402</b>	<b>\$58,118,161</b>	<b>\$1,452,409,539</b>

Notes:

1. Distributions are from the fiscal year start of each respective funding program, July 1 to June 30.
2. Alameda CTC Direct Local Distribution Projections for Fiscal Year 2018-2019.

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**Measure B/Measure BB/Vehicle Registration Fee  
Direct Local Distribution Fund Balances**

*(As of the start of Fiscal Year 2017-18)*

<b>Jurisdiction:</b>	<b>Measure B</b>	<b>Measure BB</b>	<b>Vehicle Registration Fee</b>	<b>Total</b>
AC Transit	\$4,406,923	\$4,859,416		<b>\$9,266,339</b>
BART	\$0	\$0		<b>\$0</b>
LAVTA	\$0	\$0		<b>\$0</b>
WETA	\$942,696	\$104,279		<b>\$1,046,975</b>
ACE	\$1,649,615	\$5,358,820		<b>\$7,008,435</b>
Alameda County	\$1,159,643	\$2,829	\$630,825	<b>\$1,793,297</b>
City of Alameda	\$3,774,892	\$1,709,082	\$457,525	<b>\$5,941,499</b>
City of Albany	\$724,275	\$792,306	\$48,754	<b>\$1,565,335</b>
City of Berkeley	\$2,496,351	\$3,922,745	\$1,037,275	<b>\$7,456,372</b>
City of Dublin	\$842,263	\$755,108	\$207,516	<b>\$1,804,887</b>
City of Emeryville	\$1,024,966	\$351,899	\$179,404	<b>\$1,556,269</b>
City of Fremont	\$3,154,838	\$1,290,623	\$524,480	<b>\$4,969,941</b>
City of Hayward	\$4,773,849	\$4,101,603	\$1,020,835	<b>\$9,896,287</b>
City of Livermore	\$2,706,144	\$1,780,069	\$1,154,634	<b>\$5,640,847</b>
City of Newark	\$832,684	\$718,569	\$203,027	<b>\$1,754,280</b>
City of Oakland	\$12,493,323	\$9,510,040	\$1,262,281	<b>\$23,265,644</b>
City of Piedmont	\$73,181	\$238,316	\$4,931	<b>\$316,429</b>
City of Pleasanton	\$1,424,633	\$1,760,556	\$760,937	<b>\$3,946,126</b>
City of San Leandro	\$2,313,732	\$1,410,222	\$571,850	<b>\$4,295,804</b>
City of Union City	\$821,847	\$1,112,775	\$633,988	<b>\$2,568,610</b>
<b>Total</b>	<b>\$45,615,857</b>	<b>\$39,779,258</b>	<b>\$8,698,262</b>	<b>\$94,093,377</b>

Notes:

1. Measure B/BB/VRF DLD balances are from recipients' FY 2016-17 Audited Financial Statements.
2. The FY 2016-17 Ending Fund Balance is the starting fund balance for FY 2017-18.

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Alameda County Transportation Commission  
Measure B Discretionary Program  
Active Project Sponsor Agreements

Index	Agreement Number	Sponsor	Project Name	Measure B Funds Awarded	Commission Approval Date	Agreement Expiration Date	Status
BICYCLE AND PEDESTRIAN PROGRAM							
1	A13-0062	City of Alameda	Cross Alameda Trail (Ralph Appezatto Memorial Parkway, Webster to Poggi)	\$ 793,000	6/27/2013	10/31/2019	In Progress
2	A13-0063	City of Albany	Buchanan/Marin Bikeway	\$ 536,000	6/27/2013	10/31/2018	In Progress
3	A17-0083	City of Albany	Buchanan Bikeway Phase III	\$ 600,000	4/27/2017	12/31/2019	In Progress
4	A17-0087	City of Berkeley	Milvia Bikeway Project	\$ 350,000	4/27/2017	12/31/2018	In Progress
5	A17-0096	City of Emeryville	South Bayfront Bridge	\$ 1,895,000	4/27/2017	12/31/2019	In Progress
6	A17-0114	City of Oakland	E. 12th Street Bikeway	\$ 1,500,000	4/27/2017	12/31/2020	In Progress
7	A17-0126	City of Union City	Bicycle and Pedestrian Master Plan Update	\$ 150,000	4/27/2017	12/31/2019	In Progress
8	D17-0001	Alameda CTC	Countywide Bicycle and Pedestrian Planning and Promotion	\$ 357,000	4/27/2017	TBD	In Progress
9	D17-0050	Alameda CTC	Alameda County Safe Routes to School Program (match)	\$ 1,090,000	4/27/2017	12/31/2022	In Progress
Bike/Pedestrian Projects				\$ 7,271,000			
EXPRESS BUS PROGRAM							
1	A14-0026	AC Transit	AC Transit Expansion of Transit Center at San Leandro BART	\$ 321,000	6/27/2013	12/31/2019	In Progress
2	A17-0067	LAVTA	Pilot Transit Program for Last Mile Connections (Go Dublin! Demo Project)	\$ 100,000	7/28/2016	10/31/2018	In Progress
3	A17-0081	AC Transit	Rapid Bus Corridor Upgrades (San Pablo and Telegraph Corridors)	\$ 983,000	4/27/2017	12/31/2020	In Progress
4	A17-0107	LAVTA	Pleasanton BRT Corridor Enhancement Project (Route 10R)	\$ 1,414,000	4/27/2017	12/31/2019	In Progress
Express Bus Projects				\$ 2,818,000			
PARATRANSIT PROGRAM							
1	A17-0089	Center for Independent Living, Inc	Community Connections: Mobility Management Partnership (FY 17/18 & FY 18/19)	\$ 500,000	4/27/2017	12/31/2019	In Progress
2	A17-0094	Eden I&R	Mobility Management Through 211 Alameda County (FY 17/18 and FY 18/19)	\$ 296,000	4/27/2017	12/31/2019	In Progress
3	A17-0100	City of Fremont	Tri-City Mobility Management and Travel Training Program (FY 17/18 and FY 18/19)	\$ 298,000	4/27/2017	12/31/2019	In Progress
4	D17-0002	Alameda CTC	Transportation Services for Hospital Discharge and Wheelchair/Scooter Breakdown	\$ 400,000	4/27/2017	TBD	In Progress
Paratransit Projects				\$ 1,494,000			
TRANSIT CENTER DEVELOPMENT PROGRAM							
1	I13-0011	Alameda CTC	Sustainable Communities Technical Assistance Program	\$ 1,200,000	4/27/2017	6/30/2019	In Progress
2	A17-0082	Alameda County	Alameda County Parking Demand and Management Strategy Study	\$ 88,000	4/27/2017	12/31/2020	In Progress
3	A17-0099	City of Emeryville	North Hollis Parking and Transportation Demand Management (TDM) Program	\$ 930,000	4/27/2017	12/31/2019	In Progress
TCD Projects				\$ 1,018,000			
ALL ACTIVE PROJECTS SUMMATION							
Measure B Active Projects				\$ 12,601,000			

**Alameda County Transportation Commission**  
**Vehicle Registration Discretionary Program**  
**Active Project Sponsor Agreements**

Index	Agreement Number	Sponsor	Project Name	VRF Funds Awarded	Commission Approval Date	Agreement Expiration Date	Status
BICYCLE AND PEDESTRIAN PROGRAM							
1	A13-0061	East Bay Regional Parks District	Bay Trail - Gillman to Buchanan	\$ 1,000,000	6/27/2013	10/31/2019	In Progress
2	A17-0086	City of Berkeley	9th Street Bicycle Boulevard Pathway Extension Phase II	\$ 750,000	4/27/2017	12/31/2019	In Progress
3	A17-0116	City of Oakland	Laurel Access to Mills, Maxwell Park and Seminary (LAMMPS) Streetscape	\$ 2,500,000	4/27/2017	12/31/2019	In Progress
Bike/Pedestrian Projects				\$ 4,250,000			
TRANSIT PROGRAM							
1	A13-0057	BART	Berkeley BART Plaza & Transit Area Improvements	\$ 3,718,000	6/27/2013	10/31/2018	In Progress
2	A13-0058	City of Union City	UC BART Station Improvements & RR Ped Xing Component	\$ 5,730,000	6/27/2013	10/31/2020	In Progress
3	A17-0080	AC Transit	Berkeley Southside Pilot Transit Lanes (including Telegraph, Bancroft)	\$ 300,000	4/27/2017	12/31/2018	In Progress
4	A17-0081	AC Transit	Rapid Bus Corridor Upgrades (San Pablo and Telegraph Corridors)	\$ 4,018,000	4/27/2017	12/31/2020	In Progress
5	TBD	City of Oakland	Coliseum Transit Hub	\$ 4,846,000	4/27/2017	TBD	In Progress
6	A17-0119	City of Pleasanton	Bernal Ave Park and Ride Lot	\$ 912,000	4/27/2017	12/31/2018	In Progress
7	D17-0042	Alameda CTC	Modal Plans Implementation: Alameda Countywide Transit Plan	\$ 300,000	4/27/2017	6/30/2022	In Progress
8	D17-0048	Alameda CTC	Comprehensive Multimodal Monitoring	\$ 1,250,000	7/28/2016	6/30/2021	In Progress
9	D17-0049	Alameda CTC	Corridor Studies Implementation	\$ 2,000,000	4/27/2017	TBD	In Progress
Transit Projects				\$ 23,074,000			
ALL ACTIVE PROJECTS SUMMATION							
VRF Active Projects				\$ 27,324,000			

**Alameda County Transportation Commission**  
**Measure BB Discretionary Program**  
**Active Project Sponsor Agreements**

Index	Agreement Number	Sponsor	Project Name	Measure BB Funds Awarded	Commission Approval Date	Agreement Expiration Date	Status
TEP 08: AFFORDABLE STUDENT TRANSIT PASS PROGRAM							
1	Various	Alameda CTC	Affordable Student Transit Pass Programs	\$ 15,000,000	5/25/2016	12/31/2019	In Progress
Student Transit Pass Projects				\$ 15,000,000			
TEP 12: COORDINATION AND SERVICE GRANTS (PARATRANSIT)							
1	A17-0088	Bay Area Outreach Recreational Program	Accessible Group Trip Transportation for Youth and Adults with Disabilities (FY 17/18 and FY 18/19)	\$ 318,000	4/27/2017	12/31/2019	In Progress
2	A17-0092	Drivers for Survivors	Drivers for Survivors Volunteer Driver Program (FY 17/18 and FY 18/19)	\$ 220,000	4/27/2017	12/31/2019	In Progress
3	A17-0095	City of Emeryville	8-To-Go: A City Based Door-to-Door Paratransit Service (FY 17/18 and FY 18/19)	\$ 70,000	4/27/2017	12/31/2019	In Progress
4	A17-0108	LAVTA	Para-Taxi Program (FY 17/18 and FY 18/19)	\$ 40,000	4/27/2017	12/31/2019	In Progress
5	A17-0110	LIFE Elder Care	VIP Rides Program (FY 17/18 and FY 18/19)	\$ 275,000	4/27/2017	12/31/2019	In Progress
6	A17-0124	Senior Support Program of the Tri-Valley	Volunteer Assisted Senior Transportation Program (FY 17/18 and FY 18/19)	\$ 212,000	4/27/2017	12/31/2019	In Progress
7	D17-0005	Alameda CTC	Affordable Transit for Seniors and People with Disabilities - Needs Assessment	\$ 500,000	4/27/2017	6/30/2022	In Progress
Paratransit Projects				\$ 1,635,000			
TEP 21: DUMBARTON CORRIDOR AREA TRANSPORTATION IMPROVEMENTS							
1	A16-0087	City of Fremont	Warm Springs BART Station- West Side Access	\$ 5,000,000	12/7/2017	12/31/2020	In Progress
Dumbarton Corridor Area Projects				\$ 5,000,000			
TEP 26 : CONGESTION RELIEF, LOCAL BRIDGE, SEISMIC SAFETY							
1	A16-0079	City of San Leandro	San Leandro Streets Rehabilitation Project	\$ 3,000,000	3/26/2015	10/31/2019	In Progress
2	A17-0127	City of San Leandro	San Leandro Local Street Rehabilitation	\$ 13,000,000	4/27/2017	12/31/2020	In Progress
3	A17-0043	City of Oakland	Oakland Army Base Roadway Infrastructure Improvements	\$ 41,000,000	7/28/2016	6/30/2019	In Progress
4	A17-0043	City of Oakland	Oakland Army Base Roadway Infrastructure Improvements - Truck Parking	\$ 5,000,000	4/27/2017	12/31/2020	In Progress
5	A16-0081	City of Dublin	Dougherty Rd Widening (from 4 to 6 Lns) (Dublin - CCC line)	\$ 11,200,000	3/24/2016	12/31/2018	In Progress
6	TBD	City of Dublin	Dublin Widening, WB from 2 to 3 Lns (Sierra Ct-Dougherty Rd)	\$ 3,000,000	3/24/2016	TBD	In Progress
7	TBD	City of Oakland	14th Ave Streetscape (3 phases) from E. 8th to Highland Hospital	\$ 6,600,000	4/27/2017	TBD	In Progress
8	D17-0026	Alameda CTC	I-580 Freeway Corridor Management System (FCMS)	\$ 5,000,000	3/24/2016	6/30/2020	In Progress
9	TBD	City of Hayward	Mission Blvd. Phase 2 & 3 (Complete Streets)	\$ 21,500,000	4/27/2017	TBD	In Progress
10	TBD	ACPWA	Hesperian Blvd Corridor Improvement (A St - I880)	\$ 7,000,000	3/24/2016	TBD	In Progress
11	D17-0027	Alameda CTC	San Pablo Avenue (SR 123) Mult-Modal Corridor Project	\$ 4,000,000	4/27/2017	6/30/2017	In Progress
12	D17-0049	Alameda CTC	Corridor Studies Implementation	\$ 6,000,000	4/27/2017	TBD	In Progress
13	D17-0037	Alameda CTC	Modal Plans Implementation E. 14th and Mission Blvd Corridors	\$ 1,500,000	7/28/2016	6/30/2019	In Progress
14	A18-0058	City of Alameda	Clement Avenue East Extension and Tilden Way	\$ 2,019,000	4/27/2017	12/31/2019	In Progress
15	A18-0018	City of Dublin	Dublin Blvd - North Canyons Parkway Extension	\$ 7,748,000	4/27/2017	3/31/2019	In Progress
16	A17-0101	City of Fremont	Safe and Smart Corridors Along Fremont Boulevard	\$ 1,771,000	4/27/2017	12/31/2019	In Progress
17	TBD	City of Hayward	SR-92 Clawiter Whitesell Interchange	\$ 440,000	4/27/2017	TBD	In Progress
18	D17-0053	Alameda CTC	I-880 Davis Street Interchange	\$ 539,940	9/28/2017	6/30/2022	In Progress
Congestion Relief Projects				\$ 140,317,940			
TEP 27: Countywide Freight Corridors							
1	D17-0035	Alameda CTC	7th Street Grade Separation and Port Arterial Improvements Project	\$ 53,020,000	2/1/2018	6/30/2022	In Progress
2	D17-0025	Alameda CTC	Alameda County Rail Strategy Study	\$ 250,000	7/28/2016	6/30/2019	In Progress
3	D17-0051	Alameda CTC	Goods Movement Reduction Program	\$ 3,000,000	4/28/2017	TBD	In Progress
4	A18-0045	City of Berkeley	Railroad Crossing Safety Improvement Project	\$ 500,000	4/28/2017	12/31/2020	In Progress
Countywide Freight Corridors				\$ 56,770,000			
TEP 41: FREIGHT AND ECONOMIC DEVELOPMENT PROGRAM							
1	D17-0041	Alameda CTC	Modal Plans Implementation: Alameda Countywide Goods Movement Plan	\$ 300,000	7/28/2016	6/30/2019	In Progress
2	A18-0045	City of Berkeley	Railroad Crossing Safety Improvement Project	\$ 500,000	4/28/2017	12/31/2020	In Progress
Freight and Economic Projects				\$ 300,000			

**Alameda County Transportation Commission**  
**Measure BB Discretionary Program**  
**Active Project Sponsor Agreements**

TEP 42: GAP CLOSURE ON THREE MAJOR TRAILS								
1	D17-0021	Alameda CTC	Eastbay Greenway - Lake Merritt to South Hayward	\$	3,500,000	3/26/2015	9/30/2018	In Progress
2	A17-0091	City of Dublin	Iron Horse Trail Corssing at Dublin Boulevard	\$	1,770,000	4/28/2017	12/31/2020	In Progress
3	A17-0093	East Bay Regional Parks District	San Francisco Bay Trail - Albany Beach to Buchanan	\$	642,000	4/28/2017	12/31/2019	In Progress
4	A18-0059	City of Fremont	Eastbay Greenway Trail Reach 6 (Innovation District to Bay Trail)	\$	5,454,000	4/28/2017	12/31/2020	In Progress
5	A17-0109	City of Livermore	Iron Horse Trail Gap Closure (Isabel Avenue to Murrietta)	\$	1,617,000	4/28/2017	12/31/2020	In Progress
				Three Major Trails	\$	12,983,000		
TEP 44: BICYCLE AND PEDESTRIAN PROGRAM								
1	A17-0125	City of Union City	Union City Boulevard Bike Lanes Phase 2	\$	6,564,000	4/27/2017	12/31/2020	In Progress
				Bicycle and Pedestrian Projects	\$	6,564,000		
TEP 45: COMMUNITY DEVELOPMENT AND INVESTMENT PROGRAM								
1	A17-0098	City of Emeryville	Emery Go Round General Benefit Operations	\$	1,000,000	4/27/2017	12/31/2019	In Progress
2	A16-0087	City of Fremont	Warm Springs BART Station- West Side Access	\$	25,000,000	4/27/2017	13/31/2020	In Progress
3	A17-0104	City of Fremont	Walnut Avenue Protected Bikeway in City Center/Downtown PDA	\$	5,000,000	4/27/2017	12/31/2021	In Progress
4	A17-0113	City of Oakland	27th Street Complete Streets	\$	1,950,000	4/27/2017	12/31/2019	In Progress
5	A17-0115	City of Oakland	East Oakland Community Streets Plan	\$	100,000	4/27/2017	12/31/2019	In Progress
6	A17-0118	City of Oakland	OakMob Transportation Demand Management (TDM)	\$	215,000	4/27/2017	12/31/2020	In Progress
7	A17-0061	City of Oakland	Broadway Shuttle Operations	\$	660,000	4/27/2017	12/31/2019	In Progress
8	A17-0123	City of San Leandro	LINKS Shuttle Operations	\$	420,000	4/27/2017	12/31/2019	In Progress
9	D17-0047	Alameda CTC	Transportation Demand Management (TDM) Program	\$	434,000	4/27/2017	6/30/2019	In Progress
				CDIP Projects	\$	34,779,000		
TEP 46: TECHNOLOGY, INNOVATION, AND DEVELOPMENT PROGRAM								
1	D17-0048	Alameda CTC	Overall Planning/Monitoring Services	\$	100,000	7/28/2016	12/31/2019	In Progress
2	D17-0052	Alameda CTC	Matching Program For Last Mile Connections Technology Programs	\$	200,000	7/28/2016	12/31/2019	In Progress
3	A17-0117	City of Oakland	MacArthur Smart City Corridor Project, Phase I	\$	1,500,000	4/27/2017	12/31/2019	In Progress
4	D17-0052	Alameda CTC	NexGen Technology Pilot Initiative	\$	1,000,000	4/27/2017	6/30/2022	In Progress
				Technology Projects	\$	2,800,000		
ALL ACTIVE PROJECTS SUMMATION								
				Measure BB Active Projects	\$	276,148,940		



# Memorandum

5.2

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**DATE:** January 7, 2019

**TO:** Programs and Projects Committee

**FROM:** Trinity Nguyen, Director of Project Delivery

**SUBJECT:** Alameda CTC's Measure B and Measure BB Capital Projects Update

## Recommendation

This item is to provide the Commission with an update on the Measure B and Measure BB Capital Projects. This item is for information only.

## Summary

This is an informational item on the status of Measure B and Measure BB Capital Projects. Alameda CTC is responsible for administering local funds collected from the 1986 Measure B, 2000 Measure B and 2014 Measure BB transportation sales tax programs.

In 1986, Alameda County voters approved the Measure B half-cent transportation sales tax, which was later reauthorized in November 2000. Approximately 40 percent of the net sales tax revenues are earmarked for specific capital projects as set forth in the 2000 Measure B Transportation Expenditure Plan.

On November 4, 2014, Alameda County voters approved the 2014 Transportation Expenditure Plan (2014 TEP), Measure BB, authorizing the extension of the existing transportation sales tax and augmenting it by one-half percent to fund projects and programs. Approximately 35 percent of the Measure BB net sales tax revenues is identified for capital projects.

An overview of the Measure B and Measure BB active capital projects is provided in Attachment A. As of January 1, 2019, the Measure B and BB capital portfolio consists of 30 active projects spanning various stages of delivery; including Scoping, Preliminary Engineering (PE)/ Environmental, Design, and Construction with an estimated value totaling nearly \$3.4 billion. The combined Measure B/BB funds currently programmed to these capital projects is \$888 million. This update focuses specifically on the delivery and status of capital projects directly managed by

Alameda CTC including the major milestones achieved in 2018 and the anticipated milestones for 2019.

## **Background**

Measure B has provided a consistent source of vital transportation funding to numerous capital projects in Alameda County. In 2006, this local funding source was critical to securing over \$447 million in state Prop 1B Bond funding and created thousands of much needed construction jobs in Alameda County.

Alameda CTC continues its mission to expand access and improve mobility, and with the successful passage of Measure BB in November 2014, this new critical local funding stream will extend and augment the previous programs to provide an additional \$8 billion in transportation program and project investments over the next 30 years. Approximately 35 percent (\$2.8 billion) is identified for capital projects.

The Commission's actions since the passage of Measure BB have created a pipeline of projects that will not only achieve the benefits identified in the 2014 TEP, but will also create a steady stream of projects at various stages of project readiness to compete for future funding opportunities as they are made available. Most notably in 2017, as a result of Senate Bill 1 (SB1), the Road Repair and Accountability Act of 2017, which was signed into law on April 28, 2017, \$54 billion in state funding is anticipated to be available over the next decade to fix roads, freeways and bridges in communities across California. Additionally, in June 2018, Regional Measure 3 (RM3) was approved and is estimated to generate \$4.45 billion for transportation capital investments over a 25-year period and \$60 million annually to support transit operations. Alameda CTC is working with the Metropolitan Transportation Commission and Caltrans to advocate for funding for projects in Alameda County.

As of January 1, 2019, the Measure B and BB capital portfolio consists of 30 active projects spanning various stages of delivery; including Scoping, Preliminary Engineering (PE)/ Environmental, Design, and Construction with an estimated value totaling nearly \$3.4 billion. For projects implemented by jurisdictions within Alameda County, Alameda CTC provides project management oversight (PMO). For Alameda CTC sponsored projects, which require multi-jurisdictional coordination and/or have significant regional impacts, Alameda CTC provides Project Management (PM) from initiation through project completion.

**1986 Measure B:** The 1986 Measure B program of capital projects included a mix of freeway, rail, and local roadway improvements throughout Alameda County. Collection of the sales tax for the 1986 Measure B ended on March 31, 2002 (the day before collection for the 2000 Measure B began). To date, there have been two amendments to the 1986 Measure B Expenditure Plan. Amendment No. 1 to the 1986 Expenditure Plan, approved in December of 2005, deleted the Hayward Bypass Project and added four replacement projects. Amendment No. 2, approved in June 2006, deleted the Route 84 Historic Parkway Project, identified the three Mission

Boulevard Spot Improvements projects and added the I-880 to Mission Boulevard East-West Connector Project to replace the Historic Parkway Project.

**Significant 1986 Measure B achievements include:**

- Widened the Nimitz Freeway to eight and ten lanes, added auxiliary lanes and upgraded interchanges;
- Built Airport Roadway from Harbor Bay/Maitland to Airport Drive adding alternative access to Oakland International Airport;
- Constructed local road improvements in San Leandro and Hayward;
- Added freeway to freeway connections at the Route 13/24 Interchange;
- Modified and upgraded the Interstate (I)-580/680 Interchange;
- Realigned Route 84 and diverted cut through traffic out of downtown Livermore to the current Route 84 corridor; and
- Extended BART from Bay Fair to Dublin/Pleasanton.

**2000 Measure B:** The 2000 Measure B (ACTIA) program of capital projects includes 27 original projects of various magnitude and complexity that incorporate all travel modes throughout Alameda County. The projects in the 2000 Measure B program provide for mass transit expansion, improvements to highway infrastructure, local streets and roads, and bicycle and pedestrian safety improvements. The 2000 Measure B program has accomplished significant transportation improvements in Alameda County.

**Significant 2000 Measure B achievements include:**

- Implemented the first Rapid Bus Service and Bus Rapid Transit in the East Bay;
- Widened I-238 to six lanes;
- Widened I-680 and implemented the first Bay Area Express Lane;
- Built the new Isabel Ave Interchange and added carpool lanes along I-580;
- Widened State Route (SR) 84 to expressway standards;
- Provided for local street and road improvements in Oakland, Newark, San Leandro and Hayward;
- Extended BART to Warm Springs to connect to San Jose;
- Constructed the Oakland Airport Connector between BART and Oakland International Airport;
- Converted carpool lanes to express lanes along I-580;

- Implemented major innovative traffic relief technology on 22 miles of I-80; and
- Measure B funding programmed for emerging projects was successfully utilized to secure \$447 million in Prop 1B Bond funds towards the delivery of \$1.14 billion in highway projects in Alameda County collectively termed the Prop 1-Bond Highway Program (see Attachment B). Eight projects have been opened to the public. The final project is anticipated to be completed by June 2019.

Significant Prop 1B achievements include:

- 100 percent of Prop 1B bond funding committed to Alameda CTC projects has been allocated;
- Constructed the new Isabel Ave – SR 84/I-580 Interchange;
- Added carpool lanes along I-580 in both the eastbound and westbound directions and currently converting to a new express lane facility;
- Widened SR 84 to four and six lanes between Jack London and Concannon Boulevards;
- Constructed carpool lanes in the southbound direction along I-880 from Hegenberger Road to Marina Boulevard and reconstructed the Davis St. and Marina Blvd. interchange/overcrossings; and
- Implemented improvements at Marina Boulevard to facilitate increased demand generated by the new Kaiser Hospital development which opened in spring 2014.

**2014 Measure BB:** On November 4, 2014, Alameda County voters approved the reauthorization and augmentation of the local funding stream ensuring continued vital investments in transportation programs and capital improvements. The sales tax authorized by Measure BB is guided by the 2014 TEP and will remain in effect for a total of 30 years. It will generate an estimated \$8 billion to fund essential transportation investments throughout Alameda County. Approximately 35 percent (\$2.8 billion) is identified for capital projects.

**Significant 2014 Measure BB achievements include:**

- In June 2015, the Commission approved the first allocations of Measure BB funds which included scoping phase allocations for various 2014 TEP categories for a total of \$6.55 million. These funds allowed jurisdictions to refine project scope, cost and schedule for future applications and further project development.
- In March 2016, the Commission approved the Capital Projects Delivery Plan (CPDP), a portfolio of regionally significant, multi-jurisdictional projects to be implemented by Alameda CTC.



- In July 2016, the Commission approved a \$755 million two-year allocation plan, with \$173 million allocated specifically for 21 named capital projects and 5 discretionary capital programs.
- As of December 31, 2018, a total of \$415 million in capital allocations has allowed Alameda CTC to pursue and secure over \$400 million in external funding from various federal, state, and regional funds to support the delivery of Alameda CTC lead projects. Most notably, \$195 million was from SB1 for the 7th Street Grade Separation and Port Arterial Improvements. Work is underway to prepare for future cycles of SB1 funding and the requirements of the recently approved RM3.

### **Significant Alameda CTC Capital Project Milestones Achieved in 2018:**

In addition to its oversight responsibilities for externally sponsored projects funded by Measure B and Measure BB, Alameda CTC performs direct Project Management and implementation of projects approved by the Commission. Projects led by Alameda CTC generally require multi-jurisdictional coordination and/or have significant regional impact. Alameda CTC continues to focus on bringing projects to a state of readiness for competitive funding. The following highlights significant progress achieved in 2018 on Alameda CTC lead projects.

### **Scoping Phase:**

1. **SR-262 (Mission Blvd) Cross Connector (Project No. 1472.000):** Located in the City of Fremont, the project proposes to improve operations and safety along and in the vicinity of SR-262, a major east-west connector between I-880 and I-680. The scoping phase was initiated in May 2018 and it is anticipated to take 24 months to complete the project study report. The completion of the scoping document is required for soliciting federal and state funding and will provide crucial information for future project phases. With the recent passage of Regional Measure 3, up to \$15 million of additional funding is available for the delivery of the project.
2. **I-880 Interchange Improvements (Winton Ave./A Street) (Project No. 1471.000):** Located in the City of Hayward, at the Winton Avenue and A Street interchanges on I-880, the proposed project improvements include reconfiguring the I-880 interchange at Winton Avenue to enhance access to the Southland Mall and implement Complete Streets features, and reconstructing the I-880/A Street interchange to widen A Street and provide additional lane capacity for potential future freeway widening. Improvements will also involve modifying signals and reconfiguring intersections to improve truck turning maneuvers. The scoping phase was initiated in October 2018 and it is anticipated to take 12 months to complete the scoping document.

### **Environmental Phase:**

1. **I-680 Express Lanes from SR-84 to Alcosta Blvd. (Project Nos. 1490.000):** Located on I-680 in the Cities of Pleasanton, Dublin, and San Ramon and the community of Sunol, the project proposes to close the gap between existing and in-progress High Occupancy Vehicle (HOV)/express lane projects directly to the north and south. The project extends for approximately 9 miles on northbound and southbound I-680 through Sunol, Pleasanton, Dublin, and San Ramon. Three open house events were held to kick off the environmental phase of the project in October 2018. Environmental clearance for both state and federal requirements is anticipated to be achieved by May 2020.
2. **I-880 Interchange Improvements (Whipple Road/Industrial Parkway Southwest and Industrial Parkway) (Project No. 1453.000):** Located in the City of Hayward, at the Whipple Road/Industrial Parkway Southwest and Industrial Parkway interchanges on I-880, the proposed project will implement full interchange improvements at the I-880/Whipple Road interchange, including a northbound off-ramp, a southbound HOV bypass lane on the southbound loop off-ramp, bridge reconstruction over I-880, and surface street improvements and realignment. Caltrans approved the scoping document in August 2018, thus allowing the environmental process to begin. Environmental clearance for both state and federal requirements is anticipated to be achieved by November 2019.
3. **East Bay Greenway - Lake Merritt BART to South Hayward BART (Project No. 1457.001):** The project proposes to construct a bicycle and pedestrian facility that will generally follow the BART alignment for a distance of 16 miles and traverse the cities of Oakland, San Leandro, and Hayward as well as the unincorporated communities of Ashland and Cherryland. The project connects seven BART stations as well as downtown areas, schools, and other major destinations. Environmental clearance for state requirements was achieved in March 2018 followed by federal requirements in November 2018.

#### **Design Phase:**

4. **SR 84 Widening from South of Ruby Hill Drive to I-680 and SR 84 / I-680 Interchange Improvements (Project No. 1386.000):** Located in the City of Pleasanton and the community of Sunol, the project proposes to widen and conform SR-84 to expressway standards between south of Ruby Hill Drive and the I-680 interchange in southern Alameda County. The project will also improve SR-84/I-680 interchange ramps and extend the existing southbound I-680 HOV/express lane northward by approximately two (2) miles. The purpose of the proposed project is to alleviate traffic congestion, improve operations and safety, and improve bicycle access on SR-84 and at the SR-84/I-680 interchange. Design was initiated in June 2018, and with the passage of Regional Measure 3, the project is fully funded and would be in a position to advertise by April 2020.

5. **GoPort- 7th Street Grade Separation and Port Arterials Improvements (Project No. 1442.00X):** The GoPort Project consists of a program of projects to construct and reconstruct two railroad grade separations at 7th Street (7th Street Grade Separation East and 7th Street Grade Separation West) and to improve operations on major on-Port arterial roadways at the Port of Oakland (Port). The proposed project consists of three independent, inter-related, and synergistic project components, namely: the 7th Street Grade Separation East (7SGSE), 7th Street Grade Separation West (7SGSW), and Freight Intelligent Transportation System (FITS). This program of major capital projects will substantially improve the safety, efficiency and reliability of truck and rail access to the Oakland Port Complex. It will greatly reduce shipping costs and improve the competitiveness of the Port while also generating benefits that extend beyond the Port area, such as reduced regional congestion and emissions and substantial job creation. It will also provide critical bicycle and pedestrian connectivity to the Bay Trail system. Design for the 7SGSE was initiated in September. The FITS delivered the 100% design package in December 2018 and it is anticipated that the construction contracts will be advertised in May 2019.

#### **Construction Phase:**

6. **I-680 Sunol Express Lanes - (Phase 1 construction) (PN 1369.000):** Located in the Cities of Pleasanton and Fremont and the community of Sunol, the project will provide enhanced mobility for motorists in both the northbound and southbound directions as a combination of two projects. The I-680 Sunol Express Lane project environmentally cleared the widening of I-680 from SR 237 in Santa Clara County to SR 84 in Alameda County to ultimately construct a 14-mile long northbound HOV/Express Lane in the corridor. The project is being implemented with a phased approach focused on providing immediate operational benefits within current projected funding availability. The I-680 Sunol Express Lane - Phase 1 (Phase 1) project, will provide an initial 9-mile HOV/Express Lane segment on northbound I-680 between south of Auto Mall Parkway and SR 84. To minimize disruptions to the traveling public, conversion of the existing southbound I-680 Express lane from a controlled access tolling configuration to an open access configuration and Caltrans' rehabilitation project has been incorporated into the northbound Phase 1 project. Phase 1 construction project broke ground in March 2018. Completion is anticipated in late 2020.
7. **State Route 84 Expressway Widening – South Segment (Project No. 1210.002):** Located in the cities of Livermore and Pleasanton, the project involves widening a 2.4 mile section of SR 84 (Isabel Avenue) from Ruby Hill Drive to Concannon Boulevard from two lanes to four lanes. Construction began October 2015 and was opened to traffic November 2018. The construction

phase cost of \$59 million was funded primarily with state funding sources of approximately \$47 million, or 80%, of the \$59 million.

### **Anticipated Alameda CTC Capital Project Milestones in 2019:**

Alameda CTC's successes with securing external funding to deliver projects has a consistent formula: stakeholder/local consensus on project objectives/scope and project readiness. These critical elements will continue to be the focus in 2019 as SB1, RM3, and any new federal funds that become available. The following list highlights the major delivery milestones targets for 2019.

#### Complete Scoping and Begin Environmental:

- San Pablo (SR 123) Multi-modal Corridor
- East 14th Street/Mission and Fremont Boulevard Multi-modal Corridor
- I-880 Interchanges (Winton Ave and A Street)

#### Complete Environmental and Begin Design:

- I-80 Gilman Interchange Improvements
- East Bay Greenway - Lake Merritt BART to S. Hayward BART
- 7th Street Grade Separation West

#### Complete Design and Begin Construction:

- GoPort- 7th Street Grade Separation and Port Arterials Improvements - Freight Intelligent Transportation System (FITS)
- I-880 SB HOV (Replacement Planting)

#### Complete construction:

- I-880 North Safety and Operational Improvements at 23rd and 29th

Additional project details are available on the Alameda CTC website:

(<https://www.alamedactc.org/projects/>).

**Fiscal Impact:** There is no fiscal impact.

### **Attachments:**

- A. Alameda CTC Measure B and BB Capital Projects Portfolio
- B. Proposition 1B Bond Summary

Measure B and BB Active Capital Projects Portfolio																	
Index	AlaCTC Project No.	Project Name	Project Sponsor	Implementation Method <sup>1</sup>	Program <sup>2</sup>	Program No. <sup>2</sup>	Current Phase <sup>3</sup>	Construction Schedule <sup>4</sup>		Funding <sup>5</sup> (Millions)							
								Begin	End	Sales Tax Funds <sup>7</sup>		Leveraged Funds					Total Funding (All Sources)
										2000 MB (ACTIA)	2014 MBB <sup>8</sup>	Federal	State	Regional	Other/ Local	Unsecured Funds <sup>9</sup>	
1	1433.000	Bay Fair Connector/BART METRO	BART	PMO	2014 MBB	TEP 18	Scoping	TBD	TBD	0.0	5.6	0.0	0.0	0.0	0.0	0.0	5.6
2	1448.000	I-580/I-680 Interchange Improvements (Study)	Alameda CTC	PM	2014 MBB	TEP 33	Scoping	TBD	TBD	0.0	1.0	0.0	0.0	0.0	0.0	0.0	1.0
3	1471.000	I-880 Interchange Improvements (Winton Ave./A Street)	Alameda CTC	PM	2014 MBB	TEP 40.x	Scoping	TBD	TBD	0.0	5.3	0.0	0.0	0.0	0.0	0.0	5.3
4	1472.000	SR-262 (Mission Blvd) Cross Connector	Alameda CTC	PM	2014 MBB	TEP 40.x	Scoping	TBD	TBD	0.0	9.0	0.0	0.0	15.0	0.0	0.0	24.0
5	1475.000	San Pablo (SR 123) Multi-modal Corridor	Alameda CTC	PM	2014 MBB	TEP 26.x	Scoping	TBD	TBD	0.0	4.0	0.0	0.0	0.0	0.0	0.0	4.0
6	1476.000	East 14th Street/Mission and Fremont Boulevard Multi-modal Corridor	Alameda CTC	PM	2014 MBB	TEP 26.x	Scoping	TBD	TBD	0.0	1.5	0.0	0.0	0.0	0.0	0.0	1.5
7	1457.001	East Bay Greenway - Lake Merritt BART to South Hayward BART	Alameda CTC	PM	2014 MBB	TEP 42.x	PE/Environmental	Various	Various	0.3	3.5	2.7	0.0	0.0	0.0	0.0	6.5
8	1490.000	I-680 Express Lanes from SR-84 to Alcosta Blvd.	Alameda CTC	PM	2014 MBB	TEP 35.x	PE/Environmental	2023	2026	0.0	20.0	0.0	0.0	0.0	0.0	460.0	480.0
9	1453.000	I-880 Interchange Improvements (Whipple Road/Industrial Parkway Southwest and Industrial Parkway)	Alameda CTC	PM	2014 MBB	TEP 38/39	PE/Environmental	2023	2025	0.0	11.3	0.0	0.0	0.0	0.0	162.7	174.0
11	1432.000	Irvington BART Station	Fremont	PMO	2014 MBB	TEP 17	PE/Environmental	2022	2025	0.0	120.0	0.0	0.0	0.0	0.0	45.0	165.0
12	1445.000	I-80 Ashby Interchange Improvements	Alameda CTC	PM	2014 MBB	TEP 30	PE/Environmental	2022	2024	0.0	23.0	0.0	0.0	0.0	0.0	29.0	52.0
13	1444.000	I-80 Gilman Interchange Improvements	Alameda CTC	PM	2014 MBB	TEP 29	PE/Environmental	2020	2023	0.0	12.0	1.1	25.8	4.2	0.3	12.0	55.3
14	1196.000	Oakland/Alameda Access ( Formerly I-880/Broadway-Jackson)	Alameda CTC	PM	2000 MB	ACTIA 10/TEP 37	PE/Environmental	2022	2025	8.1	75.0	0.0	0.0	0.0	0.0	30.2	113.3
15	1442.002	GoPort: 7th Street Grade Separation (West)	Alameda CTC	PM	2014 MBB	TEP 27.x	PE/Environmental	2021	2023	0.0	27.4	0.0	0.0	0.0	0.0	205.1	232.5
16	1442.001	GoPort: 7th Street Grade Separation (East)	Alameda CTC	PM	2014 MBB	TEP 27.x	PS&E (Design)	Aug 2020	Dec 2022	0.0	19.0	0.0	183.0	0.0	0.0	50.0	252.0
17	1442.000	GoPort: Freight Intelligent Transportation System	Alameda CTC	PM	2014 MBB	TEP 27.x	PS&E (Design)	Aug 2019	Dec 2021	0.0	6.6	11.5	12.5	0.0	0.0	0.0	30.6
18	1386.000	SR-84 Widening from South of Ruby Hill Drive to I-680 and SR-84/I-680 Interchange Improvements	Alameda CTC	PM	2000 MB	ACTIA 08B /TEP 31	PS&E (Design)	Feb 2021	Oct 2023	1.0	122.0	0.0	11.1	85.0	14.9	0.0	234.1
19	1211.001	Dumbarton Corridor Improvements (Central Ave Overpass)	Newark	PMO	2000 MB	ACTIA 25	PS&E (Design)	Aug 2019	Nov 2020	16.1	0.0	0.0	0.0	0.0	0.8	18.5	35.4
20	1205.000	East 14th St/Hesperian Blvd/150th St. Intersection Improvement	San Leandro	PMO	2000 MB	ACTIA 19	PS&E (Design)	Aug 2020	Feb 2021	3.2	0.0	0.0	0.0	0.0	1.3	2.6	7.1
21	1181.000	Castro Valley Local Area Traffic Circulation Improvement (Strobridge Extension)	Alameda County	PMO	1986 MB	MB241	PS&E (Design)	TBD	TBD	5.0	0.0	0.0	0.0	0.0	0.0	0.0	5.0
22	1177.000	I-880 to Mission Blvd East-West Connector	Union City	PMO	1986 MB	MB226	PS&E (Design)	TBD	TBD	88.8	0.0	0.0	0.0	0.0	21.0	210.1	319.9
23	1376.001	I-880 Southbound HOV (Replacement Planting)	Alameda CTC	PM	2000 MB	ACTIA 27C	PS&E (Design)	Nov 2019	Nov 2020	0.1	0.5	0.0	0.0	0.0	2.6	0.0	3.2
24	1190.000	Downtown Oakland Streetscape Improvement	Oakland	PMO	2000 MB	ACTIA 04	Construction	Sep 2007	Dec 2019	6.4	0.0	0.0	0.4	0.0	2.7	0.0	9.5
25	1193.001	Telegraph Avenue Corridor Transit Project (East Bay Bus Rapid Transit)	AC Transit	PMO	2000 MB	ACTIA 07A/TEP 13	Construction	Nov 2014	Oct 2019 <sup>6</sup>	11.7	10.0	90.6	32.9	58.4	8.9	5.0	217.5
26	1187.000	Altamont Commuter Express Rail	SJRRRC	PMO	2000 MB	ACTIA 01	Construction	Various	Various	13.2	0.0	123.1	155.3	0.0	182.6	0.0	474.2
27	1369.000	I-680 Sunol Express Lanes - (Phase 1 construction)	Alameda CTC	PM	2000 MB	ACTIA 08/TEP 35.x	Construction	Mar 2018	Dec 2020	137.5	40.0	0.0	58.3	0.0	0.0	0.0	235.8
28	1367.000	I-880 North Safety and Operational Improvements at 23rd and 29th	Alameda CTC	PM	2000 MB*	ACTIA 27C	Construction	Jul 2014	Mar 2019	4.9	8.0	1.8	79.9	12.3	6.6	0.0	113.7
29	1210.002	Route 84 Expressway - South Segment	Alameda CTC	PM	2000 MB	ACTIA 24/TEP 32	Construction	Oct 2015	Dec 2018	39.4	10.0	0.0	47.0	0.0	13.5	0.0	109.9
30	1195.000	Iron Horse Transit Route (Dougherty Road Widening)	Dublin	PMO	2000 MB	ACTIA 09	Construction	Jul 2016	Sep 2018	6.3	11.2	0.0	0.0	0.0	5.4	0.0	22.9
TOTAL										342.0	545.9	230.8	606.2	174.9	260.6	1,230.2	3,390.5
Notes: 1. Project Management (PM), Project Management Oversight (PMO) 2. *Part of Prop 1B; "x" reflects a grouped capital subproject. 3. The current phase shown is based on available information as of the date of this update. 4. Construction schedules shown are subject to change based on project delivery activities. Begin Construction date shown is typically the expected contract award date. End Construction dates reflect open to traffic/substantial work completion and does not include time for project closeout or plant establishment. Various denotes multiple construction packages anticipated. TBD: To be determined. 5. The funding amounts shown are subject to change based on programming and allocation activities by various funding agencies other than the Alameda CTC. 6. End Construction dates for BART or AC Transit capital projects reflect the point at which revenue service is estimated to begin. 7. Bolded amounts reflect fund exchange arrangement. 8. Funding shown for 2014 TEP named Capital Projects reflects allocated funds and/or funds committed as match for external grant awards. 9. Additional action required to secure estimated funds necessary to proceed to construction upon completion of design phase.																	

Updated through December 31, 2018.

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Alameda County Projects		Total Project Cost (x million)	Total Prop 1B Bond Funds Allocated (x million)	Total Other Fund Sources (x million)	Prop 1B Program Type	Construction Schedule
<b>Highway</b>						
1	I-580 Eastbound HOV Lane - Greenville to Hacienda Corridor	\$146.2	\$72.9	\$73.3	CMIA/STIP	07/2008 - 04/2016
2	I-580 Westbound HOV Lane - Greenville to Foothill Corridor	\$143.9	\$82.3	\$61.6	CMIA	11/2012 - 10/2016
3	I-580/Isabel Interchange	\$123.5	\$45.1	\$78.4	CMIA	06/2009 - 04/2012
4	I-580 Express Lanes	\$54.3	\$0.0	\$54.3	-	06/2014 - 02/2016*
5	I-680 Sunol SB HOV/HOT/ Lane and SI	\$231.0	\$8.0	\$223.0	STIP	10/2008 - 04/2012
6	Route 84 Expressway Widening Corridor	\$142.0	\$16.1	\$125.9	CMIA	03/2012 - 12/2018*
7	I-80 Integrated Corridor Mobility (include. San Pablo TLSP)	\$78.8	\$65.2	\$13.6	CMIA, TLSP	04/2011 - 03/2016
8	I-880 SB HOV Lane Extension - Hegenberger to Marina Corridor	\$114.9	\$82.6	\$32.3	CMIA	09/2012 - 03/2016
9	I-880 North Safety and Operational Improvements at 23rd and 29th Avenues	\$105.8	\$75.0	\$30.8	TCIF/STIP	04/2014 - 03/2019*
<b>Sub-total</b>		<b>\$1,140.4</b>	<b>\$447.2</b>	<b>\$693.2</b>		
<b>Transit</b>						
10	BART to Warm Springs	\$767.0	99.1	667.8	SLPP	06/2011 - 12/2015
11	BART Oakland Airport Connector	\$484.1	\$20.0	464.1	SLPP	11/2010 - 11/2014
<b>Sub-total</b>		<b>\$1,251.1</b>	<b>\$119.1**</b>	<b>\$1,131.9</b>		
<b>Implemented by Others</b>						
12	I-580 Truck Climbing Lane	\$44.9	\$44.9	\$0	TCIF	06/2012 - 06/2016
13	Outer Harbor Intermodal Terminal	\$499.2	\$242.1	\$257.1	TCIF	01/2010 - 12/2019
<b>Sub-total</b>		<b>\$544.1</b>	<b>\$287.0</b>	<b>\$257.1</b>		
<b>Total</b>		<b>\$2,935.6</b>	<b>\$853.4</b>	<b>\$2,082.2</b>		

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# Memorandum

5.3

1111 Broadway, Suite 800, Oakland, CA 94607

• 510.208.7400

• www.AlamedaCTC.org

**DATE:** January 7, 2019

**TO:** Programs and Projects Committee

**FROM:** Vivek Bhat, Director of Programming and Project Controls  
Seung Cho, Director of Procurement and Information Technology

**SUBJECT:** Substitution of the San Francisco Bay Area Rapid Transit District (BART) Small Business Program in lieu of Alameda CTC Local Business Contract Equity Program

## Recommendation

It is requested that the Commission consider the substitution of the San Francisco Bay Area Rapid Transit District (BART) Small Business Program (SBP), which includes a Local Small Business component covering Alameda County-based certified businesses, in lieu of the Alameda CTC Local Business Contract Equity Program (LBCEP) on a program-wide basis for all contracts procured and administered by BART that would otherwise be subject to the LBCEP, including the design phase of the Irvington BART Station Project, a capital project named in the 2014 Measure BB Transportation Expenditure Plan.

## Summary

The City of Fremont, working cooperatively with BART, is the Sponsor of the Irvington BART Station Project (Project) (PN 1432.000), a named capital project in the 2014 Transportation Expenditure Plan (TEP) with a total Measure BB commitment of \$120 million. The Project consists of a new BART station along the Warm Springs extension approximately halfway between the Fremont and the Warm Springs/South Fremont stations in the Irvington District of the City of Fremont.

In October 2018, the Commission allocated \$16,450,000 of Measure BB for the design phase of the project and also authorized the execution of a Project Funding Agreement (PFA). However, discussions related to the provisions of the PFA led to a need for clarifications related to portions of the PFA boilerplate language concerning the Alameda CTC LBCEP.

The Commission received a request from BART to substitute its own Small Business Program, which includes a Local Small Business component covering Alameda County-based certified businesses, in lieu of the LBCEP (Attachment A). The request

from BART was for the substitution of BART's Small Business Program on all contracts procured and administered by BART that would otherwise be subject to the LBCEP.

The Alameda CTC LBCEP allows for an implementing agency to request a substitution of their own, Board-approved local business preference program for the LBCEP. If approved, BART could apply its own Small Business Program to all LBCEP applicable contracts beginning with the Irvington BART station.

## Background

In 2014, Alameda County voters passed Measure BB, which specifically included \$120 million of funding for the Irvington BART station. The City, in cooperation with BART, has achieved the following key milestones:

- Project Scoping and Delivery Plan (completed June 2016 )
- Definition of Project Delivery Roles (Letter of Intent approved in December 2017)
- Developed three site plan alternatives.
- Conducted two community meetings and two community surveys.
- Developed a preferred SSP definition.
- Developed first draft of the Station Area Plan.

Environmental clearance and approvals of the preferred Station Site Plan (SSP) and Station Area Plan is anticipated to be completed July 2019. In order to expedite the delivery of the project, the City is proposing to begin the design phase concurrently with the environmental phase. The estimated cost for the design phase is \$16,450,000.

Table A below summarizes the Measure BB funding commitment to the Irvington BART Station Project.

<b>Table A - Summary of Measure BB Project Funding Commitment</b>			<b>Commitment Balance</b>
<b>Description</b>	<b>Date Authorized</b>	<b>Amount</b>	
TEP Project Commitment	November 2014	\$120,000,000	<b>\$120,000,000</b>
Preliminary Scoping Allocation (Closed Out)	March 2015	\$86,771	\$119,913,229
Preliminary Engineering/Environmental Phase Allocation (Active)	April 2017	\$2,660,000	\$117,253,229
Design Phase Allocation (Active)	October 2018	\$16,450,000	\$100,803,229
<b>Total Remaining Balance:</b>			<b>\$100,803,229</b>

The Commission allocated \$16,450,000 of Measure BB for the design phase of the station project in October 2018. The execution of a PFA for the design phase was also approved in October, however, discussions related to the provisions of the PFA led to a need for clarifications related to portions of the PFA boilerplate language concerning the Alameda CTC LBCEP.

The Alameda CTC LBCEP allows for an implementing agency to request a substitution of their own, Board-approved local business preference program for the LBCEP. Approving such a substitution effectively grants a waiver to the provisions of the LBCEP related to contract goals being set for LBE, SLBE, and VSLBE participation on contracts funded wholly or in part by Measure B and BB sales tax and Vehicle Registration Fee (VRF) funds. The provisions of the LBCEP related to reporting the actual participation of LBE/SLBE/VSLBE firms will still be in effect as required by the PFA.

The Commission received a request from BART to substitute their Small Business Program in lieu of the LBCEP. The request from BART was for the substitution of BART's Small Business Program for all contracts procured and administered by BART that would otherwise be subject to the LBCEP. The design phase of the Irvington BART Station Project is the next project with BART contracts that would be subject to the LBCEP.

The substitution, if approved, will be based on the understanding that BART will manage all aspects related to procurement and contracting and indemnify the Commission accordingly. Any inquiries or matters brought to the Commission related to BART contracts will be redirected to the BART Board.

**Fiscal Impact:** There is no fiscal impact associated with the requested action.

**Attachment:**

- A. BART Request to Substitute their Small Business Program for the Commission's Local Business Contract Equity Program

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**SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT**  
 300 Lakeside Drive, P.O. Box 12688  
 Oakland, CA 94604-2688  
 (510) 464-6000

August 10, 2018

2018

VIA ELECTRONIC MAIL and US POSTAGE

Robert Raburn, Ph.D.  
 PRESIDENT

Nicholas Josefowitz  
 VICE-PRESIDENT

Grace Crunican  
 GENERAL MANAGER

Ms. Trinity Nguyen  
 Director, Project Delivery  
 Alameda County Transportation Commission  
 1111 Broadway, Suite 800  
 Oakland, CA 94607

Re: Request to Use Sponsor Agency Small Business Program

Dear Ms. Nguyen,

**DIRECTORS**

Debora Allen  
 1ST DISTRICT

Joel Keller  
 2ND DISTRICT

Rebecca Saltzman  
 3RD DISTRICT

Robert Raburn, Ph.D.  
 4TH DISTRICT

John McPartland  
 5TH DISTRICT

Thomas M. Blalock, P.E.  
 6TH DISTRICT

Lateefah Simon  
 7TH DISTRICT

Nicholas Josefowitz  
 8TH DISTRICT

Bevan Dufty  
 9TH DISTRICT

It is the San Francisco Bay Area Rapid Transit District's (BART) understanding that, pursuant to Alameda County Transportation Commission's (ACTC) Local Business Contract Equity (LBCE) Program Section I.C., the LBCE Program only applies to contracts which are funded by ACTC funds (VRF, Measure B and/or Measure BB funds) or ACTC funds and local funds and specifically does not apply to contracts that include regional, state and/or federal funds. It is also our understanding that BART operational funds and Measure RR funds are regional, not local, funds.

As a Sponsor Agency, BART requests, pursuant to LBCE Program Section II.C., to utilize our own small business program (BART SB Program) in lieu of the LBCE Program for all contracts procured by BART that are subject to the LBCE Program. The BART SB Program has been formally adopted by the BART Board of Directors. A copy of the BART SB Program and evidence of its adoption by the BART Board of Directors is attached.

Should you have any questions regarding this matter, I may be reached at (510) 464-7194 or via e-mail at [mwiggin@bart.gov](mailto:mwiggin@bart.gov).

Sincerely,

Maceo Wiggins  
 Department Manager, Office of Civil Rights

**Attachments**

1. BART SB Program
2. Evidence of adoption of BART SB Program by BART Board of Directors

## **SMALL BUSINESS PROGRAM**

Policy Description (V09-01-11)

Amendment 1 (V11-16-12)

Amendment 2 (05-11-17)

Amendment 3 (09-14-17)

### **1. SMALL BUSINESS PROGRAM POLICY**

It is the Policy of the San Francisco Bay Area Rapid Transit District (“BART”) to encourage the participation of Small Businesses in BART contracts. Accordingly, BART hereby adopts this Small Business (“SB”) Program pursuant to California Public Contract Code Section 2002. The purpose of the SB Program is to encourage and facilitate full and equitable participation by Small Businesses in BART construction, procurement, and services contracts and agreements that are awarded through a competitive process and are financed solely with local and state funds (“non-federal contracts”). As appropriate, the SB Program seeks to achieve these objectives on three levels: (1) BART’s award of Contracts and Agreements to SBs, (2) the award of First Tier Subcontracts to SBs by Prime Contractors, Suppliers, and Consultants, and (3) the award to Lower Tier SB Subcontractors by First or Other Tier Subcontractors.

### **2. FINDINGS**

- **BART** enters into non-federal contracts and agreements for construction, procurement, and services. Many of the contracts and agreements in each of these areas afford opportunities for SBs to perform work as Contractors, Suppliers, Consultants, and as Subcontractors, Subsuppliers, and Subconsultants.
- **SBs** generate jobs, provide economic opportunity, and boost economic output throughout

California and, in particular, in the counties in which BART operates and does business – Alameda County, Contra Costa County, City and County of San Francisco, and San Mateo County.

- **BART** desires to contribute to the growth and stability of the small business community.
- **BART** recognizes, and through the SB Program, works to address and mitigate, the difficulties SBs may encounter when competing against larger more established businesses for BART contracts and agreements.
- **BART** recognizes that this SB Program is only applicable to non-federal construction and procurement contracts and services agreements, such as repair services, technical support services, real estate support services, and professional services agreements, as well as design-build contracts issued pursuant to Public Contract Code Section 20209.5, to be awarded through a competitive process where price and other factors are considered in the award.
- **BART** recognizes that Disabled Veteran Business Enterprises (“DVBES”) should be utilized to the extent possible in BART’s construction, procurement, and services contracts and agreements as part of the Small Business Program.
- **BART** recognizes that Lesbian, Gay, Bisexual, and Transgender Business Enterprises (“LGBTBES”) should be utilized to the extent possible in BART’s construction, procurement, and services contracts and agreements as part of the Small Business Program.

### 3. DEFINITIONS

- **“Agreement”** means an agreement between BART and a Consultant for services.
- **“Bid”** means the proposal or offer of the Bidder for the Construction or Procurement

Contract when completed and submitted on the prescribed Bid Form.

- ***“Bidder”*** or ***“Proposer”*** means any individual, firm, partnership, joint venture, corporation, or combination thereof (collectively ***“firm”***), submitting a Bid or Proposal for a contract or services agreement, acting directly or through a duly authorized representative.
- ***“Broker”*** means a firm which arranges sales of goods or services from other firms absent its own inventory of those goods or its own forces to conduct the services.
- ***“Consultant”*** means a firm that has entered into an Agreement with BART.
- ***“Contract”*** refers collectively to Prime Construction Contracts, First Tier Subcontracts, and Procurement Contracts.
- ***“Contractor”*** means a Prime Construction Contractor awarded a construction contract by BART.
- ***“Disabled Veteran Business Enterprise”*** or ***“DVBE”*** means a firm that is certified as a Disabled Veteran Business Enterprise and as a Small Business by the State of California, Department of General Services and in its database for SBs found at [www.dgs.ca.gov](http://www.dgs.ca.gov).
- ***“First Tier Subcontract”*** means a contract between a Prime Contractor and First Tier Subcontractor or Subsupplier.
- ***“First Tier Subcontractor,”*** ***“Subcontractor,”*** or ***“Subsupplier”*** means a firm that has been awarded a First Tier Contract by a Prime Contractor or a Supplier.
- ***“Lesbian, Gay, Bisexual, and Transgender Business Enterprise”*** or ***“LGBTBE”*** means a firm that is certified as an LGBTBE firm by a certifying body listed in Appendix B and certified as a Small Business by the State of California, Department of General Services, found in the DGS database for SBs at [www.dgs.ca.gov](http://www.dgs.ca.gov).
- ***“Local Disabled Veteran Business Enterprise”*** or ***“Local DVBE”*** means a firm that is certified as a DVBE and as a Small Business by the State of California, Department of General Services, found in the DGS database for SBs at [www.dgs.ca.gov](http://www.dgs.ca.gov), and whose



principal place of business is located in one of the three counties of Alameda, Contra Costa, or San Francisco.

- ***“Local LGBTBE”*** means a firm certified as an LGBTBE by a certifying body listed in Appendix B, and as a Small Business by the State of California, Department of General Services, and found in the DGS database for SBs at [www.dgs.ca.gov](http://www.dgs.ca.gov), and whose principal place of business is located in one of the three counties of Alameda, Contra Costa, or San Francisco.
- ***“Local Small Business”*** or “LSB” means a firm that is certified as an SB by the State of California, Department of General Services, found in the DGS database for SBs at [www.dgs.ca.gov](http://www.dgs.ca.gov), and whose principal place of business is located in one of the three counties of Alameda, Contra Costa, or San Francisco.
- ***“Prime Construction Contract”*** means a construction contract between BART and a Prime Contractor.
- ***“Prime Construction Contractor”*** or “Contractor” means a firm that has been awarded a Prime Construction Contract by BART.
- ***“Principal Place of Business”*** means the fixed office or location where the business conducts, on a regular basis, all the services for which Local SB verification is sought, other than work required to be performed at the job site. None of the following constitute a principal place of business: a satellite or regional office, a post office box, a temporary location, a movable property, or a location that was established to oversee a project, such as a construction project office.
- ***“Procurement Contract”*** means a contract between BART and a Supplier.
- ***“Proposal”*** means the offer of the Proposer for the Services Agreement, in response to BART’s request when completed and submitted on the prescribed Proposal Form.
- ***“Second Tier Subcontractor”*** means a firm that has been awarded a Subcontract by a First Tier Subcontractor.

- ***“Small Business”*** or ***“SB”*** means a firm certified as an SB by the State of California, Department of General Services and found in its database for SBs at [www.dgs.ca.gov](http://www.dgs.ca.gov).
- ***“Subconsultant”*** means a firm that has entered into a subcontract with a Consultant.
- ***“Subcontract”*** means a Contract entered into between a Contractor, Supplier, or Consultant with a Subcontractor, Subsupplier, or Subconsultant, respectively.
- ***“Subsupplier”*** means a firm that has entered into a Contract with a Supplier or Contractor.
- ***“Supplier”*** means a firm that has been awarded a Procurement Contract by BART.

#### 4. RESPONSIBILITIES AND DUTIES OF THE OFFICE OF CIVIL RIGHTS

- (a) BART’s General Manager has designated the Department Manager of the Office of Civil Rights as the SB Liaison Officer. As SB Liaison Officer, the Department Manager is responsible for implementing and monitoring the SB Program, coordinating with the District staff in implementing the SB Program, establishing participation goals in Contracts and Agreements where there are subcontracting opportunities for SBs, and making amendments to the SB Program, including alternative SB certification requirements, as needed, with the approval of the Deputy General Manager.
- (b) Where Prime Construction Contractors, Suppliers, Consultants, or First Tier Subcontractors, where applicable, commit in their Bid or Proposal to utilize SB First or Second Tier Subcontractors in order to meet the applicable SB goal, the Office of Civil Rights shall monitor their performance to confirm that the SB utilization level presented in the Bid or Proposal is met throughout the life of the Contract or Agreement, including the substitution of SB Subcontractors and change orders, where appropriate.

5. QUALIFICATION AS AN SB, LSB, DVBE, AND LGBTBE

- (a) A Bidder or Proposer seeking an SB preference Contract or Agreement with BART, or a firm seeking to be recognized as an SB Subcontractor, Subsupplier, or Subconsultant, shall be certified as an SB and be listed in the State of California, Department of General Services ("DGS") database for SBs, at [www.dgs.ca.gov](http://www.dgs.ca.gov) prior to the submission of the Bid or Proposal.
- (b) A firm seeking to be recognized as a Local Small Business (LSB) as a Bidder, Proposer, or as an LSB Subcontractor, Subsupplier, or Subconsultant, shall be a certified SB in the DGS database for SBs at [www.dgs.ca.gov](http://www.dgs.ca.gov) prior to the submission of the Bid or Proposal and shall have its principal place of business in Alameda, Contra Costa, or San Francisco counties, as verified by BART staff prior to Award. (See Appendix A – Verification of LSB Firms.)
- (c) A firm seeking to be recognized as a DVBE Bidder, Proposer, or as a DVBE Subcontractor shall be certified as an SB and as a DVBE by the State of California DGS, and be listed in the DGS database for SBs, at [www.dgs.ca.gov](http://www.dgs.ca.gov), prior to the submission of the Bid or Proposal.
- (d) A firm seeking to be recognized as an LGBTBE Bidder, Proposer, or as an LGBTBE Subcontractor shall be certified by one of the BART-recognized certifying bodies listed in Appendix B, be certified as an SB by the State of California DGS, and be listed in the DGS database for SBs, at [www.dgs.ca.gov](http://www.dgs.ca.gov), prior to the submission of the Bid or Proposal.
- (e) Independence and Affiliation: SBs, including LSBs, shall be independent businesses and shall not be dependent upon other firms for resources, management, or other aspects of their businesses. The District may take into consideration the affiliation of other businesses that may or may not be SBs or LSBs. The District, in considering affiliation, will consider identities of interest; the sharing of facilities, employees, ownership, or equipment; contractual relationships between the businesses; or other key factors.

(f) **Commercially Useful Function:** SBs and LSBs shall perform a commercially useful function. A business performs a commercially useful function when it is responsible for the execution of the work of the contract and is carrying out its responsibilities by performing, managing, and supervising the work involved. To perform a commercially useful function, the business must also be responsible, with respect to materials and supplies used on the contract, for negotiating price, determining quality and quantity, ordering the material, and installing (where applicable) and paying for the material itself. Generally, if the SB or LSB does not perform or exercise responsibility for at least 30 percent of its contract or subcontract with its own workforce, or the portion of work that would be expected to be self-performed on the basis of normal industry practice for the type of work involved, then the District will presume that it is not performing a commercially useful function.

#### 6. SB PROGRAM ANNUAL LIMIT

An annual limit of \$3,000,000 will be available for the total dollar preferences allowed under the SB Program for each fiscal year for Contracts up to a maximum value of \$10,000,000. For Contracts over \$10,000,000, BART's Office of Civil Rights, in conjunction with the project sponsor, will determine on a Contract-by-Contract basis whether the Program will apply and if so, any applicable limits to the total dollar preference.

#### 7. PRIME CONTRACTS AND AGREEMENTS ELIGIBLE FOR SB PREFERENCE

(a) BART, may, at its sole discretion, designate specific Prime Construction Contracts, Procurement Contracts or Agreements with a maximum value of \$10,000,000, as eligible for an SB Bidder or Proposer preference (including LSBs, DVBES, Local DVBES, LGBTBEs, and Local LGBTBEs) of up to 5% of the lowest responsible Bidder's or Proposer's Bid or Proposal price, with the exact percentage applicable to a particular

Contract or Agreement determined by BART. The maximum bid preference is \$250,000 on contracts not funded by the Measure RR Bond (Measure RR) and \$500,000 on contracts that are funded by Measure RR. Any SB Prime Preference contract shall have a minimum self-performance percentage to be set by BART prior to advertisement of the Bid, which is applicable to any awarded SB Prime.

(b) SB Prime Construction Contractors, Suppliers, or Consultants who bid on such Contracts or Agreements will be granted the percentage preference set by BART on their Bid or Proposal price only during evaluation for determining the award of the Contract or Agreement. However, the actual Contract or Agreement awarded will be for the amount of the original bid or proposal. The amount of the preference will be based on the following:

- 1) If the contract is projected to be for less than \$5 million, and the funding for the contract does *not* include Measure RR money, the SB preference will be 5% of the lowest responsible bid for SBs, DVBES, and LGBTBES.
- 2) If the contract is projected to be for less than \$5 million and the funding for the contract *does* include Measure RR money, the SB preference will be 5% of the lowest responsible bid for LSBs, Local DVBES, and Local LGBTBES.

(c) For contracts that are at least \$5 million and less than \$10 million, BART will decide if the contract will have an SB prime preference or a preference based on meeting the SB Subcontractor Participation Goal, but not both. The amount of the preference for contracts with an SB prime preference will be based on the following:

- 1) If the contract has a value of between \$5 million and \$10 million and the funding for the contract does *not* include Measure RR money, the SB preference will be \$250,000 for SBs, DVBES, and LGBTBES.

- 2) If the contract has a value of between \$5 million and \$10 million and the funding for the contract *does* include Measure RR money, the SB preference will be 5% of the lowest responsible bid for LSBs, Local DVBES, and Local LGBTBEs, with a maximum dollar amount of \$500,000.

#### 8. CONTRACT-SPECIFIC SB SUBCONTRACTOR PARTICIPATION GOALS

- (a) BART, in its sole discretion, may establish, for a particular Construction or Procurement Contract or Services Agreement, with a value at or above \$5,000,000, an SB Subcontractor Participation Goal. For contracts that are at least \$5 million and less than \$10 million, BART staff will decide if the contract will have a SB prime preference or a preference based on meeting the SB Subcontractor Participation Goal, but not both. The SB Subcontractor Participation Goal shall be expressed as a percentage of the total Bid or Proposal price for a Contract or Agreement, less allowances and options. The Bidder or Proposer that meets the SB Subcontractor Participation Goal will be eligible for a preference of up to 5% of the lowest responsible Bidder's or Proposer's Bid or Proposal price, only during evaluation for determining the award of the Contract or Agreement, based on the following funding:

- 1) If *not* funded by Measure RR, a preference of up to 5% for meeting the SB Subcontractor Participation Goal with SBs, DVBES, and/or LGBTBEs. The dollar limit cap on the Subcontractor Participation Goal on contracts not funded by Measure RR is \$1,000,000.
- 2) If funded in whole or in part by Measure RR, a preference of 5% for meeting the Local SB Subcontractor Participation Goal solely with LSBs, Local DVBES, and/or Local

LGBTBEs. The dollar limit cap on the Subcontractor Participation Goal on Measure RR funded contracts is \$1,500,000.

(b) In calculating whether the SB Subcontractor Participation Goal has been met, BART will count the value of subcontracts with SB or LSB Subcontractors, as follows:

- 1) For an SB or LSB Subcontractor, a prime bidder shall receive 100% credit of the SB or LSB Subcontract value towards the SB or LSB Subcontractor Participation Goal, with the exception that any work that an SB or LSB subcontractor subcontracts to a non-SB or non-LSB, respectively, shall not be counted toward the SB or LSB Subcontractor Participation Goal;
- 2) For an SB or LSB Subsupplier, a prime bidder shall receive 60% credit of the value of the Subcontract towards an SB or LSB Subcontractor Participation Goal; and
- 3) For an SB or LSB Broker, a prime bidder shall receive 8% credit of the value of the Subcontract towards an SB or LSB Subcontractor Participation Goal.

(c) Regardless of the preference, the actual Contract or Agreement awarded will be for the original Bid or Proposal. Bidders that do not meet the SB or LSB Subcontractor Participation Goal are not eligible for the preference.

#### 9. CONTRACT-SPECIFIC SB LOWER TIER SUBCONTRACTOR PARTICIPATION

BART, in its sole discretion, may recognize Lower Tier SB firms towards meeting the Contract SB Subcontractor Participation Goal on designated prime construction contracts subject to subsections (a) through (c), below. On Measure RR funded contracts, a Lower Tier LSB firm shall count towards meeting a LSB Subcontractor Participation Goal with LSB Subcontractors. The Prime Contractor shall include provisions in its First Tier Subcontracts providing for the

following:

- (a) A provision requiring that the First or Lower Tier Subcontractor provide copies of the SB Lower Tier subcontracts to BART, and provide other documentation deemed needed by BART to confirm the SB participation.
- (b) A provision requiring that the Subcontractor at any tier provide BART with the information designated by BART which BART deems necessary for determining whether the SB Lower Tier Subcontractor is performing work on the Contract, including reports on payments made to SB Lower Tier Subcontractors.
- (c) A provision requiring the First or Lower Tier Subcontractor to make good faith efforts to replace an SB Lower Tier Subcontractor with another SB firm if a substitution is deemed necessary.

#### 10. SB SUBCONTRACTOR PARTICIPATION GOALS IN DESIGN-BUILD CONTRACTS

For design-build contracts issued pursuant to Public Contract Code Section 22160, BART may establish three SB Subcontractor Participation Goals for services, procurement, and construction, respectively.

The Proposers for the design-build contracts may be required to meet the SB Subcontractor Participation Goal for services and commit to meeting the SB Subcontractor Participation Goals for procurement and construction in order to be eligible for a preference of up to 5%, which will be credited in the price portion of the Proposal, subject to following the provisions of Section 8. BART staff will monitor the Contractor's performance of the Contract following award to ensure that the Contractor meets the SB Subcontractor Participation Goals for services, procurement and construction.



## 11. THE CONTRACTOR'S SB OBLIGATIONS AFTER THE AWARD OF THE CONTRACT

In Contracts and Agreements with an SB Subcontractor Participation Goal, the Contractor shall take all reasonable steps to ensure that its SB Subcontractors or Subconsultants are able to successfully perform their subcontract responsibilities.

## 12. SUBSTITUTION OF SBs

Should the Contractor, Supplier, Consultant or Other Tier Subcontractor, where applicable, establish that the substitution of any SB or LSB Subcontractor, Subsupplier, Subconsultant or, where applicable, Lower Tier SB or LSB Subcontractor, is necessary, the Contractor, Supplier, Consultant or Other Tier Subcontractor, shall, subject to the approval of BART, replace the affected SB or LSB Subcontractor, Subsupplier or Subconsultant with another SB or LSB, as applicable, Subcontractor, Subsupplier or Subconsultant or demonstrate that it made good faith efforts to do so consistent with the following terms:

- ***In determining whether*** good faith efforts have been made, BART will consider the steps taken by the Contractor, Supplier, Consultant, or Other Tier Subcontractor, where applicable, on the actions listed below. These steps are reflective of good faith efforts taken by a Contractor, Supplier, Consultant, or Other Tier Subcontractor seeking to replace an SB with another SB in order to maintain its commitment to meet the SB Subcontractor Participation Goal.
- ***Identify and select*** specific subcontracting areas of the Contract or Agreement to be performed by SB Subcontractors, Subsuppliers or Subconsultants.
- ***Advertise*** the subcontracting opportunity in one or more daily or weekly newspapers, small business association publications, trade-oriented journals or other media specified by BART. Advertise in publications, newspapers, and other media, including local media as

appropriate, likely to be available to SBs, DVBES, and LGBTBEs. The required advertising shall be completed sufficiently in advance of the selection decision to allow potential SB Subcontractors, Subsuppliers or Subconsultants a reasonable time in which to bid for or otherwise seek the Subcontract.

- ***Provide*** written solicitation notice of subcontracting opportunities to a reasonable number of SB Subcontractors, Subsuppliers or Subconsultants with enough time prior to the selection decision to allow the SBs to offer a proposal.
- ***Follow up*** initial solicitations to SB Subcontractors, Subsuppliers or Subconsultants to confirm whether the potential SB Subcontractors are interested in performing the Subcontracts.
- ***Provide*** interested SB Subcontractors, Subsuppliers or Subconsultants with information about the proposal, plans, specifications, and/or requirements for the subcontracting work to be performed.
- ***Request*** assistance in identifying potential SB Subcontractors, Subsuppliers, or Subconsultants from community organizations, contractor groups, DVBE organizations, or BART's Office of Civil Rights.
- ***Offer*** assistance with regard to bond or insurance requirements for SBs.
- ***Negotiate*** in good faith with SB Subcontractors, Subsuppliers or Subconsultants who express an interest in subcontracting, as appropriate.

### 13. SB PARTICIPATION REPORTS

Contractors, Suppliers and Consultants shall submit on a form provided by BART a monthly SB or LSB Subcontractor Utilization Report to the Office of Civil Rights (OCR) showing the total amount paid to date to each SB. Prime contractors, suppliers or consultants must submit all reports requested by OCR related to the participation of subcontractors, sub-suppliers or subconsultants on BART contracts.

#### 14. FAILURE TO ADHERE TO SB REQUIREMENTS

The failure of a Contractor, Supplier, or Consultant, or First-Tier Subcontractor, where applicable, to adhere to any of the requirements of the SB Program shall constitute a material breach of the Contract or Agreement and may result in BART terminating the Contract or Agreement or imposing appropriate sanctions. Among other things, BART may withhold payments or portions of payments to the Contractor, Supplier, or Consultant or undertake other enforcement measures due to the failure of the Contractor, Supplier, or Consultant or where applicable, the First-Tier Subcontractors, to comply with the SB participation requirements. Such payments withheld will be released once the Contractor, Supplier, or Consultant or its First-Tier Subcontractors, conform with the SB participation requirements.

APPENDICES MAY BE SUBJECT TO REVISION, SUBSTITUTION, DELETION OR ADDITION BY THE OFFICE OF CIVIL RIGHTS CONSISTENT WITH THE TERMS OF THE PROGRAM WITHOUT REQUIRING BOARD APPROVAL OF THE REVISION OR CHANGES TO THE PROGRAM.

#### APPENDIX A: VERIFICATION OF THE LOCAL STATUS OF SMALL BUSINESSES

Verification is the process by which all firms seeking to participate as Local Small Businesses (LSBs) are determined to have met the eligibility requirements to participate as LSBs on Measure RR contracts, including Local DVBES and Local LGBTBEs. This appendix provides guidance for verifying firms as LSBs.

1. Declaration of Eligibility for Local Small Business Preference

DGS certified Small Businesses bidding on a BART contract must declare their Small Business eligibility including DGS certification number in the Declaration of Eligibility for Local Small Business Preference. On Measure RR funded contracts, the Declaration of Eligibility for Local Small Business Preference will also include a Local status declaration, including the address of the principal place of business.

2. Verifying information on the California Department of General Services Website

Upon receiving a Declaration of Eligibility for Local Small Business Preference or Local Verification Request form, OCR will verify whether the address and city listed on the DGS Small Business database is located within the three Measure RR counties: Alameda, Contra Costa, or San Francisco. If not, the request is denied and the firm is not considered to be Local for BART. The firm may re-request verification of local status if its address has changed on the DGS website to one of the Measure RR counties.

3. Verifying Local Status of a Small Business within Alameda, Contra Costa, or San Francisco Counties

a) After verifying the location listed on the DGS website, OCR will check to see if the SB is already certified as local by one of the following agencies:

- Alameda County (Small and Local Business or Emerging and Local Business)
- City/County of San Francisco (Local Business Enterprise)
- City of Oakland (Local Business Enterprise)

If the SB is certified as local by one of the above agencies, the SB shall be considered a verified Local SB by BART.

b) For firms not certified as local by a neighboring county or city, BART will request that the Small Business owner(s) provide documentation to demonstrate that the business qualifies as Local:

- A copy of their business license in the city where their business is based (or county if in an unincorporated area);
- A copy of a real estate property tax assessment or lease in the name of the firm or owner;
- A copy of the firm's (or owner's, if applicable) most recent federal tax return

c) These documents must be provided and examined prior to the award of the contract to gain the Local Small Business preference. If any of the documents show an address other than the one in the DGS database, it is grounds for rejection of local status, although the business owner may be given an opportunity to explain.

d) In some cases, a range of factors may be considered to determine the firm's principal place of business. These factors include:

- Location where the firm's owner(s) and CEO work on a regular basis,
- Where the headquarters facility is located, which may be indicated by signage,

reception, and administrative and project records,

- Where employees, in quality and quantity, report regularly to work,
- Where the firm's primary operations take place,
- Where resources such as major equipment or supplies are kept,
- The address listed for the firm on any other certification, including Disadvantaged Business Enterprise (CUCP), Micro/Small Business Entity (BART), Minority and Women Business Enterprise (BART), and Local Business Enterprise (Contra Costa County), and
- Analysis of google map images – or similar – of the address listed as the principal place of business.

e) The District expects all SBs seeking Local status to cooperate fully with requests for information relevant to the verification process and other requests for information. Failure or refusal to provide such information is cause for denial or removal of status as Local to BART (Local Small Business).

#### 4. Declaration of Eligibility for Local Small Business Subcontractors

On contracts with a SB Preference for Bidders meeting a Local SB Subcontractor Participation Goal, any Bidder wishing to meet the Goal must declare Local SB subcontractors on the Designation of Subcontractors, M/WBE, and SB Participation Form. After the bids are submitted, OCR will confirm that the address listed in the DGS database for each designated Local SB Subcontractor is Local and will ask any Bidder appearing to meet to Local SB Subcontractor Participation Goal to gather and submit Local status documentation for each of their Local SB Subcontractors including a Local Verification Request form and the three items listed in paragraph #3. OCR will evaluate the

documentation to verify Local status of each SB Subcontractor.

5. Already Verified Local SBs

Once a SB has been verified as Local they will be added to a database maintained by BART. A Small Business bidder previously verified as Local by BART will still need to submit a Declaration of Eligibility for Local Small Business Preference as part of its bid. But its Local status does not need to be verified as described in paragraph #3.

6. Requesting Verification of Local Status Outside of the Bid Process

A DGS certified Small Business may request that OCR verify their Local status outside of any contract bid process. This can be done by completing a Local Verification Request form available on the OCR website. OCR staff will follow the steps in Paragraphs #2 and #3 to verify the Local status of the SB.

7. List of Verified Local Firms

OCR will provide notification to the firm that it has been verified as Local and will add it to the list of verified LSB, Local DVBE, and Local LGBTBE firms. This list is a supplement to the DGS list of certified SBs and potential LSBs but is not meant to replace it for outreach purposes. The list of currently verified LSBs will be made available on the BART website. If an SB, DVBE, or LGBTBE is removed from the DGS website, they are regarded as removed from BART's LSB list as well.

- OCR will use the industry codes – North American Industry Classification System (NAICS) – listed on the DGS website for the firm and add them to the list of verified LSBs. The assignment of a NAICS code is only for informational purposes to assist potential Bidders in identifying LSBs capable of performing work to be subcontracted.

8. Possible Site Visits

From time to time the District may request additional information or conduct site visits to ensure that a SB verified as Local remains eligible for Local status. Failure to timely cooperate or comply with a request for a site visit is a ground for denial or removal of status as a BART LSB.

9. Renewal of Local Status

Each year on or near the anniversary of the SB's verification as Local, OCR will ask the Local Small Business to complete a Declaration of No Change in Address, in order to keep its Local Small Business status current. If an SB has changed address but still remains within Alameda, Contra Costa, or San Francisco Counties, it must submit a lease, utility bill, or property tax assessment as verification of its new address as Local. If a Local SB moves outside of Alameda, Contra Costa, and San Francisco Counties it loses its Local status with BART. Every three years in order to renew its Local status, all verified Local SBs must re-submit the documentation listed in paragraph #3.



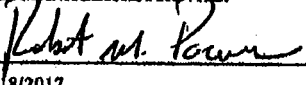

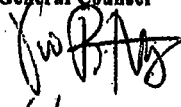
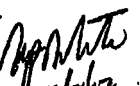
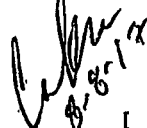
## APPENDIX B: Lesbian, Gay, Bisexual, and Transgender (LGBTBE) CERTIFICATION

The Bidder or Proposer is responsible for indicating the LGBTBE certification status, whether of a SB or LSB Prime seeking a Prime Preference based on LGBTBE status, or of a LGBTBE Subcontractor.

1. BART accepts the LGBTBE certification of the following organizations:
  - a) National Gay and Lesbian Chamber of Commerce (NGLCC). The NGLCC, a national organization based in Washington, D.C.;
  - b) California Public Utilities Commission (CPUC), through its Supplier Clearinghouse. OCR will provide information on the District's website regarding the CPUC's searchable database of certified LGBTBE firms.
2. Any LBGTBE certified firm must also be certified as a Small Business by the State of California, Department of General Services, and listed in the DGS database for SBs at [www.dgs.ca.gov](http://www.dgs.ca.gov).
3. In order to be eligible for the SB Prime Preference or the SB Subcontractor Participation Preference, the LGBTBE shall be certified by one of the above certifying bodies listed in #1 of this appendix and as an SB by the DGS at the time of the Bid.
4. BART will list verified Local LGBTBEs on its website along with other verified LSBs.



## EXECUTIVE DECISION DOCUMENT

<b>GENERAL MANAGER APPROVAL:</b> 		<b>GENERAL MANAGER ACTION REQ'D:</b>		
<b>DATE:</b> 7/8/2017		<b>BOARD INITIATED ITEM:</b> No		
<b>Originator/Prepared by:</b> Tim Lohrentz <b>Dept:</b> Office of Civil Rights  <b>Signature/Date:</b> Aug 8, 2017	<b>General Counsel</b>  8/8/17 [ ]	<b>Controller/Treasurer</b>  8/8/17 [ ]	<b>District Secretary</b> [ ]	<b>BARC</b>  8/8/17 [ ]

### PROPOSED SMALL BUSINESS PROGRAM MODIFICATIONS - LGBT Business Enterprises

**PURPOSE:** To request that the Board adopt modifications to the BART Small Business (SB) Program to include Lesbian, Gay, Bisexual, and Transgender Business Enterprises (LGBTBE) and a self-performance requirement for Small Business Primes.

#### DISCUSSION:

In September 2011, the Board approved a Small Business program for non-federally funded contracts (SB Program), as authorized by California Public Contract Code Section 2002. The District started implementation of the program in 2012. The SB Program provides bid preferences for SB Prime Bidders and, on larger contracts, for Bidders that meet an SB subcontractor participation goal. A business is considered an SB if they are certified by the California Department of General Services as an SB or a Disabled Veteran Business Enterprise (DVBE) Small Business. In April 2017, the Board approved a modification to the SB Program to provide for a Local Small Business (LSB) category on Bond Measure RR funded (RR) contracts.

Like SBs, LGBTBEs face barriers in the marketplace, especially in the construction industry. To assist LGBTBEs gain access to the marketplace and to further inclusiveness of the SB Program, staff recommends modifying the SB Program as follows:

- To add a LGBTBE category to the SB Program. A business is considered a LGBTBE if they are certified as LGBTBE by either the National Gay and Lesbian Chamber of Commerce or the California Public Utilities Commission and certified as an SB by the State of California Department of General Services. Additionally, a LGBTBE is considered an LSB if they meet the definition of LSB under the SB Program.

**Modifications to add LGBTBE to SB Program**

- The Office of Civil Rights (OCR) will list Local SBs, including Local LGBTBEs, on its website to promote participation on RR contracts.
- LGBTBE would identify themselves in the bid documents when bidding as prime Bidders and prime Bidders would identify LGBTBE subcontractors on Bid documents, similar to DVBES.
- OCR will track awards, commitments, and payments to LGBTBEs.

Additionally, to ensure the bid preference received through the Small Business Program is applied in accordance with its intended purpose, staff recommends adding a self-performance requirement to SB Prime Preference contracts or agreements won by a SB Prime.

**FISCAL IMPACT:** There is no fiscal impact with these modifications.

**ALTERNATIVES:** The alternative is to make no modifications to the Small Business Program and reject the proposed modifications to include LGBT Business Enterprises in the SB Program.

**RECOMMENDATION:** It is recommended that the Board adopt the following motion:

**MOTION:**

The Board hereby adopts the modifications to BART's Small Business Program for non-federal contracts, to add a Lesbian, Gay, Bisexual, and Transgender Business Enterprise category and a self-performance requirement for Small Business Primes.

**SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT**  
300 Lakeside Drive, P.O. Box 12688, Oakland, CA 94604-2688

Board of Directors  
Minutes of the 1,796th Meeting  
September 14, 2017

A regular meeting of the Board of Directors was held September 14, 2017, convening at 9:04 a.m. in the Board Room, 344 20<sup>th</sup> Street, Oakland, California. President Saltzman presided; Kenneth A. Duron, District Secretary.

Directors present: Directors Blalock, Dufty, Josefowitz, Keller, McPartland, Raburn, Simon, and Saltzman.

Absent: None. Director Allen entered the Meeting later.

President Saltzman called for Introduction of Special Guests. Director Raburn introduced and welcomed Mr. Dan Barki, League of Women Voters observer. Mr. Barki addressed the Board.

President Saltzman announced that the order of agenda items would be changed and called for the General Manager's Report. A video highlighting the work accomplished during the Labor Day weekend was presented.

Consent Calendar items brought before the Board were:

1. Approval of Minutes of the Meetings of August 10, 2017 (Special and Regular).
2. Award of Invitation for Bid No. 9021, Step Assemblies.
3. Award of Invitation for Bid No. 9023, Step Chain.
4. Award of Invitation for Bid No. 9032, 34.5 kV Cable.

Director Dufty made the following motions as a unit. Director McPartland seconded the motions, which carried by unanimous acclamation. Ayes – 8: Directors Blalock, Dufty, Josefowitz, Keller, McPartland, Raburn, Simon, and Saltzman. Noes - 0. Absent – 1: Director Allen.

1. That the Minutes of the Meetings of August 10, 2017 (Special and Regular), be approved.
2. That the General Manager be authorized to award Invitation for Bid No. 9021, an estimated quantity contract, for the purchase of Westinghouse escalator step assemblies, to Precision Escalator, for the amount of \$1,420,250.00, including taxes, pursuant to notification to be issued by the General Manager.

3. That the General Manager be authorized to award Invitation for Bid No. 9023, an estimated quantity contract, for the purchase of escalator step chain assemblies, to Precision Escalator, for the amount of \$679,098.00, including taxes, pursuant to notification to be issued by the General Manager, and subject to the District's protest procedures.
4. That the General Manager be authorized to award Invitation for Bid No. 9032, for 34.5kV Cable Replacement between KWS-ANA and MTF-MVS Substation, to The Okonite Company, in the amount of \$1,215,525.15, pursuant to notification to be issued by the General Manager, subject to compliance with the District's protest procedures and the Federal Transit Administration's requirements related to protests; and that the General Manager be further authorized to purchase up to 150% of the Contract Bid price, subject to certification of the Controller/Treasurer that funding is available.

(The foregoing three motions were made on the basis of analysis by the staff and certification by the Controller/Treasurer that funds are available for these purposes.)

President Saltzman called for Public Comment. Aleta Dupree addressed the Board.

Director Josefowitz, Chairperson of the Finance, Bond Oversight, and Administration Committee, brought the matter of Title VI Mitigation Action Plan for Magnetic-Stripe Ticket Surcharge before the Board. Ms. Sharon Moore, Program Manager, Workforce and Policy Compliance, and Ms. Jennella Sambour-Wallace, Manager of Special Projects, presented the item.

Aleta Dupree addressed the Board.

Director Allen entered the Meeting.

The item was discussed. Director McPartland moved that the Board approve the Title VI Fare Mitigation Action Plan for the Magnetic-Stripe Ticket Surcharge. President Saltzman seconded the motion, which carried by unanimous acclamation. Ayes – 9: Directors Allen, Blalock, Dufty, Josefowitz, Keller, McPartland, Raburn, Simon, and Saltzman. Noes - 0.

Director Josefowitz brought the matter of Proposed Small Business Program Modification to Include Lesbian, Gay, Bisexual and Transgender Business Enterprises before the Board. Mr. Wayne Wong, Department Manager, Office of Civil Rights, presented the item.

The following individuals addressed the Board.

Paul Pendergast  
Sandra Escalante  
Aleta Dupree

President Saltzman moved that the Board adopt the modifications to BART's Small Business Program for non-federal contracts to add a Lesbian, Gay, Bisexual, and Transgender Business

Enterprise category and a self-performance requirement for Small Business Primes. Director Simon seconded the motion, which carried by unanimous acclamation. Ayes – 9: Directors Allen, Blalock, Dufty, Josefowitz, Keller, McPartland, Raburn, Simon, and Saltzman. Noes - 0.

Director Josefowitz brought the matter of Update of Implementation Plan for Disparity Study Recommendations before the Board. Mr. Wong presented the item. The item was discussed.

Director Josefowitz brought the matter of Amendment to Late Night Bus Service Agreement before the Board. Mr. Bob Franklin, Department Manager, Customer Access, presented the item. President Saltzman moved that the General Manager or her designee be authorized to execute an amendment to the Agreement between the Alameda-Contra Costa Transit District and the San Francisco Bay Area Rapid Transit District in Connection with the Late Night Bus Core Service Project to extend funding for enhanced late night bus core service through mid-August 2018; and that the General Manager provide ridership and financial information for this service as a part of BART's Fiscal Year 2019 Preliminary Budget. Director Raburn seconded the motion. The item was discussed. The motion carried by electronic vote. Ayes – 8: Directors Blalock, Dufty, Josefowitz, Keller, McPartland, Raburn, Simon, and Saltzman. Noes - 1: Director Allen.

Director Josefowitz brought the matter of Safety, Reliability, and Traffic Relief Program (Measure RR): Staffing and Contracting Plan, before the Board. Mr. Robert Mitroff, Acting Assistant General Manager, Planning, Development, and Construction; and Ms. Tamar Allen, Chief Maintenance and Engineering Officer, presented the item. The item was discussed.

Director Keller, Chairperson of the Operations, Safety, and Workforce Committee, brought the matters of Change Order to Contract No. 11OG-130A, Balboa Park Station – Phase 2, with Proven Management, Inc., for Concourse Ceiling and Lighting Upgrades (C.O. No. 4); and Agreements with the City of Oakland and Union Pacific Railroad for Support Services for the 34.5kV Cable Replacement Project and the M03 Interlocking Project before the Board. Director Dufty made the following motions as a unit. Director Blalock seconded the motions, which carried by unanimous acclamation. Ayes – 9: Directors Allen, Blalock, Dufty, Josefowitz, Keller, McPartland, Raburn, Simon, and Saltzman. Noes - 0.

1. That the General Manager be authorized to execute Change Order No. 004, Ceiling and Lighting Treatment, for \$2,425,000.00, to Contract No. 11OG-130A, Balboa Park Station East Side Connection Improvement Phase 2, with Proven Management, Inc.
2. That the General Manager be authorized to execute Agreements with the City of Oakland and Union Pacific Railroad for a not-to-exceed amount of \$400,000.00, for support services related to the 34.5kV Replacement Project and the M03 Interlocking Renewal Project.

Jerry Grace and Sara D. addressed the Board.

Director Keller brought the matter of Fare Evasion Reduction before the Board. Mr. Paul Oversier, Assistant General Manager, Operations, and Chief of Police Carlos Rojas gave presentations on Fare Evasion Reduction Initiatives, Proposed Ordinance to Require Persons

inside the Paid Area of BART to Provide Proof of Payment (First Reading), and Proposed Ordinance Prohibiting Fare Evasion by Minors (First Reading).

The following individuals addressed the Board.

Randall Glock

Aleta Dupree

Jerry Grace

Jill Buck

The item was discussed.

President Saltzman exited the Meeting, and Vice President Raburn assumed the gavel.

Vice President Raburn announced that the Board would enter into closed session under item 10-A (Conference with Labor Negotiators) of the Regular Meeting agenda, and that the Board would reconvene in open session upon conclusion of the closed session.

The Board Meeting recessed at 12:18 p.m.

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The Board Meeting reconvened in closed session at 12:29 p.m.

Directors present: Directors Allen, Blalock, Dufty, Josefowitz, Keller, McPartland, Raburn, and Simon.

Absent: President Saltzman.

The Board Meeting recessed at 12:59 p.m.

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The Board Meeting reconvened in open session at 1:07 p.m.

Directors present: Directors Allen, Blalock, Dufty, Josefowitz, Keller, McPartland, Raburn, and Simon.

Absent: President Saltzman.

Vice President Raburn announced that the Board had concluded its closed session and that there were no announcements to be made.

Director Keller brought the matter of Transportation Resource Associates Maintenance and Service Options Study before the Board. Mr. Oversier; Ms. Allen; Mr. Shane Edwards, Assistant Chief Maintenance and Engineering Officer; and Mr. Christopher Wallgren, Vice President, Transportation Resource Associates, presented the item. The item was discussed.

Director Keller brought the matter of Update on Public Safety Initiatives before the Board. Mr. Tim Chan, Manager of Planning, and Chief Rojas presented the item. The item was discussed.

The following individuals addressed the Board.

Jamie Renton  
Gena Alexander  
Jerry Grace

Director Raburn, Chairperson of the Planning and Legislation Committee, brought the matters of On-Demand Bicycle Locker and Bicycle Station Kiosk Maintenance Agreement and Amendment to Lease at 300 Lakeside Drive, Oakland, before the Board. Director Josefowitz made the following motions as a unit. Director Raburn seconded the motions, which carried by unanimous acclamation. Ayes – 8: Directors Allen, Blalock, Dufty, Josefowitz, Keller, McPartland, Raburn, and Simon. Noes - 0. Absent – 1: Director Saltzman.

1. That the General Manager be authorized to enter into direct negotiations with eLock Technologies to execute an agreement in an amount not to exceed \$582,755.00.
2. That the General Manager or her designee be authorized to execute Amendment No. 8 to the lease for 300 Lakeside Drive in Oakland with SIC-Lakeside LLC, consistent with the terms contained in SIC's proposal dated September 7, 2017.

Vice President Raburn called for the balance of the General Manager's Report.

General Manager Grace Crunican reported on steps she had taken and activities and meetings she had participated in, ridership, upcoming events, and outstanding Roll Call for Introductions items. She noted the District had received a grant for \$8.7 million from the Federal Emergency Management Agency for security projects, and that the District was currently undergoing the California Public Utilities Commission Triennial Audit.

Vice President Raburn called for Board Member Reports, Roll Call for Introductions, and In Memoriam.

Vice President Raburn reported that he had attended the Ron Brown Business and Economic Summit and the Oakland Pride celebration.

Director Allen reported she had given a presentation to the Contra Costa Taxpayers Association.

Vice President Raburn called for Public Comment. Jerry Grace addressed the Board.

The Meeting was adjourned at 3:29 p.m.

Kenneth A. Duron  
District Secretary





# Memorandum

5.4

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• www.AlamedaCTC.org

**DATE:** January 7, 2019

**TO:** Programs and Projects Committee

**FROM:** Trinity Nguyen, Director of Project Delivery  
Kanda Raj, Project Manager

**SUBJECT:** Global Opportunities at the Port of Oakland Project (GoPort) (PN 1442000): Approval of Project Actions for the Freight Intelligent Transportation Systems Component of the GoPort Project

## Recommendation

It is recommended that the Commission approve the following actions related to the Freight Intelligent Transportation System (FITS) component of the GoPort project:

1. Authorize the Executive Director to enter into a Cooperative Agreement with the Port of Oakland for the construction phase; and
2. Approve the release of construction phase contracts.

## Summary

The Alameda County Transportation Commission (Alameda CTC) is the project sponsor and implementing agency for the GoPort Project which includes a program of projects to improve truck and rail access to the Port of Oakland (Port), one of the nation's most vital seaports. It consists of three project components, namely: The Freight Intelligent Transportation Systems (FITS), 7th Street Grade Separation East (7SGSE), and 7th Street Grade Separation West (7SGSW). This program of major capital projects will substantially improve the safety, efficiency and reliability of truck and rail access to the Oakland Port Complex. It will greatly reduce shipping costs and improve the competitiveness of the Port while also generating benefits that extend beyond the Port area, such as reduced regional congestion and emissions and substantial job creation. It will also provide critical bicycle and pedestrian connectivity to the Bay Trail system.

The FITS project is the first of the three GoPort projects to begin construction. It consists of the deployment of advanced and innovative demonstration technologies that seek to improve the efficiency, safety, operations, circulation and reliability of truck and rail access throughout the seaport.

The FITS project was included in the 2002 Oakland Army Base (OAB) Redevelopment Environmental Impact Report (EIR) and the 2012 OAB EIR Addendum. Both state-level California Environmental Quality Act (CEQA) documents were approved by the City of Oakland as the Lead Agency and the Port of Oakland as the Responsible Agency. Alameda CTC has worked collaboratively with Caltrans and the Port of Oakland to obtain federal-level National Environmental Policy Act (NEPA) clearance through a Categorical Exclusion (CE) in October 2018. The FITS project is currently in the final stages of design and obtaining right-of-way clearance. It is anticipated that the project will be advertised by May 2019.

The cost of the FITS project is \$30.6 million, with a total estimated construction cost of \$24 million as shown in Table A. Both Alameda CTC and the Port of Oakland have successfully competed in competitive grant opportunities and collectively received \$24 million in external funding to close the construction funding gap. Alameda CTC leveraged \$6.6 million of its local Measure BB funds to secure \$9.72 million in federal funding from the Federal Highway Administration (FHWA) under the Fiscal Year (FY) 2017 Advanced Transportation and Congestion Management Technologies Deployment (ATCMTD) Program and \$12.456 million in state funding from the California Transportation Commission (CTC) under the 2018 Trade Corridor Enhancement Program (TCEP). Additionally, the Port was successfully awarded \$1.824 million from the U.S. Department of Homeland Security (DHS) under the FY 2017 Port Security Grant Program (PSGP).

The FITS project will be delivered as five separate contract packages due to schedule, funding requirements, and resource availability. Alameda CTC and the Port are working cooperatively to deliver the five packages. Responsibilities for delivery during the construction phase are shown in Table B.

Upon approval of this item, staff intends to enter into a Cooperative Agreement with the Port of Oakland for the construction phase of the two Port implemented FITS contract packages in which the Port received federal funding from the DHS and authorize Alameda CTC to release the construction phase contracts for advertisement by May 2019. Staff expects to return to the Commission in July 2019 with an award recommendation of the Alameda CTC implemented FITS packages subject to FHWA and CTC approval. The resulting contracts would be funded by state and federal funds, and upon approval, budget will be included in the Alameda CTC Adopted FY 2019-20 Capital Program Budget.

## **Background**

Over the past decade, significant state, local and private-sector investments have been made as part of the redevelopment of the OAB to modernize and expand rail facilities, warehousing, and transloading facilities to support the on-going productivity and efficiency of the Port as one of the top ten busiest container ports in the nation, handling 99 percent of regional containerized goods in Northern California. In addition, the Port of Oakland is a major export port in the United States supporting a balance of imports and exports.

As a critical global gateway providing access to the Pacific Rim, the Port has significant infrastructure deficiencies that, if not addressed, will limit the economic competitiveness of the Port. The Port's roadway network is greatly strained by arrivals of increasingly large ocean liners. Significant truck traffic congestion and idling lead to shipping delays, increased emissions, and unsafe truck maneuvers. In addition, the Port lacks integrated traffic management capabilities to respond to incidents or implement operational strategies.

Alameda CTC, in cooperation with the Port proposes to construct a package of landside transportation improvements within the Port, which are critical to the San Francisco Bay regional economy. These three independent, inter-related and synergistic projects to improve truck and rail access to the Oakland Port Complex are summarized below and is the basis of the GoPort Project.

- **FITS** – A suite of demonstration technology projects along West Grand Avenue, Maritime Street, 7<sup>th</sup> Street, Middle Harbor Road, Adeline Street, and Embarcadero West that are intended to improve truck traffic flows, increase the efficiency of goods movement operations, and enhance the safety and incident response capabilities throughout the seaport.
- **7th Street Grade Separation Project** –
  - **7SGSE**: Replace existing railroad underpass between I - 880 and Maritime Street to increase clearance for trucks and improve the current shared pedestrian / bicycle pathway.
  - **7SGSW**: Realign and grade separate the intersection near 7th Street and Maritime Street and construct a rail connection underneath to improve the intermodal access and minimize conflicts between rail, vehicles, pedestrians, and bicyclists.

The FITS project is the first of the three GoPort projects to begin construction. Implementing the advanced technology aspects of the FITS project can help to manage traffic throughout the seaport area in general and will also be used to manage traffic specifically during construction of the two 7th Street grade separation projects. The FITS project will reduce congestion, queuing and truck idling by providing real time information to trucks and other vehicles entering the Port and reducing conflicts at the signals and rail crossings. Real time data also enables users to find available heavy-duty truck parking at designated spots rather than idling and queueing on the streets, search for alternative routes to enter/exit the Port and avoid delays due to at-grade crossings or any traffic incidents.

The FITS project was included in the 2002 Oakland Army Base (OAB) Redevelopment Environmental Impact Report (EIR) and the 2012 OAB EIR Addendum. Both state-level California Environmental Quality Act (CEQA) documents were approved by the City of Oakland as the Lead Agency and the Port of Oakland as the Responsible Agency. Alameda CTC has worked collaboratively with Caltrans and the Port of Oakland to obtain federal-level National Environmental Policy Act (NEPA) clearance through a Categorical Exclusion (CE) from Caltrans in October 2018. The FITS project is currently in the final stages

of design and obtaining right-of-way clearance. It is anticipated that the project will be advertised by May 2019.

**Cost/Funding:**

The current estimate for the FITS project is estimated to be \$30.6 million as summarized below:

<b>Table A: Funding Summary</b>					
<b>Phase</b>	<b>Fund Source (x \$1,000)</b>				
	<b>Measure BB</b>	<b>ATCMTD</b>	<b>TCEP</b>	<b>PSGP</b>	<b>Total</b>
Environmental	\$2,500				\$2,500
Design	\$4,100				\$4,100
Construction		\$9,720	\$12,456	\$1,824	\$24,000
<b>Total</b>	<b>\$6,600</b>	<b>\$9,720</b>	<b>\$12,456</b>	<b>\$1,824</b>	<b>\$30,600</b>

**Delivery Strategy:**

Several agreements are required between Alameda CTC and others to successfully implement the FITS project. The project team has been coordinating with various agencies on funding agreements, cooperative agreements, permits, and memorandums of understanding (MOU). A MOU with Caltrans is required for data sharing, in order to facilitate traffic and incident management in and near the Port of Oakland. Part of this effort, the Project will implement signal coordination and center to center communication with Caltrans.

In cooperation with the Port, the FITS delivery strategy was determined by funding requirements, project schedule, and maximizing resource availability.

The Port will advertise, award, and administer (AAA) the construction of two of the five FITS contract packages while Alameda CTC will AAA the other three as shown in Table B. The Port must implement the two awarded FITS contract packages as required by the DHS to receive the PSGP funds. A cooperative agreement is required between the Alameda CTC and the Port of Oakland to document roles, responsibilities, and financial commitments, for construction implementation and system integration of the FITS project.

In order to progress the delivery of the FITS project, staff recommends the following project actions related to the FITS component of the GoPort project:

1. Authorize the Executive Director to enter into a Cooperative Agreement with the Port of Oakland for the construction phase; and
2. Approve the release of construction phase contracts for advertisement.

As mentioned above, the FITS project will be delivered as five separate contract packages due to schedule, funding requirements, and resource availability. Alameda CTC and the Port are working cooperatively to deliver the five packages. Responsibilities for delivery during the construction phase are shown in Table B.

<b>Table B: Responsibilities for Delivery During Construction</b>			
<b>Package No.</b>	<b>Contract Package</b>	<b>Implementing Agency</b>	<b>Oversight /Support</b>
1	<b>Emergency Operations Center (EOC) / Traffic Management Center (TMC):</b> Centralized command center to plan, operate, and manage traffic and incidents.	Port of Oakland	Alameda CTC
2	<b>Radio Frequency Identification Device (RFID) Readers:</b> Device used to gather information and track vehicle activity	Port of Oakland	Alameda CTC
3	<b>Advanced Traffic Management System:</b> <ul style="list-style-type: none"> <li>• <b>Fiber Communications</b> – complete/ upgrade existing fiber network</li> <li>• <b>WiFi Communications</b> – expansion of wireless communication to serve as backup communication system</li> <li>• <b>Queue Detection</b> – system that uses real-time sensors to report roadway operating conditions and track queueing</li> <li>• <b>Closed-Circuit Television (CCTV) Upgrade to High Definition</b> – enhance video cameras to high definition and pan-tilt-zoom capability</li> <li>• <b>Adaptive Signal System</b> – automated traffic signals based on demand</li> <li>• <b>Advanced Traffic Management System</b> – software that integrates traffic data</li> <li>• <b>Advanced Rail Grade Crossing System</b> – Non-intrusive train detection to provide warnings of trains or delays</li> <li>• <b>Center to Center Communication</b> – information sharing and coordination between transportation agencies</li> <li>• <b>Changeable Message Signs (CMS)</b> – electronic sign on roadway that displays traveler information or messages</li> <li>• <b>Supplemental Vehicle Detection</b> – gauges speed and flow of traffic</li> </ul>	Alameda CTC	Port of Oakland

	<ul style="list-style-type: none"> <li>• <b>Weigh-in-Motion</b> – provides truck/vehicle weights located on Port property</li> <li>• <b>System Integration</b> – provides an integrated management system that interfaces with all field elements installed by the FITS projects and disseminates real-time travel, parking, incidents, wait times, terminal turn times, and terminal information to the TMC operator in user friendly formats</li> </ul>		
4	<b>GoPort Website/Mobile Application:</b> Software application that disseminates real-time data to users such as wait times, traffic conditions, parking, rail crossings, incidents, etc.	Alameda CTC	Port of Oakland
5	<b>Basic Smart Parking System:</b> System that monitors on-port truck parking availability shared via GoPort application and CMS	Alameda CTC	Port of Oakland

**Fiscal Impact:** The actions will authorize the encumbrance of state and federal funds contingent on allocation of funds. This amount is included in the appropriate project funding plans, and upon approval, budget will be included in the Alameda CTC Adopted FY 2019-20 Capital Program Budget.

**Attachment:**

A. Freight Intelligent Transportation Project Fact Sheet



# GoPort Freight Intelligent 5.4A Transportation System Project

DECEMBER 2018

## PROJECT OVERVIEW

The Alameda County Transportation Commission (Alameda CTC), in partnership with the City of Oakland and the Port of Oakland (Port), proposes to implement the Global Opportunities at the Port of Oakland (GoPort) Program, a package of landside transportation improvements within and near the Port. The Freight Intelligent Transportation System (FITS) project is a suite of demonstration information technology projects along West Grand Avenue, Maritime Street, 7th Street, Middle Harbor Road, Adeline Street, and Embarcadero West, that are intended to improve truck traffic flows, increase the efficiency of goods movement operations, and enhance the safety and incident response capabilities throughout the seaport.

The purpose of this project is aimed at traffic management and operations of arterial roadways in the Port environment and disseminating traveler information and data to users and stakeholders.

## PROJECT NEED

- Support regional economic development and Port growth potential.
- Provide common platform to receive critical information on Port conditions, queue lengths, and incident alerts.
- Develop an ITS communication network that serves future needs
- Reduce truck idling that causes negative impacts to neighboring communities

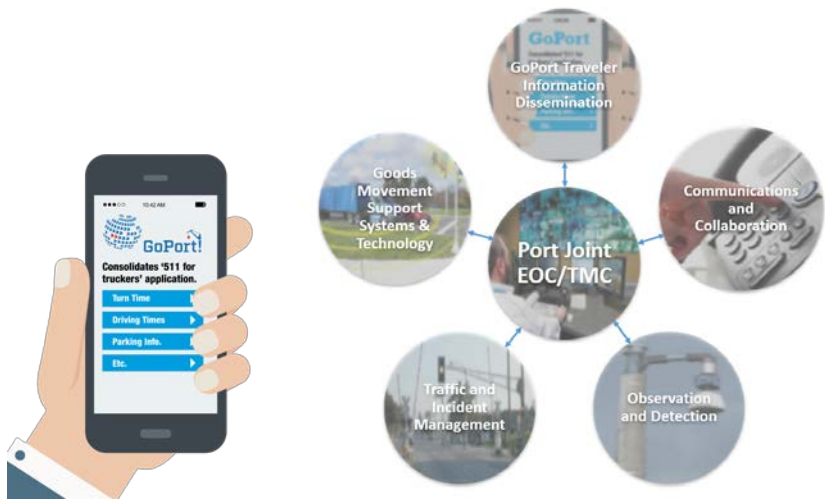


## PROJECT BENEFITS

- Improves safety, efficiency and reliability of truck and rail access to the Oakland Port Complex
- Provides real-time traveler information to users
- Improves traffic and incident management within the Port, its terminals and access routes
- Reduces congestion, truck idling and related emissions
- Improves Port competitiveness



Congestion, bottlenecks, and trucks queuing at the Port of Oakland.



GoPort mobile application.

Freight ITS operations overview.

STATUS

Implementing Agency: Alameda CTC

Current Phase: Final Design

- California Environmental Quality Act (CEQA) clearance through the 2002 Oakland Army Base Environmental Impact Report (EIR) and the 2012 addendum.
- National Environmental Policy Act (NEPA) clearance through a Categorical Exclusion (CE) was completed on August 31, 2018.

PARTNERS AND STAKEHOLDERS

City of Oakland, Port of Oakland, Federal Highway Administration, California Transportation Commission, California Department of Transportation, U.S. Department of Homeland Security and the Metropolitan Transportation Commission

COST ESTIMATE BY PHASE (\$ X 1,000)

PE/Environmental	\$2,500
Final Design (PS&E)	\$4,100
Construction	\$24,000
Total Expenditures	\$30,600

FUNDING SOURCES (\$ X 1,000)

Measure BB	\$6,600
Federal (ATCMTD) <sup>1</sup>	\$9,720
Federal (PSGP) <sup>2</sup>	\$1,824
State (SB 1 TCEP) <sup>3</sup>	\$12,456
Total Revenues	\$30,600

<sup>1</sup> Advanced Transportation and Congestion Management Technologies Deployment (ATCMTD).

<sup>2</sup> Port Security Grant Program (PSGP).

<sup>3</sup> Senate Bill 1 Trade Corridor Enhancement Program (TCEP).

SCHEDULE BY PHASE

	Begin	End
PE/Environmental	Fall 2016	Summer 2018
Final Design	Fall 2018	Early 2019
Right-of-Way	Fall 2018	Early 2019
Construction	Summer 2019	Late 2021

Note: Information on this fact sheet is subject to periodic updates.





# Memorandum

5.5

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• www.AlamedaCTC.org

**DATE:** January 7, 2019

**TO:** Programs and Projects Committee

**FROM:** Trinity Nguyen, Director of Project Delivery  
Angelina Leong, Assistant Transportation Engineer

**SUBJECT:** Approve the Administrative Amendment to Grant Funding Agreement A13-0057 to extend agreement expiration date

## Recommendation

It is recommended that the Commission approve an Administrative Amendment to Grant Funding Agreement (A13-0057) 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 request shown in Table A has been reviewed and it has been determined that the request will not compromise project deliverables.

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

## Background

Amendments are considered "administrative" if they do not result in an increase to the existing encumbrance 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 phase/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 project deliverables are not compromised. The administrative amendment request identified in Table A has been evaluated and is recommended for approval.

**Levine Act Statement:** Not applicable.

**Fiscal Impact:** There is no fiscal impact associated with the requested action.

**Attachment:**

A. Table A: Administrative Amendment Summary

Table A: Administrative Amendment Summary

Index No.	Firm/Agency	Project/Services	Agreement No.	Contract Amendment History and Requests	Reason Code	Fiscal Impact
1	BART	BART Plaza and Transit Area Improvements	A13-0057	A1: 24-month time extension from 10/31/2017 to 10/31/2018 A2: Administrative amendment to update deliverables. A3: 14-month time extension from 10/31/2018 to 12/31/2019 ( <i>current request</i> )	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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