



## **SAN FRANCISCO PENINSULA RAIL PROGRAM EXECUTIVE STEERING COMMITTEE MEETING**

### **MINUTES**

Friday, August 18, 2023

TJPA Office  
425 Mission Street, Suite 250  
San Francisco, CA

9:30 a.m. to 10:30 a.m.

### **EXECUTIVE STEERING COMMITTEE**

Peninsula Corridor Joint Powers Board/Caltrain, Michelle Bouchard (Chair)  
San Francisco County Transportation Authority, Tilly Chang (Vice Chair)  
California High Speed Rail Authority, Boris Lipkin  
City and County of San Francisco, Alex Sweet  
Metropolitan Transportation Commission, Alix Bockelman  
Transbay Joint Powers Authority, Adam Van de Water

### **PUBLIC PARTICIPATION**

This meeting will be held in person at the location listed above. Members of the public may attend the meeting to observe and provide public comment at the physical location listed above or may watch live online using the link below:

<https://transbaycenter.webex.com/transbaycenter/j.php?MTID=m05f493cf7f9c84d04d51946f75c6d06e>

**PUBLIC COMMENT CALL-IN: 1-855-282-6330**

**Access Code: 2558 589 9909 # #**

When the item is called, dial \*3 to be added to the speaker line. When prompted, callers will have two minutes to provide comment unless otherwise noted by the Chair. Please speak clearly, ensure you are in a quiet location, and turn off any TVs or computers around you.

## AGENDA

### 1. Call to Order

Chair Bouchard called the meeting to order at 9:32 a.m.

### 2. Roll Call

Prior to taking the roll, Secretary Bonner noted that Member Sweet was not present but was expected.

Members Present: Alix Bockelman, Boris Lipkin, Alex Sweet, Adam Van de Water, Tilly Chang, Michelle Bouchard

Members Absent: None

### 3. Communications

Secretary Bonner provided instructions on the Public Call-in/Comment process. She noted that the September 15, 2023, meeting would be canceled and a Special meeting would be held on September 22, 2023.

- Chair's Report

In her report, Chair Bouchard recapped the milestones achieved at the August 10, 2023, TJPA Board of Directors meeting for The Portal, which included:

- Authorized the Executive Director to submit to the Federal Transit Administration (FTA) documentation on the Downtown Rail Extension (DTX) scope, schedule, and 20-Year Financial Plan, including the capital cost estimate and capital funding plan, for entry into the Engineering Phase of the Capital Investment Grants New Starts program;
- Authorized the Executive Director to enter into an Interim Agreement with the Peninsula Corridor Joint Powers Board (Caltrain) while the parties negotiate a longer-term Master Cooperative Agreement; and
- Approval of the governance blueprint for the DTX, now also known as The Portal.

Member Van de Water acknowledged the project team worked diligently to accomplish this milestone. Vice Chair Chang expressed gratitude to staff for their hard work and noted the timing of these accomplishments are "historic." Chair Bouchard thanked the ESC members and expressed her appreciation for the collaboration.

#### Public Comment:

There was no member of the public wishing to comment.

#### 4. Action Item:

Approval of Meeting Minutes: July 21, 2023

The motion to approve the minutes was made by Vice Chair Chang and seconded by Member Van de Water. A unanimous voice vote approved the motion.

#### Public Comment:

Roland Lebrun praised the quality of the ESC meeting minutes.

#### 5. Informational Item

Presentation of DTX/The Portal Path to Baseline Cost & Schedule

TJPA Project Director Alfonso Rodriguez presented the item.

Member Van de Water inquired with Alfonso Rodriguez, TJPA Project Director for The Portal, to assess the stability of the overall cost estimate and level of contingency for the project. Mr. Rodriguez responded that the Federal Transit Administration (FTA)'s Project Management Oversight Contractor (PMOC) has validated the 43 percent overall contingency and the cost estimate with an additional \$8.7 million. He explained that the adjustments are due to the inclusion of the train box, maintenance-of-way vehicles, and a provision for right-of-way related to the 4th and King Railyards. Adding these elements changed the scope, which the PMOC was obligated redo their risk assessment to consider these elements, which resulted in a new result. He noted that the cost estimate follows FTA's recommended "P65" level of confidence, meaning that the project has a 65 percent chance of completing on budget.

Member Lipkin inquired the quarterly risk update and the process for allocating contingency to risk. Mr. Rodriguez referred to the project's Risk and Contingency Management Plan and explained that a contingency drawdown curve is prepared at each quarterly update. Over the course of project, these curves change as old risks are retired and new ones arise. He said that during construction, it is normal to draw down contingency and that the project is required to report trends to the funding partners, including the FTA. Monthly updates are also provided to the TJPA Board and specially formed groups such as the ESC. Regarding allocated contingency, the designer's contingency, once the TJPA Board approves the baseline budget and schedule, staff will establish contract budgets (for construction and professional services) and apply allocated contingency to these budgets. Unallocated contingency will be subject to the Change Control Board's procedures. Member Lipkin stated that he was pleased to see there is a plan behind the contingencies and risk register and encouraged Mr. Rodriguez and staff to establish working-level procedures for the day-to-day updating of the baseline budget. Mr. Rodriguez stated he would present the Risk and Contingency Management Plan at a future meeting and such working-level procedures will be prescribed in the federal grant.

Vice Chair Chang inquired if there was a way the project can quicken past the six-month schedule contingency. Mr. Rodriguez highlighted two dates: the project's target opening date of October 2032 and the FTA's recommended opening date in late June 2035. He stated that

the difference between these two dates is due to added schedule contingency. When staff brings the baseline schedule with the target revenue service date to the TJPA Board, it will include some contingency but not all of the recommended contingency.

Vice Chair Chang questioned what is the workplan for the next three months relative to the funding plan, governance memorandum of understanding (MOU), and procurement readiness. Mr. Rodriguez explained that “procurement readiness” refers to approval of the procurement strategy, which he believes is complete. The team is currently progressing procurement documents, specifically, the Request for Qualifications (RFQ) for the civil and tunnel progressive design-build contract. The governance blueprint, which he described as a “powerful road map,” will guide the team to finalizing the new MOU. He acknowledged the large amount work to be done over the remaining months. As far as the funding plan, he said that the project’s scope and budget are stable. He explained that a Full Funding Grant Agreement (FFGA) from the FTA will not be approved until the full local share is committed, which is scheduled for April 2025. Vice Chair Chang stated her desire to understand the order of next steps for the Progressive Design Build (PDB) and other construction contracts and requested that Mr. Rodriguez return with the procurement schedule that he presented last year. Vice Chair Chang also suggested that the partners continue to work together to progress the funding plan in coordination with TJPA staff as well as external partners such as, Member Bockelman (MTC), and Member Sweet (City of San Francisco) in particular. She noted ongoing activity in the region and at the state level and encouraged everyone to sharpen the strategy going into the last 18 months toward 2025. Member Bockelman stated that the procurement schedule should be presented to the ESC at a future meeting. Mr. Rodriguez and Chair Bouchard agreed.

Member Van de Water summarized the pending major activities. He stated the forecasted plan is receive TJPA Board approval in November for adoption of the baseline schedule and return to the TJPA Board prior to end of the calendar year, depending on the readiness of the governance successor MOU. A request for proposals (RFP) for the Project Management/Construction Management (PM/CM) contract, the first procurement, has been issued. It will be followed by the RFQ for the PDB civil and tunnel work this year and the RFP in 2024. Execution of the FFGA is in Spring 2025. Additional activities include advancing preconstruction work with Caltrain – the initial operator at the Railyards, utility relocation, and right-of-way acquisition. Mr. Rodriguez emphasized that work is ongoing with the Integrated Program Management Team (IPMT) and he will bring back the schedule in greater detail. Chair Bouchard added that having a detailed discussion at the IPMT on how the contract packages are being developed is important.

#### Public Comment

Roland Lebrun stated the contingency drawdown curve should be part of the monthly report to the Executive Working Group (under the new governance structure). He also suggested that a “plan b” is needed, specifically a project development alternative.

Mr. Jim Patrick, of Patrick and Company, noted that a large piece of real estate along Townsend and 16th [Street] is for sale which Amazon is proposing to build a warehouse at

the site. He suggested that the parcel would be well used for a return track and to build out the Fourth Street station.

Mr. Lebrun elaborated on Mr. Patrick's suggestion and stated the warehouse planned by Amazon will be next to Seventh Street. As part of his "plan b," his Seventh Street station alternative should be considered. He suggested that the project should partner with Amazon so that Amazon can use the passing track rather than trucks. This would mitigate the noise from truck traffic.

6. Discussion Item  
ESC Agenda items for upcoming meetings.
7. Adjourn  
Chair Bouchard adjourned the meeting at 11:06 a.m.

#### ACCESSIBLE MEETING POLICY

The Ethics Commission of the City and County of San Francisco has asked us to remind individuals that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance (Campaign and Gov't Conduct Code, Article II, Chapter 1, § 2.100, et seq.) to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102, telephone (415) 252-3100, fax (415) 252-3124 and website: [www.sfethics.org](http://www.sfethics.org).