SAN JOAQUIN REGIONAL RAIL COMMISSION
TELECONFERENCE BOARD MEETING

Call-In Information: 1 (872) 240-3412 Conference Access Code: 442-680-861
GoToMeeting Link: https://www.gotomeet.me/acerail/sjrrc-board-meeting-april

SPECIAL NOTICE
Coronavirus COVID-19

In accordance with the Governor’s Executive Order N-29-20, San Joaquin Regional Rail Commission Board Members will be attending this meeting via teleconference. Members of the public may observe the meeting by dialing 1 (872) 240-3412 with access code: 442-680-861 or log-in using a computer, tablet or smartphone at GoToMeeting.com using link: https://www.gotomeet.me/acerail/sjrrc-board-meeting-april.

Please note that all members of the public will be placed on mute until such times allow for public comments to be made. If a person wishes to make a public comment during the meeting, to do so they must either 1) use GoToMeeting and will have the option to notify SJRRC staff by alerting them via the “Chat” function or they can 2) contact SJRRC staff via email at publiccommentssjrrc@acerail.com in which staff will read the comment aloud during the public comment period. Public comments will be limited to two (2) minutes per comment.

This Agenda shall be made available upon request in alternative formats to persons with a disability, as required by the Americans with Disabilities Act of 1990 (42 U.S.C. § 12132) and the Ralph M. Brown Act (California Government Code § 54954.2). Persons requesting a disability related modification or accommodation in order to participate in the meeting should contact San Joaquin Regional Rail Commission (SJRRC) staff, at (209) 944-6220, during regular business hours, at least twenty-four hours prior to the time of the meeting.

All proceedings before the Commission are conducted in English. Anyone wishing to address the SJRRC Board is advised to have an interpreter or to contact SJRRC during regular business hours at least 48 hours prior to the time of the meeting so that SJRRC can provide an interpreter. Any writings or documents provided to a majority of the Commission regarding any item on this agenda will be made available upon request in both English and Spanish for public inspection at the Office of the Executive Director located at 949 East Channel Street, Stockton, California, 95202 during normal business hours or by calling (209) 944-6220. The Agenda is available on the San Joaquin Regional Rail Commission website: www.acerail.com.

April 3, 2020 – 8:00 am
1. Call to Order, Pledge of Allegiance, Oath of Office for Incoming Commissioner Doug Kuehne, Roll Call

Roll Call: Haggerty, Marchand, Elliott, Moorhead, Young, Kuehne, Zuber, Chair Fugazi

Ex-Officios: Chesley, Salazar, Zoslocki, McElhinney

Chair Fugazi

2. Public Comments

Persons wishing to address the Commission on any item of interest to the public regarding rail shall state their names and addresses and make their presentation. Please limit presentations to two minutes. The Commission cannot take action on matters not on the agenda unless the action is authorized by Section 54954.2 of the Government Code. Materials related to an item on the Agenda submitted to the Board of Directors after distribution of the agenda packet are available for the public inspection in the Commission Office at 949 E. Channel Street during normal business hours. These documents are also available on the San Joaquin Regional Rail Commission website at https://acerail.com/board-of-directors/ subject to staff's ability to post the documents prior to the meeting.

3. Consent Calendar

3.1 Minutes of SJRRC Board Meeting March 6, 2020 ACTION

3.2 Rail Commission/ACE Monthly Expenditure INFORMATION

3.3 ACE Monthly Fare Revenue INFORMATION

3.4 ACE Ridership INFORMATION

3.5 ACE On-Time Performance INFORMATION

3.6 Update on Positive Train Control INFORMATION

3.7 Washington Update INFORMATION

3.8 Conceptual Work Program INFORMATION

3.9 Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Approving the Fiscal Year 2019-20 Transportation Development Act (TDA) Claim and Authorizing Submission by the Executive Director to the San Joaquin Council of Governments for Local Transportation Funds (LTF) and State Transit Assistance Funds (STA) for a Total of $9,558,852 ACTION

3.10 Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Adopting the San Joaquin Regional Rail Commission Debt Policy ACTION

3.11 Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Adopting Fiscal Year 2019/2020 Budget Amendment #1:

a) Replacing the Public Information Display Systems (PIDS) Project with the WiFi Project, Increasing the Capital Budget in the Amount of $100,000, from $92,733,015 to $92,833,015 ACTION
4. **Status of the Impacts of COVID-19 on Passenger Rail Service and the Reduction of ACE and San Joaquin Service**  
   (Stacey Mortensen)  

5. **Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Approving an Agreement with Bombardier Transit Corporation for Bi-Level Commuter Passenger Rail Coach and Cab Cars and Associated Costs, Not-To-Exceed $66,500,000, and Authorizing the Executive Director to Execute Any and All Necessary Documents**  
   (Brian Schmidt/Autumn Gowan) (All Voting Members)  

6. **Approve Two (2) Resolutions of the Board of Commissioners of the San Joaquin Regional Rail Commission Approving Agreements with Nomad Digital, Inc. and Xenconsult, Inc. (dba Xentrans) for Wi-Fi Hardware, Software, Service, Support, and Oversight Services and Authorizing the Executive Director to Execute Any and All Documents Related to the Project**  
   (David Lipari/Autumn Gowan)  
   
   **Action 1.** Approve a Five (5) Year Agreement with a Five Year Extension Option with Nomad Digital, Inc. for Wi-Fi Hardware, Installation, Software, Service, and Support Not-To-Exceed $2,620,000 and Authorizing the Executive Director to Execute Any and All Documents Related to the Project  
   (All Voting Members)  

   **Action 2.** Approve a Five (5) Year Agreement with a Five Year Extension Option with Xenconsult, Inc. (dba Xentrans) for Wi-Fi Oversight, Service, and Support Not-To-Exceed $830,000 and Authorizing the Executive Director to Execute Any and All Documents Related to the Project  
   (All Voting Members)  

7. **Appoint a Member and an Alternate of the San Joaquin Regional Rail Commission Who is a Resident of San Joaquin County to be a Board Member of the San Joaquin Joint Powers Authority**  
   (Stacey Mortensen) (Regular Voting Members)
8. Commissioner's Comments

9. Ex-Officio Comments

10. Executive Director’s Report

11. Adjournment
    The next regular meeting is scheduled for:
    May 1, 2020 – 8:00 am
    Robert J. Cabral Station
    949 East Channel Street
    Stockton, CA 95202
Minutes of SJRRC Board Meeting March 6, 2020

The regular meeting of the San Joaquin Regional Rail Commission was held at 8:00 am, March 6, 2020 at the Robert J. Cabral Station, 949 East Channel Street Stockton, CA 95202.

1 Call to Order/Pledge of Allegiance/Roll Call

Chair Fugazi called the meeting to order at 8:00 am and led the audience in the pledge of Allegiance.

Commissioners Present: Haggerty, Marchand, Elliott, Young, Zuber, Chair Fugazi

Commissioners Absent: Moorhead

Ex-Officio Members Present: Mr. Chesley, Mr. McElhinney

2 Moment of Silence in Honor of Commissioner Bob Johnson

Chair Fugazi commended Commissioner Johnson’s service to the Rail Commission and gave her condolences.

Ms. Mortensen shared her history with Commissioner Johnson and commended his service to the Rail Commission and gave condolences on behalf of staff.

Commissioner Elliott offered his condolences.

Mr. Chesley shared his history with Commissioner Johnson and offered his condolences.

Commissioner Young shared her history with Commissioner Johnson and offered her condolences.

3 Public Comments

No public comments were made.

4 Consent Calendar

4.1 Minutes of SJRRC Board Meeting February 7, 2020
4.2 Rail Commission/ACE Monthly Expenditure
4.3 ACE Monthly Fare Revenue
4.4 ACE Ridership
4.5 ACE On-Time Performance
4.6 Update on Positive Train Control
4.7 Washington Update
4.8 Accept Independent Auditors’ Report for Fiscal Year 2018/2019

M/S/C (Zuber/Young) Approve the Consent Calendar. Passed and Adopted by the San Joaquin Regional Rail Commission on the 6th day of March, 2020 by the following vote to wit:
Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission to Create an Ad Hoc Performance Review Process Committee of Two (2) Regular Voting Members to Recommend to the Commission at the May 2020 Board Meeting a Process and Forms for Performing the Annual Performance Evaluation of the Executive Director

Counsel did a presentation on this item.

Chair Fugazi inquired about which fiscal year the Ad Hoc committee would be reviewing. Counsel clarified that the evaluation could be for the current year if that is what the board chooses.

Vice-Chair Zuber stated the importance of the committee.

Commissioner Young nominated Vice-Chair Zuber to serve on the committee. Chair Fugazi seconded that nomination.

Vice-Chair Zuber nominated Commissioner Young to serve on the committee. Chair Fugazi seconded that motion.

M/S/C (Zuber/Young) Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission to Create an Ad Hoc Performance Review Process Committee of Two (2) Regular Voting Members to Recommend to the Commission at the May 2020 Board Meeting a Process and Forms for Performing the Annual Performance Evaluation of the Executive Director. Passed and Adopted by the San Joaquin Regional Rail Commission on the 6th day of March, 2020 by the following vote to wit:

AYES: 4 Elliott, Young, Zuber, Chair Fugazi

NOES: 0

ABSTAIN: 0

ABSENT: 1 Moorhead

Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Approving Amendment 01 to the Agreement with Mark Thomas and Company, Inc. for the Ceres Station, Platform and Temporary Layover Facility to Increase the Total Compensation by an Amount of $993,518 with the Total Contract Amount Not-To-Exceed
$2,820,351 and Authorizing the Executive Director to Execute Any and All Documents Related to the Project

Mr. Sheridan did a presentation on this item.

Mr. Wolffe requested the PowerPoints be made available online.

M/S/C (Zuber/Elliott) Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Approving Amendment 01 to the Agreement with Mark Thomas and Company, Inc. for the Ceres Station, Platform and Temporary Layover Facility to Increase the Total Compensation by an Amount of $993,518 with the Total Contract Amount Not-To-Exceed $2,820,351 and Authorizing the Executive Director to Execute Any and All Documents Related to the Project. Passed and Adopted by the San Joaquin Regional Rail Commission on the 6th day of March, 2020 by the following vote to wit:

AYES: 4 Elliott, Young, Zuber, Chair Fugazi
NOES: 0
ABSTAIN 0
ABSENT: 1 Moorhead

Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Approving an Agreement with AECOM Technical Services, Inc. to Complete the Final Design for the Modesto Station Track and Platform Configuration Project, Not-To-Exceed $2,450,367, and Authorizing the Executive Director to Execute Any and All Documents Related to the Project

Mr. Sheridan did a presentation on this item.

Chair Fugazi inquired about having a ground level crosswalk for the Modesto station. Mr. Sheridan clarified the layout of how passengers would board the trains.

Vice-Chair Zuber inquired about the layout of the tracks. Mr. Sheridan clarified the layout of the track and the coordination with the freight railroads.

M/S/C (Zuber/Young) Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Approving an Agreement with AECOM Technical Services, Inc. to Complete the Final Design for the Modesto Station Track and Platform Configuration Project, Not-To-Exceed $2,450,367, and Authorizing the Executive Director to Execute Any and All Documents Related to the Project. Passed and Adopted by the San Joaquin Regional Rail Commission on the 6th day of March, 2020 by the following vote to wit:
AYES: 4 Elliott, Young, Zuber, Chair Fugazi
NOES: 0
ABSTAIN 0
ABSENT: 1 Moorhead

8 Update on ACE Wi-Fi

Mr. Lipari and Mr. Rowe did a presentation on this item.

Commissioner Young inquired about the previous Wi-Fi pricing. Mr. Lipari clarified the differences between the previous Wi-Fi system and the new system and the pricing.

Vice-Chair Zuber inquired about the upgrading process for the system and the pricing. Mr. Lipari clarified the process and how the upgrades and pricing would be presented to the board for approval.

Mr. Wolffe inquired about data privacy on the Wi-Fi system. Mr. Rowe clarified the cyber security aspects of the system.

9 California High Speed Rail Business Plan Update

Ms. Mortensen gave a verbal report on the California High Speed Rail Business Plan and the relationship between the California High Speed Rail Authority (CHSRA) and SJRRC.

No comments were made on this item.

10 Commissioner's Comments

No comments were made.

11 Ex-Officio Comments

Mr. Chesley commented on how SJCOG is working to fill the vacancy on the Rail Commission. Mr. Chesley mentioned his meeting with other MPOs regarding the California Northern Megaregion.

Mr. McElhinney commented on Caltrans efforts regarding the Governor's latest Executive Order on using Caltrans owned property has temporary shelters. Mr. McElhinney announced a new appointment to Caltrans with Jeanie Ward-Waller as the new Deputy Director of Planning & Modal Programs. Mr. McElhinney discussed the Interstate 5 Crosstown Freeway improvements.
Chair Fugazi inquired about the temporary shelter locations. Mr. McElhinney clarified procedure regarding the temporary shelter locations.

Chair Fugazi inquired about the timing of the freeway improvements. Mr. McElhinney elaborated on the timing.

12 Executive Director’s Report

Ms. Mortensen reported on the new Siemens rail cars for the San Joaquins Amtrak service and the change with the ACE Saturday Service schedule.

13 Adjournment

The meeting was adjourned at 9:27 am.
The next regular meeting is scheduled for:

March 6, 2020 – 8:00 am
Robert J. Cabral Station
949 E. Channel Street
Stockton, CA 95202
San Joaquin Regional Rail Commission
Altamont Corridor Express
Operating and Capital Expense Report
January 2020
58% of Budget Year Elapsed

### OPERATING EXPENSES

<table>
<thead>
<tr>
<th>OPERATING EXPENSES</th>
<th>SJRRRC EXPENSE</th>
<th>ACE EXPENSE</th>
<th>% ALLOCATION</th>
<th>% SPENT TO DATE</th>
<th>% ALLOCATION</th>
<th>% SPENT TO DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Management, Services &amp; Supplies Subtotal</td>
<td>1,934,892</td>
<td>5,839,961</td>
<td>751,215</td>
<td>39%</td>
<td>1,912,264</td>
<td>33%</td>
</tr>
<tr>
<td>Contracted Services Subtotal</td>
<td>459,323</td>
<td>21,262,253</td>
<td>158,958</td>
<td>35%</td>
<td>10,846,403</td>
<td>51%</td>
</tr>
<tr>
<td>Shuttle Services</td>
<td>1,354,855</td>
<td>1,345,761</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>TOTAL OPERATING EXPENSES</td>
<td>2,394,215</td>
<td>28,457,069</td>
<td>910,173</td>
<td>38%</td>
<td>13,548,999</td>
<td>48%</td>
</tr>
</tbody>
</table>

### CAPITAL PROJECTS

#### SAN JOAQUIN RAIL COMMISSION

<table>
<thead>
<tr>
<th>PROJECT</th>
<th>SJRRRC ALLOCATION</th>
<th>SJRRRC EXPENSE</th>
<th>ACE ALLOCATION</th>
<th>ACE EXPENSE</th>
<th>% TO DATE</th>
<th>% TO DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 East Channel Street Improvements</td>
<td>350,000</td>
<td>128,343</td>
<td>1,118,012</td>
<td>1,118,012</td>
<td>37%</td>
<td>1%</td>
</tr>
<tr>
<td>2 Robert J. Cabral Station Expansion</td>
<td>1,345,761</td>
<td>36,200</td>
<td>10,021,409</td>
<td>10,021,409</td>
<td>1%</td>
<td>1%</td>
</tr>
<tr>
<td>3 SJRRC Maintenance Vehicles</td>
<td>150,000</td>
<td>-</td>
<td>10,021,409</td>
<td>10,021,409</td>
<td>0%</td>
<td>1%</td>
</tr>
<tr>
<td>TOTAL CAPITAL PROJECT SJRRC</td>
<td>$1,845,761</td>
<td>$164,543</td>
<td>$78,900,352</td>
<td>$12,492,774</td>
<td>9%</td>
<td>16%</td>
</tr>
</tbody>
</table>

#### ALTAMONT CORRIDOR EXPRESS

<table>
<thead>
<tr>
<th>PROJECT</th>
<th>SJRRRC ALLOCATION</th>
<th>SJRRRC EXPENSE</th>
<th>ACE ALLOCATION</th>
<th>ACE EXPENSE</th>
<th>% TO DATE</th>
<th>% TO DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 SJ COG Loan Repayment</td>
<td>1,118,012</td>
<td>1,118,012</td>
<td>2,038,212</td>
<td>622,448</td>
<td>100%</td>
<td>20%</td>
</tr>
<tr>
<td>2 A1 &amp; A2 Bond Repayment</td>
<td>3,038,212</td>
<td>3,038,212</td>
<td>3,566,768</td>
<td>3,242,516</td>
<td>20%</td>
<td>91%</td>
</tr>
<tr>
<td>3 UPRR Capital Access Fee</td>
<td>4,400,000</td>
<td>4,400,000</td>
<td>1,681,304</td>
<td>1,681,304</td>
<td>9%</td>
<td>76%</td>
</tr>
<tr>
<td>4 UPRR Capitalized Maintenance Projects</td>
<td>500,000</td>
<td>0</td>
<td>500,000</td>
<td>500,000</td>
<td>0%</td>
<td>76%</td>
</tr>
<tr>
<td>5 UPRR Safety Fund</td>
<td>6,063,042</td>
<td>4,593,214</td>
<td>1,000,000</td>
<td>1,000,000</td>
<td>0%</td>
<td>76%</td>
</tr>
<tr>
<td>6 ACE Extension Natomas to Stockton</td>
<td>7,900,000</td>
<td>7,900,000</td>
<td>1,021,409</td>
<td>1,021,409</td>
<td>1%</td>
<td>1%</td>
</tr>
<tr>
<td>7 ACE Extension Lathrop to Ceres/Merced</td>
<td>10,021,409</td>
<td>169,918</td>
<td>10,021,409</td>
<td>10,021,409</td>
<td>1%</td>
<td>76%</td>
</tr>
<tr>
<td>8 Locomotives (4)</td>
<td>6,063,042</td>
<td>4,593,214</td>
<td>6,063,042</td>
<td>6,063,042</td>
<td>6%</td>
<td>76%</td>
</tr>
<tr>
<td>9 Platform Extension Projects</td>
<td>7,900,000</td>
<td>89,519</td>
<td>7,900,000</td>
<td>7,900,000</td>
<td>1%</td>
<td>76%</td>
</tr>
<tr>
<td>10 Cabral Track Extension</td>
<td>1,681,304</td>
<td>256,309</td>
<td>1,681,304</td>
<td>1,681,304</td>
<td>1%</td>
<td>76%</td>
</tr>
<tr>
<td>11 Positive Train Control</td>
<td>1,681,304</td>
<td>256,309</td>
<td>1,681,304</td>
<td>1,681,304</td>
<td>1%</td>
<td>76%</td>
</tr>
<tr>
<td>12 Rail Cars (5)</td>
<td>12,000,000</td>
<td>0</td>
<td>12,000,000</td>
<td>12,000,000</td>
<td>0%</td>
<td>76%</td>
</tr>
<tr>
<td>13 Railcar Midlife Overhaul</td>
<td>7,700,000</td>
<td>0</td>
<td>7,700,000</td>
<td>7,700,000</td>
<td>0%</td>
<td>76%</td>
</tr>
<tr>
<td>14 Sunol Quiet Zone Quad Gates</td>
<td>555,835</td>
<td>0</td>
<td>555,835</td>
<td>555,835</td>
<td>0%</td>
<td>40%</td>
</tr>
<tr>
<td>15 Facility Upgrades and Capital Improvements</td>
<td>129,268</td>
<td>0</td>
<td>129,268</td>
<td>129,268</td>
<td>0%</td>
<td>40%</td>
</tr>
<tr>
<td>16 Lathrop/Manteca Station Improvements</td>
<td>904,025</td>
<td>0</td>
<td>904,025</td>
<td>904,025</td>
<td>0%</td>
<td>40%</td>
</tr>
<tr>
<td>17 Tracy ACE Station Improvements</td>
<td>285,432</td>
<td>154,223</td>
<td>285,432</td>
<td>285,432</td>
<td>54%</td>
<td>40%</td>
</tr>
<tr>
<td>18 Lyoth Derail</td>
<td>500,000</td>
<td>0</td>
<td>500,000</td>
<td>500,000</td>
<td>0%</td>
<td>40%</td>
</tr>
<tr>
<td>19 Capital Spares</td>
<td>914,414</td>
<td>350,145</td>
<td>914,414</td>
<td>914,414</td>
<td>38%</td>
<td>40%</td>
</tr>
<tr>
<td>20 Safety/Security Projects</td>
<td>796,508</td>
<td>266,287</td>
<td>796,508</td>
<td>796,508</td>
<td>33%</td>
<td>40%</td>
</tr>
<tr>
<td>21 E-Ticketing</td>
<td>100,000</td>
<td>0</td>
<td>100,000</td>
<td>100,000</td>
<td>0%</td>
<td>40%</td>
</tr>
<tr>
<td>22 Short Range Transit Plan</td>
<td>26,123</td>
<td>0</td>
<td>26,123</td>
<td>26,123</td>
<td>0%</td>
<td>40%</td>
</tr>
<tr>
<td>23 Public Information Display Systems (PIDS)</td>
<td>700,000</td>
<td>0</td>
<td>700,000</td>
<td>700,000</td>
<td>0%</td>
<td>40%</td>
</tr>
<tr>
<td>24 Network Integration</td>
<td>1,000,000</td>
<td>200,089</td>
<td>1,000,000</td>
<td>1,000,000</td>
<td>20%</td>
<td>40%</td>
</tr>
<tr>
<td>TOTAL CAPITAL PROJECTS ACE</td>
<td>$78,900,352</td>
<td>$12,492,774</td>
<td>$80,746,113</td>
<td>$12,657,316</td>
<td>16%</td>
<td>16%</td>
</tr>
<tr>
<td>TOTAL CAPITAL PROJECTS SJRRRC &amp; ACE</td>
<td>$80,746,113</td>
<td>$12,657,316</td>
<td>$80,746,113</td>
<td>$12,657,316</td>
<td>16%</td>
<td>16%</td>
</tr>
</tbody>
</table>
Status of Capital Projects - As of January 2020

SAN JOAQUIN RAIL COMMISSION

1 East Channel Street Improvements - SJRRC received $2 million from the San Joaquin Council of Governments’ Measure K funds to improve the pedestrian and bicycle access along Channel Street between the Downtown Transit Center and Cabral Station. SJRRC has begun the environmental clearance and final design for the project, which is anticipated to be completed in 2020. Construction is slated to begin FY 2020/2021.

2 Robert J. Cabral Parking Lot Expansion - Project will construct a new parking lot at the site of the old Western Pacific depot in Stockton, as well as reconstruct the building. Environmental work has been completed and design is underway for the parking lot and building reconstruction.


ALTAMONT CORRIDOR EXPRESS

1 SJ COG Loan Repayment - Annual payment made July 1, 2019 per SJCOG amended loan agreement.

2 Bond Repayments - Bond repayments are made bi-annually, payments FY 19-20 are due in October 2019 and April 2020.

3 UPRR Capital Access Fee - Payment for calendar year 2020 paid in two installments. First payment to be processed in January 2020 and second payment in May 2020

4 UPRR Capitalized Maintenance Projects - Multi-year project is budgeted at $4,000,000 for the year. Invoices are received throughout the year.

5 UPRR Safety Fund - Ongoing project. Invoice expected to be received FY 19-20.

6 ACE Extension Natomas to Stockton - Environmental work for the project is currently underway. It is estimated that the draft Environmental Impact Report (EIR) will be released in early 2020.

7 ACE Extension Lathrop to Ceres/Merced - The Environmental Impact Report (EIR) was certified in August 2018. Final design is currently underway for individual projects along the corridor.

8 Locomotives (4) - Multi-year project to procure up to five Tier 4 locomotives for ACE service. A contract for the procurement was approved in April 2018. First unit arrived September 2019, 3 months ahead of schedule with the contract scheduled to be completed by the end of May 2020.

9 Platform Extension Projects - Multi-year project to extend the existing Lathrop/Manteca, Tracy, Vasco, Livermore, and Pleasanton platforms. A contract for final design was approved in May 2018 and is currently under review by Union Pacific. Environmental and design are currently underway for construction of a 400-foot platform extension at the Fremont ACE Station.

10 Cabral Track Extension - Staff is coordinating with FTA to finalize environmental approval and move forward with final design. Coordination with Union Pacific on design review is ongoing.

11 Positive Train Control - Multi-year project and work in progress until Caltrain and UPRR are fully FRA compliant, or December 31st, 2020, whichever comes first. On-board equipment installation is complete and the Hosted Back Officer Server is operational. PTC is operating as designed on the UPRR and Caltrain corridors which ACE operates on.

12 Rail Cars - Multi-year project which uses a competitive negotiation process to procure five passenger rail cab cars and 12 coach cars, with an option to purchase up to 17 additional passenger rail cars. A joint procurement is currently underway, with Sound Transit and North County Transit District.

13 Railcar Midlife Overhaul - Herzog will soon begin midlife overhauls of ACE’s fleet of 30 railcars.

14 Sunol Quiet Zone - Construction has been completed but to address public concerns, revisions need to be made. Design for the revised project, Four Quadrant Gates on Main Street Sunol, is underway.

15 Facility Upgrades and Capital Improvements - Currently ongoing

16 Lathrop/Manteca Station Improvements - Contract was awarded at the May 3rd 2019 Board meeting. Environmental and design are currently underway.

17 Tracy ACE Station Improvements - Contract was awarded at the May 3rd 2019 Board meeting. Environmental and design are currently underway.

18 Lyoth Derailed - Installation of electric-powered derails near the Tracy ACE Station. Coordination with UPRR is currently ongoing.

19 Capital Spares - Preventative Maintenance is ongoing.

20 Safety and Security/Video Cameras - The camera security project was awarded in June 2018 and is in construction.

21 E-Ticketing - Multi-year pilot project is currently ongoing. A contract for the implementation of the Altamont Corridor Express Mobile Ticketing System was approved in May 2018. Full roll out release as of April 2019.

22 Short Range Transit Plan - Update to FY 2018 - FY 2027 SRTP is ongoing.

23 Public Information Display System (PIDS) - Currently ongoing project, PIDS system gives the ability to send train status and general information to ACE stations.

24 Network Integration - Planning consulting services of integrating the ACE and SJJPA services with high-speed rail and other rail transit services.
Item 3.3

Fare Revenue

% of Budget Year Elapsed: 67%
FY 19-20 % of Budgeted Fare Revenue Received to Date 71.8%
Projected Annual Fare Revenue: $10,500,000
ACE ON TIME PERFORMANCE

Monthly OTP %

YTD OTP %

% OT

0 10 20 30 40 50 60 70 80 90 100


Monthly OTP %

YTD OTP %
Update on Positive Train Control

ACE train delays associated with Positive Train Control (PTC) are decreasing with the installation of new on-board software.

Communication to Passengers:
Staff continues to provide passengers with updated information regarding delays using the following channels:

- ACE Website
- Social Media (Facebook and Twitter)
- Onboard announcements

Coordination with UPRR, Caltrain and the Federal Railroad Administration (FRA):
Staff continues weekly conference calls/meetings with UPRR and Caltrain, and regular calls with the FRA on PTC as PTC continues to evolve.

ACE is fully PTC operational over the entire 86-mile ACE corridor.

UPRR and Caltrain are working on becoming fully interoperable with all their tenants prior to January 1, 2021.

General:
The next FRA Collaboration Session is scheduled for June 2020 in Washington DC.
TO:     San Joaquin Regional Rail Commission (SJRRRC)  
FROM:   TG&A Staff  
SUBJECT:  Monthly Progress Report for MARCH 2020  
DATE:     March 26, 2020

THE ADMINISTRATION/EXECUTIVE BRANCH
For a compilation of legislation/proclamations/reports etc. see the Coronavirus Resource Guide.

March 23, 2020. The President signed into law S 893 (Secure 5G and Beyond Act of 2020), which requires the President to develop a strategy to: (1) ensure the security of next generation mobile telecommunications systems and infrastructure in the United States; and (2) assist allies and strategic partners in maximizing the security of next generation mobile telecommunications systems and infrastructure; and the President signed into law S 1822 (Broadband Deployment Accuracy and Technological Availability Act), which requires the Federal Communications Commission to issue rules relating to the collection of data with respect to the availability of broadband services.

March 13, 2020. President Donald Trump issued a PROCLAMATION on Declaring a National Emergency concerning the Novel Coronavirus Disease (COVID-19) outbreak. The Secretary of Health and Human Services may exercise the authority under section 1135 of the Social Security Act to temporarily waive or modify certain requirements of the Medicare, Medicaid, and State Children’s Health Insurance programs and of the Health Insurance Portability and Accountability Act Privacy Rule throughout the duration of the public health emergency declared in response to the COVID-19 outbreak. House Transportation and Infrastructure Committee Chairs Peter DeFazio (D-OR) and Dina Titus (D-NV) issued STATEMENTS on the President’s National Emergency Declaration in response to the coronavirus pandemic.

March 11, 2020. President Donald Trump issued a PROCLAMATION announcing a 30-day ban on some travel from Europe into the U.S. due to the risks posed in possible transmission of the 2019 Novel Coronavirus, which was declared a pandemic by the World Health Organization on March 11, 2020, as it spans 112 countries and regions. The travel suspension will begin March 13, 2020 at 11:59 p.m. but will exclude the United Kingdom of Great Britain and Northern Ireland. Bennie Thompson (D-MS), Chairman of the House Committee on Homeland Security sent a LETTER to Secretaries Chad Wolf, Alex Azar, and Robert Redfield, M.D., of Homeland Security, Health and Human Services and Centers for Disease Control, respectively. The letter seeks details and explanation on the travel ban by March 17, 2020. March 16, 2020. The DHS issued Arrival Restrictions regarding travelers from the United Kingdom to arrive at a US airport where the government is focusing upon public health resources.

March 11, 2020. U.S. Secretary of Transportation Elaine L. Chao released a STATEMENT in response to the Coronavirus outbreak, “The President and the administration have taken unprecedented steps to protect the American people through a whole-of-government approach, including these recent steps to further protect Americans from areas where the virus has spread significantly. The federal government’s swift actions have saved lives and will reduce the number of Americans impacted. The Department of Transportation continues to work closely with our partners across the transportation system to prioritize safety.”
2019-2020 TRANSPORTATION-RELATED NOMINATIONS/CONFIRMATIONS/RESIGNATIONS

Type in name at this URL: Nominations

Since the February 2020 Report, following are the only changes in status to transportation-related nominees, sans changes in the status of Amtrak nominees.

A full 2019/2020 listing of “Nominations” is available from TG/&A upon request.

<table>
<thead>
<tr>
<th>NOMINEE</th>
<th>US DOT ADMINISTRATOR / OTHER</th>
<th>STATUS</th>
</tr>
</thead>
</table>

APPROPRIATIONS/BUDGET

March 25, 2020. As of this writing White House/Senate negotiators announced an agreement on an estimated $2 trillion stimulus package to address the impacts of the coronavirus pandemic. The Senate is expected to vote on the bill (HR 748) sometime after the Senate reconvenes at noon on March 25, 2020. House Speaker Nancy Pelosi has indicated that the bill shows improvement and that the House Democrats will now review the final provisions and legislative text of the agreement. With the House in pro forma session, the Speaker would likely need to clear the package by voice vote or unanimous consent. The President has indicated that he will sign the Senate’s bill as written.

PRELIMINARY TRANSPORTATION PROVISIONS – WHITE HOUSE/SENATE CORONAVIRUS AGREEMENT

- Essential Air Service $56,000,000
- Grants-In-Aid for Airports $10,000,000,000 ¹/₁
- Federal Motor Carrier Safety Administration (repurposed Oblim.) $150,000
- Transit Infrastructure Grants $25,000,000,000 ²/₂
- Amtrak Northeast Corridor Grants $492,000,000
- Amtrak National Network Grants $526,000,000 ³/₃
- Maritime Administration (Operations/Training) $3,134,000
- Dept. Army/U.S. Army Corps of Engineers $50,000,000 ⁴/₄
- Passenger Air Carrier Loan Guarantees/Grants $25,000,000,000
- Cargo Air Carriers Loans/Grants $4,000,000,000
- Grants for Air Carrier employees $25,000,000,000
- Grants for Cargo Air Carrier employees $4,000,000,000
- Suspension of Certain Aviation Excise Taxes ⁵/⁵
- Harbor Maintenance Trust Fund ⁶/⁶
- Maintain Scheduled Air Service ⁷/⁷

¹/₁ 100 percent federal share with splits as follows: $500 million for FY 2020 AIP grants; $100 million for General Aviation airports; $2 billion for to airports based on a modified apportionment formula, and $7.4 billion for any lawful purpose.

²/₂ Splits as follows: $1.8 billion for rural area formula grants (5311), $13.9 billion for urbanized area formula grants (5307), $7.6 billion for State of Good Repair grants (5337), and $1.7 billion for Fast-Growth/High-Density States (5340) - using respective FY 2020 apportionment formulas within seven days of enactment of the bill.

³/₃ A State shall not be required to pay Amtrak more than 80 percent of the amount paid in FY 2019 under Sec. 209 of PRIIA and that not less than $239 million shall be made available under this section for use in lieu of any increase to a state’s payment and amounts under this portion may be made available to NEC to prevent and respond to COVID-19.

⁴/₄ To support Emergency Operations Centers and emergency operations in Corps Districts to ensure the continuous operation of Corps projects across the country related to coronavirus prevention/response.

⁵/⁵ Suspends certain aviation taxes beginning upon enactment thru January 1, 2021.
7. Air carriers receiving loans/loan guarantees are required (to extent reasonable) to maintain scheduled air transportation service.

March 18, 2020. President Trump announced his intent to nominate Russell T. Vought, of Virginia, to be Director of the Office of Management and Budget. Mr. Vought has served as the Acting Director of the Office of Management and Budget since January 2019.

March 17, 2020. Acting Office of Management and Budget Director Russell Vought sent a Letter to the Senate on behalf of the Administration seeking additional FY 2020 coronavirus funding in the amount of $45.8 billion.

<p>| ADMINISTRATION’S FY 2020 SUPPLEMENTAL CORONAVIRUS APPROPRIATIONS REQUEST (Selected Transportation Items) |</p>
<table>
<thead>
<tr>
<th>DEPARTMENT/AGENCY</th>
<th>ACCOUNT/BUREAU</th>
<th>AMOUNT REQUESTED</th>
<th>PAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Energy/Power Marketing Administration</td>
<td>Construction, Rehabilitation, Operation and Maintenance, Western Area Power Administration</td>
<td>2,000,000</td>
<td>17</td>
</tr>
<tr>
<td>Energy/Administration</td>
<td>Departmental Administration</td>
<td>21,000,000</td>
<td>18</td>
</tr>
<tr>
<td>Homeland Security/TSA</td>
<td>Operations and Support</td>
<td>152,800,000</td>
<td>37</td>
</tr>
<tr>
<td>Homeland Security/FEMA</td>
<td>Disaster Relief Fund</td>
<td>2,000,000,000</td>
<td>47</td>
</tr>
<tr>
<td>Transportation/Office of the Secretary</td>
<td>Working Capital Fund</td>
<td>1,653,000</td>
<td>78</td>
</tr>
<tr>
<td>Transportation/FAA</td>
<td>Operations</td>
<td>16,000,000</td>
<td>79</td>
</tr>
<tr>
<td>Transportation/FMCSA</td>
<td>Motor Carrier Safety Operations and Programs</td>
<td>150,000</td>
<td>80</td>
</tr>
<tr>
<td>Transportation/FRA</td>
<td>Safety and Operations</td>
<td>250,000</td>
<td>81</td>
</tr>
<tr>
<td>Transportation/FRA</td>
<td>National Network Grants to the National Railroad Passenger Corporation</td>
<td>250,000,000</td>
<td>82</td>
</tr>
<tr>
<td>Transportation/FRA</td>
<td>Northeast Corridor Grants to the National Railroad Passenger Corporation</td>
<td>250,000,000</td>
<td>83</td>
</tr>
<tr>
<td>Transportation/FTA</td>
<td>Administrative Expenses</td>
<td>110,000</td>
<td>84</td>
</tr>
<tr>
<td>Maritime</td>
<td>Operations and Training</td>
<td>2,384,000</td>
<td>85</td>
</tr>
</tbody>
</table>

SELECTED CONGRESSIONAL HEARINGS/BUSINESS
March 24, 2020. The House Committee on Appropriations, Subcommittee on Transportation, and Housing and Urban Development, and Related Agencies POSTPONED a Member Day hearing to receive Members’ programmatic and language submissions for consideration in the FY 2021 appropriations bill. Committee Link.

March 11, 2020. The Senate Committee on Homeland Security and Governmental Affairs held a Full Committee Business Meeting (Agenda and Committee Record). The Committee ordered several bills favorably reported, including:
- S. 3045, to amend the Homeland Security Act of 2002;
- S. 3418, to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act;
- S. 3207, to require the Director of the Cybersecurity and Infrastructure Security Agency to establish a Cybersecurity State Coordinator in each State;
- H.R. 3675, to require a review of Department of Homeland Security trusted traveler programs;
- H.R. 5273, to require Homeland Security to develop a plan to increase to 100 percent the rates of scanning of commercial and passenger vehicles entering the U.S. at border land ports of entry.

March 11, 2020. The Senate Committee on Commerce, Science and Transportation convened a nominations hearing following an executive session, to consider presidential nominations to the Department of Transportation, Department of Commerce, and the Federal Communications Commission including:
- Finch Fulton - Assistant Secretary for Transportation Policy, Department of Transportation. Fulton Opening Statement.
March 11, 2020. The Senate Committee on Commerce, Science and Transportation convened an executive session (Committee Link) to consider several legislative measures and Coast Guard promotions including:

- **S 3303** - Promoting Service in Transportation Act” to promote transportation career opportunities and improve diversity in the workforce. S 3303 was ordered to be reported favorably with an amendment in the nature of a substitute.

March 5, 2020. The Senate Committee on Banking, Housing and Urban Affairs held a Full Committee hearing to discuss and receive testimony on, “Threats Posed by State-Owned and State-Supported Enterprises to Public Transportation.” Committee Link and Testimony. [Recall – on December 20, 2019, the President signed into law the National Defense Authorization Act for Fiscal Year 2020 (S 1790 – P.L. No: 116-92) that included a provision banning and/or penalizing transit agencies from using federal funds to purchase/award a contract or subcontract for the procurement of any Chinese made rolling stock (rail/bus) from China’s state-owned CRRC Corp. and BYD Co., another Chinese company. Failure to comply with the certification requirement is to result in the loss of §5337 (STATE OF GOOD REPAIR FORMULA APPORTIONMENTS) funding.]

March 4, 2020. The Senate Committee on Appropriations, Subcommittee on Transportation, Housing and Urban Development, and Related Agencies held a hearing to discuss and receive testimony on, “Review of the FY 2021 Budget Request for the U.S. Department of Transportation.” See Secretary Elaine Chao Testimony. Committee Link and Testimony.

March 4, 2020. The House Committee on Transportation and Infrastructure, Subcommittee on Railroads, Pipelines, and Hazardous Materials held a hearing to discuss and receive testimony on, “Funding a Robust Freight and Passenger Rail Network.” Committee Link and Testimony. Chairs DeFazio and Lipinski Statement.

March 3, 2020. The Senate Committee on Appropriations, Subcommittee on Homeland Security held a hearing to discuss and receive testimony on, “Review of the FY2021 Budget Request for TSA.” Committee Link and Testimony.


February 27, 2020. US DOT Secretary Elaine Chao remarked in TESTIMONY before the House Appropriations Subcommittee on Transportation, Housing, and Urban Development that, “In anticipation of this deadline, [expiration of the FAST Act] I am especially pleased to share that the President’s budget includes the Administration’s plan for the next surface transportation authorization. This proposal envisions a historic 10-year authorization that will provide $810 billion of predictable funding.” Secretary Chao continued by noting that, “The Administration’s detailed legislative language is currently under review within the Administration.”

**SELECTED CONGRESSIONAL “TRANSPORTATION-RELATED” BILLS – MARCH**

<table>
<thead>
<tr>
<th>SENATE BILLS</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>S 3463</strong></td>
</tr>
<tr>
<td><strong>S 3387</strong></td>
</tr>
</tbody>
</table>
## Coronavirus (COVID-19) Legislation

<table>
<thead>
<tr>
<th>Bill</th>
<th>Sponsor</th>
<th>Purpose</th>
<th>Signed</th>
<th>Date</th>
</tr>
</thead>
</table>

### HOUSE BILLS

<table>
<thead>
<tr>
<th>Bill</th>
<th>Sponsor</th>
<th>Description</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>HR 6246</strong></td>
<td>D. Kilmer (D-WA)</td>
<td>“Protecting Collective Bargaining and Official Time for Federal Workers Act.” To provide that certain Executive Orders with respect to Federal employee collective bargaining shall have no force or effect. Introduced 3/12/2020.</td>
<td><strong>HR 6225</strong></td>
</tr>
<tr>
<td><strong>HR 6226</strong></td>
<td>D. Lipinski (D-IL)</td>
<td>To improve the operation of Chicago Union Station by transferring certain aspects of operational control of Chicago Union Station to Metra. Introduced 3/12/2020.</td>
<td><strong>HR 6223</strong></td>
</tr>
<tr>
<td><strong>HR 6224</strong></td>
<td>D. Lipinski (D-IL)</td>
<td>To increase the number of rail-grade crossing separations (overpass/underpass) around the country. Introduced 3/12/2020.</td>
<td><strong>HR 6171</strong></td>
</tr>
<tr>
<td><strong>HR 6156</strong></td>
<td>J. Langevin (D-RI)</td>
<td>To develop and improve the transportation workforce. Introduced 3/9/2020.</td>
<td><strong>HR 6184</strong></td>
</tr>
</tbody>
</table>
FEDERAL REGISTER NOTICES OF FUNDING OPPORTUNITY (NOFOs) - GRANT AWARDS

See Addendum A. - Calendar Year NOFO/AWARDS SCORECARD – at end of report.

March 18, 2020. The Federal Transit Administration (FTA) has announced a Notice of Funding Opportunity (NOFO) making available $11 million in FY 2019 Accelerating Innovative Mobility (AIM) Challenge Grants. The AIM Initiative is intended to foster innovative transit technologies, practices and solutions that incentivize travelers to choose public transportation, promote economic development in communities, and enhance public/private partnerships to improve personal mobility. Completed proposals must be submitted by 11:59 p.m. ET on April 17, 2020.

March 17, 2020. The Federal Highway Administration (FHWA) is making available $8 million in a Notice of Funding Opportunity (NOFO) for competitive discretionary funds from the Highway Use Tax Evasion (HUTE) Program. Funds are available for projects enhancing compliance of motor fuel and highway use taxes. Of those funds, $2,000,000 are set aside each year for Intergovernmental Enforcement Efforts in identifying and reducing fuel tax evasion. Eligible applicants are State transportation agencies from States and the federal share of the cost of a project is 100 percent. The closing date for applications is May 22, 2020.

March 16, 2020. The Federal Transit Administration (FTA) announced approximately $20.3 million in FY 2019 awards under the Integrated Mobility Innovation (IMI) program (discrepancy here - the NOFO notes that funding was provided from FY 2017/2018 research funds). Twenty-five projects in 23 states will receive funding under the program. The projects will advance mobility through creative partnerships and emerging technologies. FTA is making innovation a priority in the year ahead through the Accelerating Innovative Mobility (AIM) initiative announced in January 2020.

March 12, 2020. US DOT Secretary Elaine Chao announced, via a PRESS RELEASE, the recipients of FY 2019 Consolidated Rail Infrastructure and Safety Improvements (CRISI) Program funds in the amount of $248.5 million for a wide variety of state and local railroad infrastructure projects. The grants will fund 32 projects in 27 states and will be administered by the Federal Railroad Administration (FRA). Click HERE for a complete listing of awarded projects.

March 12, 2020. The US Department of Agriculture has extended the application window, via a Federal Register notice, for the broadband pilot program known as the "ReConnect Pilot Program" until midnight March 31, 2020. The ReConnect Pilot Program provides loans, grants, and loan/grant combinations to facilitate broadband deployment in rural areas. The original Funding Opportunity Announcement (FOA) and solicitation for applications was published in the Federal Register on December 12, 2019. The December 2019 FOA made available approximately $512 million and the original deadline was March 16, 2020.

March 3, 2020. The Federal Transit Administration (FTA) published a Notice of Funding Opportunity (NOFO) in the Federal Register (FR) for approximately $8.5 million in competitive FY 2020 "Helping Obtain Prosperity for Everyone" (HOPE) program. The HOPE program provides funds to eligible entities that are in areas of persistent poverty. The FTA anticipates that the maximum award will not exceed $850,000. Complete proposals must be submitted by 11:59 p.m. ET on May 4, 2020. The FTA will host two webinars in late March/early April to provide information about FTA’s HOPE Program. The webinars are scheduled for March 25, 2020, at 2 p.m. ET, and on April 8, 2020, at 2:00 p.m. ET.

March 2, 2020. The Federal Transit Administration (FTA) announced, via the Federal Register, the allocation of $423.3 million in 2019 Bus/Bus Facilities Program to fund 94 projects. These funds will provide financial assistance to states and eligible public agencies to replace, rehabilitate, purchase, or lease buses, vans, and related equipment, and for capital projects to rehabilitate, purchase, construct, or lease bus-related facilities. Successful applicants should contact the appropriate FTA Regional Office.
OTHER TRANSPORTATION-RELATED FEDERAL REGISTER NOTICES

March 4, 2020. The Federal Railroad Administration (FRA) issued a Final Rule amending its regulations requiring commuter and intercity passenger rail (IPR) operations to develop and implement a system safety program (SSP) to improve the safety of their operations. The rule clarifies that each passenger rail operation has responsibility for ensuring compliance with the SSP final rule. The final rule is effective May 4, 2020.

OTHER REPORTS/NOTICES/NEWS ARTICLES

March 24, 2020. The Trump Administration has delayed the October 1, 2020 REAL ID deadline that would have required Americans to have Real ID compliant driver’s licenses and other identification cards in order to board an airplane. The Administration has not indicated the end date of the extension. The decision comes as state governments are preoccupied with the coronavirus outbreak and many motor vehicle departments have closed.


March 18, 2020. In response to combating the impacts of COVID-19, the American Association of State Highway and Transportation Officials (AASHTO) sent a Letter to congressional leaders seeking/supporting:
  o A nationwide waiver of truck weight restrictions;
  o $16.7 billion in federal funding support to state DOTs through the Federal-aid Highway formula program at 100 percent federal share;
  o Amtrak’s emergency request for $978 million (including $200 million to help offset losses on state-supported routes).

March 18, 2020. The US DOT Office of Inspector General has will soon commence an Audit of the Federal Highway Administration’s Post-Award Oversight of BUILD and TIGER Grants. An audit is being conducted due to the importance of oversight of BUILD and TIGER grants and to ensure effective stewardship of taxpayer dollars.


March 17, 2020. In response to combating the impacts of COVID-19, the American Public Transportation Association (APTA) Requested $12.875 billion for public transit to offset direct costs and revenue losses. The APTA request consists of the following:
  o $1.75 billion in Direct Costs (cleaning vehicles/facilities);
  o $6.0 billion for Farebox Revenue Loss;
  o $4.875 billion in Dedicated Sales Tax Revenue Loss;
  o $250 million in Restart Costs.

March 16, 2020. House Committee on Transportation and Infrastructure and other congressional leaders released a **Statement** urging Acting Secretary Chad Wolf of the Department of Homeland Security to delay the October 1, 2020 REAL ID Act implementation deadline due the impact of COVID-19.

March 14, 2020. Federal Railroad Administrator (FRA) Ronald Batory issued a **Declaration of Emergency Situation** and determined that the imminent threat and exposure to the Coronavirus Disease 2019 (COVID-19) poses a risk of serious illness that constitutes an "emergency situation" as related to railroad operations.


February 28, 2020. The Federal Railroad Administration (FRA) released its **Positive Train Control (PTC)** update for Q4 2019 (December 31, 2019.) As of December 31, 2019, PTC systems were in operation on 55,601 route miles – 96.3 percent of the nearly 58,000 route miles subject to the mandate. However, significant work remains for several commuter railroads’ PTC systems as only 54.7 percent of commuter railroad’s cumulative required route miles were PTC-governed at the close of the quarter. FRA considers the following 8 host railroads at risk of not fully implementing a PTC system on all required main lines by the close of 2020: 1) Alaska Railroad, 2) The Belt Railway Company of Chicago, 3) Florida East Coast Railway, 4) Kansas City Terminal Railway, 5) New Jersey Transit, 6) New Mexico Rail Runner Express, 7) Northeast Illinois Regional Commuter Railroad Corp. (aka Metra), and 8) TEXRail.

UPCOMING CONGRESSIONAL CALENDAR – MARCH/APRIL

U.S. Senate Majority Leader Mitch McConnell (R-KY) cancelled the Senate’s recess next week (March 18-22) to address passage of a coronavirus relief package. Senator McConnell noted, “I have canceled next week’s state work period so the Senate can work on this urgent legislation and reauthorize key national security tools that law enforcement need to keep us safe.” The U.S. House of Representatives remains in recess (District Work Period) March 16-20.

Both Chambers may institute modified March/April schedules to mitigate COVID-19.

UPCOMING DEADLINES/EVENTS
Note: Many upcoming events are being cancelled due to the Coronavirus pandemic.
March 15-17 CANCELED - APTA Legislative Conference;
March 17-19 CANCELED - National Shared Mobility Summit - Chicago, IL;
April 20-22 Joint Rail Conference St. Louis, MO;
April 25-27 Transit CEOs Seminar Albuquerque, NM;
April 25-28 American Planning Association 2020 National Planning Conference;
May 11-18 United for Infrastructure a week to highlight the state of the nation’s infrastructure: roads, bridges, rail, ports, airports, water and sewer systems;

SCUTTLEBUTT
March 5, 2020. Politico reported that the House T&I Committee is in the process of drafting a $55 billion rail title for the upcoming surface transportation reauthorization bill. Congressman Dan Lipinski, (Subcommittee Chairman Railroads, Pipelines and Hazardous Materials) is reportedly eyeing priorities that include: State of Good Repair projects for commuter rail, Amtrak long-distance service, quiet zones, and especially grade crossing safety/blocked crossings.

March 4, 2020. The American Association of State Highway and Transportation Officials (AASHTO) sent a LETTER and detailed comments to Mr. Edward Boling, Associate Director for the National Policy Act Council on Environment Quality regarding procedural revisions to the National Environmental Policy Act (NEPA). AASHTO noted that they support, “CEQ’s goal of expedition the delivery of transportation and other infrastructure projects while protecting the environment.” Moreover AASHTO, supports, “updating CEQ’s NEPA regulations to reflect current technologies and agency practices, encourage brevity, readability, and quality writing in NEPA materials, and promote better decision-making.” March 11, 2020. Chair DeFazio Letter to CEQ Opposing Re-write the NEPA Regulations.
March 4, 2020. US DOT Secretary Elaine Chao intimated, in a hearing held by the Senate Committee on Appropriations, Subcommittee on Transportation, Housing and Urban Development, that the White House Task Force is tackling the spread of the coronavirus via input from transportation officials. Joel Szabat, Acting Under Secretary for Policy, Department of Transportation is a members of the President’s Coronavirus Task Force.

March 3, 2020. An article from RT&S reported that the Trump Administration has set a deadline of May 10, 2020 to lift the ban on the transport of liquefied natural gas (LNG) by rail. Recall that on December 18, 2019, House Committee on Transportation and Infrastructure Chairman Peter DeFazio (D-OR) and Congressman Tom Malinowski (D-NJ) wrote a letter to Mr. Howard Elliott, Administrator of the Pipeline and Hazardous Materials Safety Administration (PHMSA) (DeFazio and Malinowski Letter) detailing their concerns over a Notice of Proposed Rulemaking (NPRM) that proposed changes to the Hazardous Materials Regulations to allow for the bulk transportation of LNG. Groups opposed to the transport of LNG by rail include environmentalists, rail worker unions, firefighters, the District of Columbia, 15 States and the National Transportation Board.

March 3, 2020. The American Association of State Highway and Transportation Officials (AASHTO) has begun a new Public Outreach Campaign (click appropriate State on map) entitled, “The Benefits of Transportation: the Solutions State DOTs Bring to People & Their Communities.” The AASHTO REPORT notes, “The Federal Highway Administration, for one, estimates that each dollar spent on road, highway, and bridge improvements results in an average benefit of $5.20 in the form of reduced vehicle maintenance costs, reduced delays, reduced fuel consumption, improved safety, reduced road and bridge maintenance costs, and reduced emissions as a result of improved traffic flow. Similarly, the American Public Transportation Association estimates that, over the long term, the total economic effect of “enhanced investment” in transit systems sustained over 20 years is in the range of 3.7 times the amount being spent annually.”

March 2, 2020. The American Association of State Highway and Transportation Officials (AASHTO) sent a LETTER and detailed comments to Ms. Marlene Dortch, Secretary of the Federal Communications Commission (FCC) for submission to the docket regarding “Use of the 5.850-5.929 GHz Band.” AASHTO stated that they, “believe that the FCC proposal to permit unlicensed devices to operate in the lower 45-megahertz portion of the band at 5.850-5.895 GHz leaving ITS operations in the upper 30-megahertz portion of the band at 5.895-5.925 GHz is wrong and misguided.”

February 26, 2020. House Committee on Transportation and Infrastructure Chairman Peter DeFazio (D-OR) spoke at the 2020 AASHTO Washington Briefing and intimated that Congressional Democrats would unveil a surface transportation reauthorization bill in March, to be followed by committee consideration in April. Meanwhile, Ranking House Ways and Means member Kevin Brady (R-TX) intimated to Politico that “There really has never been either a vote or a nose count, or even a family discussion” regarding a gas tax increase.

February 26, 2020. Former FRA Administrator Sarah E. Feinberg was appointed by Governor Andrew Cuomo to take on the job of president (beginning March 9) of New York City Transit/MTA Bus and Corporate Governance. Ms. Feinberg’s appointment expires on June 30, 2023.
<table>
<thead>
<tr>
<th>NOFO TITLE</th>
<th>TYPE</th>
<th>NOFO NOFO $</th>
<th>NOFO AWARD NOFO $</th>
<th>NOFO Made Available</th>
<th>APPLICATION DEADLINE</th>
<th>NOFO Awards URL</th>
<th>NOFO AWARD AWARD - DATE</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>FY 2020 INFRA Grants</td>
<td>NOFO</td>
<td>1/13/2020</td>
<td>NOFO URL</td>
<td>906,000,000</td>
<td>2/25/2020</td>
<td>TBD</td>
<td>TBD</td>
<td>TBD</td>
</tr>
<tr>
<td>FY 2020 National Infrastructure Investments (BUILD)</td>
<td>NOFO</td>
<td>2/19/2020</td>
<td>NOFO URL</td>
<td>10,000,000</td>
<td>5/18/2020</td>
<td>TBD</td>
<td>TBD</td>
<td>TBD</td>
</tr>
<tr>
<td>FY 2020 Transit Security Grant Program</td>
<td>NOFO</td>
<td>2/15/2020</td>
<td>NOFO URL</td>
<td>88,000,000</td>
<td>4/15/2020</td>
<td>TBD</td>
<td>TBD</td>
<td>TBD</td>
</tr>
<tr>
<td>FY 2020 Port Security Grant Program</td>
<td>NOFO</td>
<td>2/15/2020</td>
<td>NOFO URL</td>
<td>1,000,000</td>
<td>4/15/2020</td>
<td>TBD</td>
<td>TBD</td>
<td>TBD</td>
</tr>
<tr>
<td>FY 2020 Intercity Bus Security Grant Program</td>
<td>NOFO</td>
<td>2/15/2020</td>
<td>NOFO URL</td>
<td>2,000,000</td>
<td>4/15/2020</td>
<td>TBD</td>
<td>TBD</td>
<td>TBD</td>
</tr>
<tr>
<td>FY 2020 Intercity Passenger Rail - Amtrak</td>
<td>NOFO</td>
<td>2/15/2020</td>
<td>NOFO URL</td>
<td>10,000,000</td>
<td>4/15/2020</td>
<td>TBD</td>
<td>TBD</td>
<td>TBD</td>
</tr>
<tr>
<td>FY 2020 Nonprofit Security Grant Program</td>
<td>NOFO</td>
<td>2/15/2020</td>
<td>NOFO URL</td>
<td>90,000,000</td>
<td>4/15/2020</td>
<td>TBD</td>
<td>TBD</td>
<td>TBD</td>
</tr>
<tr>
<td>FY 2020 Bioenergy Technologies Multi-Topic FOA</td>
<td>NOFO</td>
<td>1/23/2020</td>
<td>NOFO URL</td>
<td>97,000,000</td>
<td>4/30/2020</td>
<td>TBD</td>
<td>TBD</td>
<td>TBD</td>
</tr>
<tr>
<td>FY 2020 Advanced Vehicle Technologies Research FOA</td>
<td>NOFO</td>
<td>1/23/2020</td>
<td>NOFO URL</td>
<td>1,33,500,000</td>
<td>4/14/2020</td>
<td>TBD</td>
<td>TBD</td>
<td>TBD</td>
</tr>
<tr>
<td>FY 2020 HighScale New Markets FOA</td>
<td>NOFO</td>
<td>1/23/2020</td>
<td>NOFO URL</td>
<td>64,500,000</td>
<td>4/20/2020</td>
<td>TBD</td>
<td>TBD</td>
<td>TBD</td>
</tr>
<tr>
<td>FY 2020 – FY 2021 Pollution Prevention Grant Program</td>
<td>NOFO</td>
<td>1/27/2020</td>
<td>NOFO URL</td>
<td>9,381,000</td>
<td>3/31/2020</td>
<td>TBD</td>
<td>TBD</td>
<td>TBD</td>
</tr>
<tr>
<td>FY 2019 Small Community Air Service Development Program</td>
<td>NOFO/AWARD</td>
<td>3/6/2019</td>
<td>NOFO URL</td>
<td>12,501,000</td>
<td>7/15/2019</td>
<td>12,501,000</td>
<td>Award URL</td>
<td>2/24/2020</td>
</tr>
<tr>
<td>FY 2019 Assistance to Firefighter Grants</td>
<td>NOFO</td>
<td>1/27/2020</td>
<td>NOFO URL</td>
<td>3,15,00,000</td>
<td>3/20/2020</td>
<td>TBD</td>
<td>TBD</td>
<td>TBD</td>
</tr>
<tr>
<td>FY 2020 Bioenergy Technologies Multi-Topic FOA</td>
<td>NOFO</td>
<td>12/10/2019</td>
<td>amended NOFO URL</td>
<td>10,000,000</td>
<td>Rolling</td>
<td>8,09,1,503</td>
<td>Award URL</td>
<td>1/21/2020</td>
</tr>
<tr>
<td>FY 2020 Low or No Emission Grant Program</td>
<td>NOFO</td>
<td>1/24/2020</td>
<td>NOFO URL</td>
<td>1,80,00,000</td>
<td>3/17/2020</td>
<td>TBD</td>
<td>TBD</td>
<td>TBD</td>
</tr>
<tr>
<td>FY 2020 Passenger Ferry Grant Program</td>
<td>NOFO</td>
<td>1/30/2020</td>
<td>NOFO URL</td>
<td>30,000,000</td>
<td>3/30/2020</td>
<td>TBD</td>
<td>TBD</td>
<td>TBD</td>
</tr>
<tr>
<td>FY 2020 Buses and Bus Facilities Program</td>
<td>NOFO</td>
<td>1/30/2020</td>
<td>NOFO URL</td>
<td>454,600,000</td>
<td>3/30/2020</td>
<td>TBD</td>
<td>TBD</td>
<td>TBD</td>
</tr>
<tr>
<td>FY 2020 Public Transportation Innovation Program</td>
<td>NOFO</td>
<td>2/11/2020</td>
<td>NOFO URL</td>
<td>2,00,000,000</td>
<td>3/24/2020</td>
<td>TBD</td>
<td>TBD</td>
<td>TBD</td>
</tr>
<tr>
<td>FY 2018/2019 Public Transportation Innovation Funds</td>
<td>NOFO</td>
<td>2/13/2020</td>
<td>NOFO URL</td>
<td>7,301,000</td>
<td>3/24/2020</td>
<td>TBD</td>
<td>TBD</td>
<td>TBD</td>
</tr>
<tr>
<td>FY 2019 Consolidated Rail Infrastructure and Safety Improvements</td>
<td>NOFO/AWARD</td>
<td>8/19/2019</td>
<td>NOFO URL</td>
<td>2,46,612,500</td>
<td>10/18/2019</td>
<td>2,46,500,000</td>
<td>Award URL</td>
<td>3/12/2020</td>
</tr>
<tr>
<td>FY 2019 Railroad Rehabilitation &amp; Improvement Financing (RRIF)</td>
<td>NOFO</td>
<td>3/16/2020</td>
<td>NOFO URL</td>
<td>3,15,00,000,000</td>
<td>6/15/2020</td>
<td>TBD</td>
<td>TBD</td>
<td>TBD</td>
</tr>
<tr>
<td>FY 2019 Port Infrastructure Development Grants</td>
<td>NOFO</td>
<td>3/20/2019</td>
<td>NOFO URL</td>
<td>15,000,000</td>
<td>5/4/2020</td>
<td>TBD</td>
<td>TBD</td>
<td>TBD</td>
</tr>
<tr>
<td>FY 2020 Helping Obtain Prosperity for Everyone (HOPE) Program</td>
<td>NOFO</td>
<td>3/30/2019</td>
<td>NOFO URL</td>
<td>8,501,000</td>
<td>5/4/2020</td>
<td>TBD</td>
<td>TBD</td>
<td>TBD</td>
</tr>
<tr>
<td>FY 2020 Accelerating Innovative Mobility (AIM) Challenge Grants</td>
<td>NOFO</td>
<td>3/16/2020</td>
<td>NOFO URL</td>
<td>11,000,000</td>
<td>4/17/2020</td>
<td>TBD</td>
<td>TBD</td>
<td>TBD</td>
</tr>
<tr>
<td>FY 2019 Great Lakes Water Quality Program</td>
<td>NOFO</td>
<td>4/1/2019</td>
<td>NOFO URL</td>
<td>3,00,000,000</td>
<td>12/31/2020</td>
<td>TBD</td>
<td>TBD</td>
<td>TBD</td>
</tr>
<tr>
<td>FY 2019 Great Lakes Restoration Initiative</td>
<td>NOFO</td>
<td>4/1/2019</td>
<td>NOFO URL</td>
<td>5,00,000,000</td>
<td>12/31/2020</td>
<td>TBD</td>
<td>TBD</td>
<td>TBD</td>
</tr>
<tr>
<td>FY 2020 Land and Water Conservation Fund</td>
<td>NOFO</td>
<td>4/1/2019</td>
<td>NOFO URL</td>
<td>3,00,000,000</td>
<td>12/31/2020</td>
<td>TBD</td>
<td>TBD</td>
<td>TBD</td>
</tr>
<tr>
<td>FY 2020 Great Lakes Development</td>
<td>NOFO</td>
<td>4/1/2019</td>
<td>NOFO URL</td>
<td>3,00,000,000</td>
<td>12/31/2020</td>
<td>TBD</td>
<td>TBD</td>
<td>TBD</td>
</tr>
<tr>
<td>FY 2019 Great Lakes Water Quality Program</td>
<td>NOFO</td>
<td>4/1/2019</td>
<td>NOFO URL</td>
<td>1,00,000,000</td>
<td>12/31/2020</td>
<td>TBD</td>
<td>TBD</td>
<td>TBD</td>
</tr>
<tr>
<td>FY 2020 Great Lakes Restoration Initiative</td>
<td>NOFO</td>
<td>4/1/2019</td>
<td>NOFO URL</td>
<td>1,00,000,000</td>
<td>12/31/2020</td>
<td>TBD</td>
<td>TBD</td>
<td>TBD</td>
</tr>
<tr>
<td>FY 2019 Great Lakes Development</td>
<td>NOFO</td>
<td>4/1/2019</td>
<td>NOFO URL</td>
<td>1,00,000,000</td>
<td>12/31/2020</td>
<td>TBD</td>
<td>TBD</td>
<td>TBD</td>
</tr>
<tr>
<td>FY 2020 High Priority Program - Commercial Motor Vehicle (HP-CMV)</td>
<td>NOFO</td>
<td>1/7/2020</td>
<td>NOFO URL</td>
<td>25,21,5,000</td>
<td>2/21/2020</td>
<td>TBD</td>
<td>TBD</td>
<td>TBD</td>
</tr>
</tbody>
</table>
SAN JOAQUIN REGIONAL RAIL COMMISSION
Meeting of April 3, 2020

STAFF REPORT

Item 3.8          INFORMATION

SJRRRC 2020/2021 Conceptual Work Program

Background:

The Conceptual Work Program lays out the priorities and focus for ACE and San Joaquin services for the upcoming fiscal year. It includes the San Joaquin intercity passenger rail service because SJRRRC serves as the Managing Agency on behalf of the SJJPA Board.

ACE Program:

The 4 daily round trip weekday service is assumed to continue in 2020/2021. This next year's efforts will continue to address existing ACE service capacity issues related to platforms, parking, shuttles and rolling stock. SJRRRC will be deploying four new Tier 4 Siemens Charger locomotives which will substantially reduce emissions from ACE service.

SJRRRC has initiated planning work and coordination with UPRR to enable the implementation of the 5th and 6th daily round trips between the San Joaquin Valley and San Jose. This effort includes partnering with the Tri-Valley – San Joaquin Valley Regional Rail Authority on the Altamont Corridor Vision Phase 1 which focuses on a new alignment through the Altamont Pass that would be shared by ACE and future Valley Link service.

The ACE expansion effort is moving forward to implement the capital projects related to the “Valley Rail” extensions to Modesto/Ceres (for ACE), and to Sacramento (for both ACE and the San Joaquins). The first daily round trip between Modesto/Ceres and San Jose is expected to be initiated in 2022, with additional service between Modesto/Ceres and Sacramento by 2023. The environmental review between Ceres and Merced is underway and includes a potential layover/maintenance facility at Merced. It should be noted that due to the COVID 19 pandemic, existing ACE service and any new service could be modified or delayed. SJRRRC’s consulting firms preparing the environmental document(s) and final design plans are ongoing but could be subject to delayed reviews and approvals from State, Federal, and Railroads. SJRRRC staff is working as closely as possible with these agencies to minimize schedule delays associated with the COVID 19 pandemic.

In 2020, in partnership with SJJPA, SJRRRC will focus on actively pursuing additional state and federal funding to complete the Stockton Diamond Grade Separation Project. Coordination will also continue with the California High-Speed Rail Authority (CHSRA), the SJJPA, and the Tri Valley – San Joaquin Valley Regional Rail Authority for connections to the HSR network and BART.
San Joaquins:

The San Joaquins will continue with the current seven daily round-trip slotted schedule (five round trips Bakersfield – Oakland, and two round trips Bakersfield – Sacramento). The Spring 2020 schedule will focus on reducing travel times and improving on-time performance. Two additional round trips to Sacramento are expected to be initiated after the necessary improvements along the Sacramento Subdivision (including new stations) are completed in 2022 or 2023.

The capital program for the San Joaquins is focused on the completion of the Valley Rail Program which will enable increasing service to Sacramento. Environmental review and detail design is being completed for the Stockton to Sacramento segment and construction will begin late 2020/early 2021. The environmental review and design will also be completed for the Madera Station Relocation and Stockton Diamond Grade Separation Project, and construction initiated on Oakley Station. SJJPA is also working with SJRRC to expand the Stockton Regional Maintenance Facility to be able to accommodate new San Joaquins trainsets with deliveries of new coaches expected to start in the summer of 2020. In addition to jointly seeking funding to complete the Stockton Diamond Grade Separation (with SJRRC), SJJPA has requested state funding for initiating the environmental review process and detail design for the Merced Intermodal Track Connector (MITC) project that is needed to connect the San Joaquins to HSR at Merced.

Coordination will continue with the CHSRA and SJRRC (ACE service) on planning for integrating the San Joaquins and ACE services with the Merced – Bakersfield HSR Interim Operating Segment. The same caveat related to the Covid-19 pandemic apply to this work program as well.
Item 3.9  ACTION

Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Approving the Fiscal Year 2019-20 Transportation Development Act (TDA) Claim and Authorizing Submission by the Executive Director to the San Joaquin Council of Governments for Local Transportation Funds (LTF) and State Transit Assistance Funds (STA) for a Total of $9,558,852

Background:

The Transportation Development Act (TDA) provides two sources of major funding for transportation in California: The Local Transportation Fund (LTF) and the State Transit Assistance (STA) fund. As a direct claimant for both LTF and STA funding from the San Joaquin Council of Governments (SJCOG), SJRRC has prepared a TDA claim for Fiscal Year 2019-20 funding and unclaimed funds from previous years for the following amounts:

<table>
<thead>
<tr>
<th>Local Transportation Funds</th>
<th>$4,868,751</th>
</tr>
</thead>
<tbody>
<tr>
<td>State Transit Assistance Funds</td>
<td>$4,690,101</td>
</tr>
<tr>
<td><strong>Total Gross TDA Claim Amount</strong></td>
<td><strong>$9,558,852</strong></td>
</tr>
<tr>
<td>Less Previous Year Unexpended Carryover</td>
<td>$2,335,172</td>
</tr>
<tr>
<td><strong>Net 2018-19 SJRRC TDA Funds</strong></td>
<td><strong>$7,223,680</strong></td>
</tr>
</tbody>
</table>

The total amount for Operations is $7,875,423 and $1,683,429 for Capital.

Fiscal Impact:

This TDA claim is consistent with the Fiscal Year 2019/2020 Work Program & Budget.

Recommendation:

Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Approving the Fiscal Year 2019-20 Transportation Development Act (TDA) Claim and Authorizing Submission by the Executive Director to the San Joaquin Council of Governments for Local Transportation Funds (LTF) and State Transit Assistance Funds (STA) for a Total of $9,558,852.
RESOLUTION SJRRC-R-19/20-

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE SAN JOAQUIN REGIONAL RAIL COMMISSION APPROVING THE FISCAL YEAR 2019-20 TRANSPORTATION DEVELOPMENT ACT (TDA) CLAIM AND AUTHORIZING SUBMISSION BY THE EXECUTIVE DIRECTOR TO THE SAN JOAQUIN COUNCIL OF GOVERNMENTS FOR LOCAL TRANSPORTATION FUNDS (LTF) AND STATE TRANSIT ASSISTANCE FUNDS (STA) FOR A TOTAL OF $9,558,852

WHEREAS, the San Joaquin Regional Rail Commission is the owner operator of the Altamont Corridor Express (ACE) Service; and

WHEREAS, the State of California enacted the Transportation Development Act (TDA) in 1972 to provide funds for transportation needs each fiscal year; and

WHEREAS, the San Joaquin Regional Rail Commission is an eligible claimant of Transportation Development Act funds administered by the San Joaquin Council of Governments; and

WHEREAS, the San Joaquin Regional Rail Commission incorporates the Transportation Development Act funds into the approved FY2019-20 operating and capital budgets;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the San Joaquin Regional Rail Commission hereby approve the Fiscal Year 2019-20 Transportation Development Act claim and authorize submission by the Executive Director to the San Joaquin Council of Governments for Local Transportation Funds and State Transit Assistance Funds for a total of $9,558,852.

PASSED AND ADOPTED, by the Board of Commissioners this 3rd day of April 2020, by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:  

ATTEST:  SAN JOAQUIN REGIONAL RAIL COMMISSION

STACEY MORTENSEN, Secretary  CHRISTINA FUGAZI, Chair
Item 3.10                        ACTION
Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Adopting the San Joaquin Regional Rail Commission Debt Policy

Background:
On February 7th, 2020, the Board authorized staff to continue working with the current assembled financing team and prepare for refunding the current 2010 Taxable Series A-2 Certificates of Participation (COPs).

This Debt Policy is intended to comply with California Senate Bill (SB) 1029 which requires state and local agencies to adopt a comprehensive debt policy before any new debt can be issued starting in January 2017.

The purpose of this Debt Policy is to establish comprehensive guidelines for the issuance and management of debt issued or incurred by the San Joaquin Regional Rail Commission (SJRRC). This Debt Policy shall provide guidance for the issuance and management of bonds and other forms of indebtedness of SJRRC, together with any credit, liquidity and other ancillary instruments and agreements secured or executed in connection with such transactions.

SJRRC’s financial advisor PFM, helped create the Policy and SJRRC’s Legal Counsel, Neumiller & Beardslee reviewed and provided comments that are incorporated in the Debt Policy. This is a subsequent action and does not commit the Board to a final action.

Fiscal Impact:
There is no fiscal impact.

Recommendation:
Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Adopting the San Joaquin Regional Rail Commissions Debt Policy.
TABLE OF CONTENTS

I. PURPOSE ......................................................................................................................... 1
II. PURPOSES FOR DEBT ................................................................................................. 1
   A) New Money Debt .................................................................................................. 2
   B) Refunding Debt .................................................................................................... 2
III. TYPES OF AND LIMITATIONS ON DEBT ............................................................... 2
   A) Long-Term Debt ................................................................................................... 2
   B) Short-Term Debt .................................................................................................. 2
   C) Certificates of Participation (COPs) .................................................................. 3
   D) Revenue Debt .................................................................................................... 3
   E) Other Federally Supported Programs .................................................................... 3
   F) Fixed-Rate Debt .................................................................................................. 3
   G) Variable Rate Debt .............................................................................................. 3
IV. TERMS AND PROVISIONS OF DEBT ....................................................................... 3
   A) Debt Service Structure ........................................................................................ 3
   B) Amortization of Principal .................................................................................... 4
   C) Capitalized Interest .............................................................................................. 4
   D) Call Provisions for Debt ...................................................................................... 4
   E) Payment of Interest .............................................................................................. 4
   F) Multi-Modal Debt ................................................................................................ 4
   G) Debt Service Reserve Funds ................................................................................ 4
V. MAINTENANCE OF LIQUIDITY; RESERVES ............................................................ 5
VI. INVESTMENT OF DEBT PROCEEDS AND RELATED MONEYS ............................... 5
VII. THIRD PARTY CREDIT ENHANCEMENT ............................................................... 5
   A) Bond Insurance ..................................................................................................... 5
VIII. METHODS OF SALE AND PRICING OF DEBT ........................................................... 5
    A) Competitive Sale ................................................................................................... 6
    B) Negotiated Sale ..................................................................................................... 6
    C) Private Placement ................................................................................................ 7
    D) Direct Purchase; Direct Loan; Revolving Obligations ........................................ 7
IX. DEBT INTEGRATION WITH CAPITAL IMPROVEMENT PROGRAMS OR BUDGET .......................................................................................................................... 7
X. BUDGETING AND CAPITAL PLANNING ...................................................................... 7
XI. CREDIT RATING OBJECTIVES ..................................................................................... 7
XII. DEBT AFFORDABILITY ................................................................................................. 7
XIII. RELATIONSHIPS WITH MARKET PARTICIPANTS .................................................... 8
XIV. INTERNAL CONTROL PROCEDURES ......................................................................... 8
XV. PERIODIC REVIEW ....................................................................................................... 8
I. Purpose

The purpose of this Debt Policy is to establish comprehensive guidelines for the issuance and management of debt (herein referred as "Debt") issued or incurred by the San Joaquin Regional Rail Commission (the "Commission"). This Debt Policy shall provide guidance for the issuance and management of bonds and other forms of indebtedness of the Commission, together with any credit, liquidity and other ancillary instruments and agreements secured or executed in connection with such transactions.

This Debt Policy is intended to comply with California Senate Bill (SB) 1029 which requires state and local agencies to adopt a comprehensive debt policy before any new debt can be issued starting in January 2017. This Debt Policy is intended to help ensure the following:

- The Commission adheres to sound debt issuance and management practices;
- The Commission achieves the most advantageous cost of capital within prudent risk parameters;
- The Commission preserves future financial flexibility;
- The Commission preserves and enhances the credit ratings assigned to its debt.

The Debt Policy requires that each debt issuance be specifically authorized by the Board of Commissioner.

II. Purposes for Debt

The Commission may issue Debt for the purposes of financing and refinancing the costs of capital projects undertaken by the Commission. Proceeds of Debt may be applied to pay costs of issuance, to fund debt service reserves and to pay costs incurred in connection with securing credit enhancement, including, but not limited to, premiums payable for bond insurance and reserve fund sureties.

The Commission generally shall not issue Debt for the purpose of funding operating costs.
A) **New Money Debt**

New money issues are those financings that generate additional funding to be available for expenditure on capital projects. New money proceeds may not be used to fund non-capital operational activities.

B) **Refunding Debt**

The Commission may issue Debt to refund the principal of and interest on outstanding Debt of the Commission in order to (i) achieve debt service savings; (ii) restructure scheduled debt service; or (iii) modify covenants otherwise binding upon the Commission. Refunding Debt may be issued either on a current or advance basis, as permitted by applicable Federal tax laws.

Refunding Debt should be issued to achieve debt service savings in most cases. When refinancing Debt, it shall be the policy goal of the Commission to realize, whenever possible, and subject to any overriding non-financial policy considerations, (1) minimum net present value debt service savings equal to or greater than 3.0% of the refunded principal amount, and (2) present value debt service savings shall take into account any escrow fund negative arbitrage.

Refundings which do not produce savings are permitted if justified based on the need for restructuring to remove covenants/pledges that are restrictive and/or no longer required by the market and/or to make other changes in debt documents or existing debt structure that would benefit the current, short-term, or long term capital cost of the Commission.

III. **Types of and Limitations on Debt**

A) **Long-Term Debt**

The Commission may issue Debt with longer-term maturities to amortize capital or other costs over a period commensurate with the expected life, use or benefit provided by the project, program or facilities financed from such Debt. Long-term Debt will generally have a final maturity of five (5) years or more. Long-term debt is appropriate for financing essential capital projects and certain capital equipment where the project being financed will provide benefit over multiple years and the Commission considers the project to be of vital, time-sensitive need and where the issuance of Debt optimizes the Commission’s overall financial resources.

B) **Short-Term Debt**

The Commission may issue Debt with shorter-term maturities to provide interim funding for capital projects and expenditures that will ultimately be funded from
another source such as a grant, a long-term Debt issue, or the receipt of Federal or State grants, other revenues, and/or for cash flow management. Short-term Debt shall consist of Debt of an issue with a final maturity of less than five (5) years and may include, but is not limited to, Debt in the form of Bond Anticipation Notes, Grant Anticipation Notes, and/or Commercial Paper.

C) Certificates of Participation (COPs)

The Commission may issue COPs via a conduit issuer such as through a joint powers authority created by the state or other local governmental agencies. COPs are a form of lease revenue debt and are payable from all available revenues of the Commission.

D) Revenue Debt

If and to the extent authorized in accordance with applicable provisions of State law, the Commission may issue Debt payable in whole or in part from enterprise revenues, such as farebox revenues.

E) Other Federally Supported Programs

The Commission may also participate in federal loans administered or provided by the United States Department of Transportation, including, but not limited to, loans provided under the Transportation Infrastructure Finance and Innovation Act (TIFIA), as well as federally subsidized taxable and tax-exempt bond programs, and may secure credit enhancement and/or credit support provided under Federal programs.

F) Fixed-Rate Debt

The Commission may issue Debt that bears a fixed-rate rate of interest.

G) Variable Rate Debt

The Commission may also issue Debt that bears a variable rate of interest, including, but not limited to, variable rate demand obligations, commercial paper and floating rate notes.

IV. Terms and Provisions of Debt

A) Debt Service Structure

The Commission shall design the financing schedule and repayment of debt so as to take best advantage of market conditions, provide flexibility and, as practical, to recapture or maximize its debt capacity and flexibility for future use. Annual debt service payments will generally be structured on a level basis; however, principal amortization may occur more quickly or slowly where permissible, to mirror debt repayment streams and/or provide future financing flexibility.
B) Amortization of Principal

Long-term Debt of the Commission shall be issued with maturities that amortize the principal of such Debt over a period commensurate with the expected life, use or benefit (measured in years) provided by the projects, programs and/or facilities financed from the proceeds of such Debt. The weighted average maturity of such Debt (if issued as tax-exempt Debt) should not exceed one hundred and twenty percent (120%) of the reasonably estimated weighted average life, use or benefit (measured in years) of the projects, programs and/or facilities financed from the proceeds of such Debt.

Amortization of principal may be achieved either through serial maturities and/or through term Debt subject to mandatory sinking fund payments and/or optional redemptions.

C) Capitalized Interest

The Commission may fund interest on Debt from proceeds of Debt for legal, budgeting or structuring purposes.

D) Call Provisions for Debt

1) Optional Call Provisions. Standard call provisions included on typical fixed rate securities issued by the Commission shall seek to include a 10-year call feature, callable at par, without premium. Shorter call feature may be considered in the context of specific future financing and flexibility needs. Non-callable maturities may be considered and used to accommodate market requirements or other advantageous benefits to the Commission.

E) Payment of Interest

1) Current Interest Debt may be issued. It is anticipated that the interest on most, if not all, Debt issued will be paid on a current interest basis.

F) Multi-Modal Debt

The Commission may issue Debt that may be converted between two or more interest rate modes without the necessity of a refunding. Such interest rate modes may include, without limitation: daily interest rates, weekly interest rates, other periodically variable interest rates, commercial paper rates, fixed rates for a term and fixed rates to maturity.

G) Debt Service Reserve Funds

The Commission may issue Debt that is secured by amounts on deposit in or credited to a debt service reserve fund or account in order to minimize the net cost of borrowing and/or to provide additional reserves for debt service or other purposes. Debt service reserve funds may secure one or more issues of Debt, and may be funded by proceeds
of Debt, other available moneys of the Commission, and/or by surety policies, letters
or lines of credit or other similar instruments. Surety policies, letters or lines of credit
or other similar instruments may be substituted for amounts on deposit in a debt service
reserve fund if such amounts are needed for capital projects or other purposes.

Amounts in the debt service reserve funds shall be invested in accordance with the
requirements of the applicable Debt documents in order to (i) maximize the rate of
return on such amounts; (ii) minimize the risk of loss; (iii) minimize volatility in the
value of such investments; and (iv) maximize liquidity so that such amounts will be
available if it is necessary to draw upon them.

V. Maintenance of Liquidity; Reserves

The Commission may maintain unencumbered reserves in amounts sufficient in the
determination of the Commission to cover operations and maintenance, extraordinary
payments and other contingencies, and to provide liquidity in connection with the
Commission’s outstanding Debt.

VI. Investment of Debt Proceeds and Related Moneys

Proceeds of Debt and amounts in the Commission's debt service, project fund and debt
service reserve funds with respect to outstanding Debt shall be invested in accordance with
the terms of the applicable Debt documents and other applicable agreements of the
Commission.

VII. Third Party Credit Enhancement

The Commission may secure credit enhancement for its Debt from third-party credit
providers to the extent such credit enhancement is available upon reasonable, competitive
and cost-effective terms. Such credit enhancement may include municipal bond insurance
("Bond Insurance"), letters of credit and lines of credit (collectively and individually,
"Credit Facilities"), as well as other similar instruments.

A) Bond Insurance

All or any portion of an issue of Debt may be secured by Bond Insurance provided by
municipal bond insurers ("Bond Insurers") if it is economically advantageous to do so,
or if it is otherwise deemed necessary or desirable in connection with a particular issue
of Debt. The relative cost or benefit of Bond Insurance may be determined by
comparing the amount of the Bond Insurance premium to the present value of the
estimated interest savings to be derived as a result of the insurance.

VIII. Methods of Sale and Pricing of Debt

There are three principal methods for the sale of Debt: (i) competitive; (ii) negotiated and
(iii) private placement. In addition, Debt may be incurred as a direct loan. The Commission
shall utilize the method of sale that (a) is reasonably expected to produce the most advantageous interest cost with respect to the Debt and (b) provides the Commission with the flexibility most desirable in connection with the structuring, timing or terms of such Debt. The Commission shall utilize such method that is likely to provide the most advantageous borrowing costs and execution on behalf of the Commission.

Debt may be sold at such prices, including at par, a premium or a discount, as the Commission, in consultation with its municipal advisor, may determine is likely to produce the most advantageous interest cost under then prevailing market conditions, subject to compliance with applicable State law and Federal securities laws.

A) Competitive Sale

The competitive method of sale is appropriate when:

1) Bond prices are stable and/or there is strong demand for the bonds;
2) Market timing and interest rate sensitivity are not critical to the pricing;
3) The project, funding, and credit quality are easy to understand and market to potential investors;
4) The Debt type and structure are conventional, and the transaction size is manageable.

B) Negotiated Sale

A negotiated sale is appropriate when:

1) There is market volatility and/or weak demand and high supply of competing financings;
2) The Debt structure is complex;
3) Commission has lower or weakening credit rating and is not well known to investors;
4) The Debt has non-standard structural features, such as a forward delivery, issuance of variable rate bonds, use of derivative products, or possesses a specific structuring feature that benefits from a negotiated sale;
5) Early structuring and market participation by underwriters are desired and there is strong projected retail demand for the Debt;
6) The Debt size is significantly larger and would limit competition or is of a size (large or small) that will not be attractive to bidders.
C) Private Placement

A private placement is structured for one investor or a small group of investors, who are typically qualified institutional buyers, in a non-public offering conducted by an underwriting firm serving as placement agent. Since no public offering is involved, securities disclosure requirements are not as heavy. If a private placement is considered as the optimal sale method for the Commission, the municipal advisor will conduct a competitive selection process to recommend the placement agent.

D) Direct Purchase; Direct Loan; Revolving Obligations

A direct purchase or direct loan is structured specifically for one bank (or a syndicate of banks), putting the Commission and bank in a bilateral borrower-lender relationship. Examples include a direct purchase agreement or revolving credit facility, the purchase of long-dated forward settlement bonds and bonds that convert from taxable interest to tax-exempt interest. Securities disclosure requirements are the least burdensome for this structure. A direct purchase or direct loan may be advisable if the Commission is unable to access the municipal capital markets or the transaction involves a non-traditional structure (such as a long-dated forward settlement or an interest rate that will convert from taxable to tax-exempt). If a direct purchase or direct loan is contemplated, the municipal advisor either (1) will have previously conducted a competitive selection process for a negotiated sale of Debt and received a response that included a proposal for a municipal transaction that only can be executed through direct purchase or (2) will conduct, or cause to be conducted, a competitive selection process for a direct purchase bank.

IX. Debt Integration with Capital Improvement Programs or Budget

To the extent that any debt is issued as part of a Commission capital improvement program or budget, the Commission will identify the relationship of the debt to said program or budget.

X. Budgeting and Capital Planning

The Commission's budgeting process, including its budgeting process for capital expenditures, shall provide a framework for evaluating proposed Debt issuances.

XI. Credit Rating Objectives

The Commission shall seek to preserve and enhance the credit ratings with respect to its outstanding Debt to the extent consistent with the Commission's current and anticipated business operations and financial condition, strategic plans and goals and other objectives, and in accordance with any developed credit strategies.

XII. Debt Affordability
Consistent with its credit rating objectives, the Commission shall periodically review its debt affordability levels and capacity for the undertaking of new financing obligations to fund its expenditure plans. Debt affordability measures shall be based upon the credit objectives of the Commission, criteria identified by rating agencies, comparison of industry peers and other internal factors of the Commission.

XIII. Relationships with Market Participants

The Commission shall seek to preserve and enhance its relationships with the various participants in the municipal bond market, including without limitation, the Rating Agencies, Bond Insurers, credit/liquidity providers and current and prospective investors, including through periodic communication with such participants.

The Commission shall prepare or cause to be prepared appropriate disclosures as required by the Securities and Exchange Commission Rule 15c2-12, the federal government, the State of California, rating agencies and other persons or entities entitled to disclosure to ensure compliance with applicable laws and regulations and agreements to provide ongoing disclosure.

XIV. Internal Control Procedures

The internal control procedures contained in the adopted Commission Accounting Manual and amended hereinafter will be followed to ensure that the proceeds of any debt issuance is directed to the intended use.

XV. Periodic Review

The Commission shall review this Debt Policy on a periodic basis and recommend any changes to the Board for consideration.
RESOLUTION SJRRC-R-19/20-

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE SAN JOAQUIN REGIONAL RAIL COMMISSION ADOPTING THE SAN JOAQUIN REGIONAL RAIL COMMISSION DEBT POLICY

WHEREAS, the San Joaquin Regional Rail Commission (SJRRRC) desires to establish a policy that acts as a framework to establish comprehensive guidelines for the issuance and management of debt (herein referred as "Debt") issued or incurred by the San Joaquin Regional Rail Commission (the "Commission"); and

WHEREAS, SJRRRC Debt Policy is intended to comply with California Senate Bill (SB) 1029; and

WHEREAS, the SJRRRC Debt Policy shall provide guidance for the issuance and management of bonds and other forms of indebtedness of the Commission, together with any credit, liquidity and other ancillary instruments and agreements secured or executed in connection with such transactions

WHEREAS, the SJRRRC Debt Policy may be reviewed on a periodic basis and recommend any changes to the Board for consideration.; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the San Joaquin Regional Rail Commission as follows authorizes the adoption of the San Joaquin Regional Rail Commission Debt Policy.

PASSED AND ADOPTED, by the Board of Commissioners this 3rd day of April 2020, by the following vote to wit:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:  

SAN JOAQUIN REGIONAL RAIL COMMISSION

ATTEST:  

STACEY MORTENSEN, Secretary  
CHRISTINA FUGAZI, Chair
Item 3.11  ACTION

Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Adopting Fiscal Year 2019/2020 Budget Amendment #1:

   a) Replacing the Public Information Display Systems (PIDS) Project with the WiFi Project, Increasing the Capital Budget in the Amount of $100,000, from $92,733,015 to $92,833,015

Background:

On June 7, 2019, the San Joaquin Regional Rail Commission (“SJRRRC”) approved the FY 2019/2020 SJRRC/ACE/SJJPA Operating and Capital Budgets. As part of the budget approval process, the Executive Director is responsible for and authorized to implement the adopted budget. The Executive Director’s authority is limited to the major category levels identified in the budget and is subject to the Commission’s authorized expenditure limits, except for those expenditures that are routine in nature and are required in order to conduct the ordinary day-to-day activities of the Commission or the ACE Service. These ongoing expenditures are approved through the adoption of the budget. Budget increases, amendments, or transfers between major budget categories are submitted to the Board for approval in accordance with Section 7.2 of the SJRRC Joint Powers Agreement.

In order to expedite the replacement and deployment of WiFi service on the ACE trains, an amendment is required to add the WiFi Project into the Capital Budget. Since the Public Information Display Systems (PIDS) Project has been delayed to Fiscal Year 2020-21, the proposed amendment will replace the PIDS Project with the WiFi Project. In addition, the Project will be increased by $100,000 to reflect the anticipated expenditures for the WiFi Project during the remainder of Fiscal Year 2019-20. This $100,000 increase is provided by the State Rail Assistance Program funding that was approved by the Commission in February 2020.

Fiscal Impact:

This amendment increases the Capital Budget by $100,000, increasing the total Capital Budget from $92,733,015 to $92,833,015. The source of funding for this increase is from the State Rail Assistance Program.

Recommendation:

Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Adopting Fiscal Year 2019/2020 Budget Amendment #1:
a) Replacing the Public Information Display Systems (PIDS) Project with the WiFi Project, Increasing the Capital Budget in the Amount of $100,000 from $92,733,015 to $92,833,015.
RESOLUTION SJRRC-R-19/20-

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE SAN JOAQUIN REGIONAL RAIL COMMISSION ADOPTING FISCAL YEAR 2019/2020 BUDGET AMENDMENT #1:

a) REPLACING THE PUBLIC INFORMATION DISPLAY SYSTEMS (PIDS) PROJECT WITH THE WIFI PROJECT, INCREASING THE CAPITAL BUDGET IN THE AMOUNT OF $100,000, FROM $92,733,015 TO $92,833,015

WHEREAS, on June 7, 2019 the Board of Commissioners of the San Joaquin Regional Rail Commission (SJRRRC) adopted the fiscal year 2018/2019 Capital and Operating Budgets; and

WHEREAS, the San Joaquin Regional Rail Commission Joint Powers Agreement ("JPA") requires approval of all amendments to the capital and operating budget; and

WHEREAS, as part of the Budget approval process, the Executive Director is responsible for, and authorized to implement the adopted Capital and Operating Budgets. The Executive Director's authority is limited to the major category levels identified in the Budget and is subject to the Commission’s authorized expenditure limits, except for those expenditures that are routine in nature and are required in order to conduct the ordinary day-to-day activities of the Commission or the ACE Service. These ongoing expenditures are approved through the adoption of the Budget. Budget increases, amendments, or transfers between major budget categories are submitted to the Board for approval in accordance with Section 7.2 of the JPA; and

WHEREAS, from time to time the need to amend an approved budget occurs to include additional funds and/or projects to complete the mission of the Commission in providing the ACE and San Joaquins Services; and

WHEREAS, the Executive Director has prepared an amended Capital Budget that reflects the replacement of the Public Information Display Systems (PIDS) Project with the WiFi Project and the associated revenues; and

WHEREAS, following review and deliberation, the San Joaquin Regional Rail Commission staff has recommended adoption of Amendment #1 to the FY 2019/2020 Capital Budget as presented; and

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of the San Joaquin Regional Rail Commission adopts Budget Amendment #1:

a) Replacing the Public Information Display Systems (PIDS) Project with the WiFi Project, increasing the Capital Budget in the amount of $100,000, from $92,733,015 to $92,833,015.

PASSED AND ADOPTED, by the Board of Commissioners this 3rd day of April 2020, by the following vote:
Item 3.12    ACTION

Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Authorizing and Directing the Executive Director to Sign and Submit the Fiscal Year 2019/2020 State Transit Assistance Application to Claim Alameda County Transportation Commission Apportionment for the ACE Service in the Amount of $495,904

Background:
The State Transit Assistance (STA) provides funding for allocation to local transit agencies to fund a portion of the operations and capital costs associated with local mass transportation programs.

The funds claimed are from Alameda County Transportation Commission’s STA apportionment for Operating.

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total MTC STA projected carryover</td>
<td>$205,645</td>
</tr>
<tr>
<td>Estimated 2019/20 MTC STA available Funds</td>
<td>$290,259</td>
</tr>
<tr>
<td><strong>Total 2019/20 MTC STA Claim</strong></td>
<td><strong>$495,904</strong></td>
</tr>
</tbody>
</table>

Fiscal Impact:
There is no change to the approved Fiscal Year 2019/2020 ACE Operating Budget.

Recommendation:
Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Authorizing and Directing the Executive Director to Sign and Submit the Fiscal Year 2019/2020 State Transit Assistance Application to Claim Alameda County Transportation Commission Apportionment for the ACE Service in the Amount of $495,904.
RESOLUTION SJRRC-R-19/20-

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE SAN JOAQUIN REGIONAL RAIL COMMISSION AUTHORIZING AND DIRECTING THE EXECUTIVE DIRECTOR TO SIGN AND SUBMIT THE FISCAL YEAR 2019/2020 STATE TRANSIT ASSISTANCE APPLICATION TO CLAIM ALAMEDA COUNTY TRANSPORTATION COMMISSION APPORTIONMENT FOR THE ACE SERVICE IN THE AMOUNT OF $495,904

WHEREAS, the San Joaquin Regional Rail Commission is the owner operator of the Altamont Corridor Express (ACE) Service; and

WHEREAS, the San Joaquin Regional Rail Commission is an eligible claimant of State Transit Assistance funds apportioned to Alameda County Transportation Commission and administered by the Metropolitan Transportation Commission; and

WHEREAS, the approved San Joaquin Regional Rail Commission Budgets incorporate the State Transit Assistance funds in the approved FY 2019/2020 operating budget;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the San Joaquin Regional Rail Commission hereby authorize and direct the Executive Director to sign and submit the Fiscal year 2019/2020 State Transit Assistance Application to claim Alameda County Transportation Commission Apportionment for the ACE Service in the Amount of $495,904.

PASSED AND ADOPTED, by the Board of Commissioners this 3rd day of April 2020, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST:     SAN JOAQUIN REGIONAL RAIL COMMISSION

_____________________________    _____________________________
STACEY MORTENSEN, Secretary         CHRISTINA FUGAZI, Chair
Status of the Impacts of COVID-19 on Passenger Rail Service and the Reduction of ACE and San Joaquin Service

Background:

The broad, sweeping impacts of COVID-19 have had an unprecedented impact on passenger rail ridership. With the exception of the San Joaquins, most services are down 90 percent.

On last Friday March 27th, the Intercity Rail ridership was as follows:

San Joaquins: 517 passengers on 4 roundtrip trains
Pacific Surfliner 415 passengers on 7 " "
Capitols 354 passengers on 5 " "

ACE ridership was 355 passengers on 3 roundtrip trains.

Passenger rail services in the state have been cut between 25-60 percent, and those reductions could increase as the full virus situation unfolds.

Staff will present more up to date information at the board meeting.
Item 5  

Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Approving an Agreement with Bombardier Transit Corporation for Bi-Level Commuter Passenger Rail Coach and Cab Cars and Associated Costs, Not-To-Exceed $66,500,000, and Authorizing the Executive Director to Execute Any and All Necessary Documents

Background:
On November 22nd, 2019 a non-federalized Passenger Rail Procurement solicitation was released. The procurement was issued as a joint procurement between Sound Transit (Sounder in Seattle), North County Transit District (Coaster in San Diego) and San Joaquin Regional Rail Commission (ACE), with Sound Transit acting as the Lead Agency for the procurement. The base order for the solicitation is 39 vehicles, the breakout by agency with option vehicles is shown in the table below:

<table>
<thead>
<tr>
<th>Entity</th>
<th>Location</th>
<th>Base</th>
<th>Options</th>
</tr>
</thead>
<tbody>
<tr>
<td>SJRRC</td>
<td>Stockton, CA</td>
<td>5 Cab Cars, 12 Coach Cars</td>
<td>17 Coach Cars</td>
</tr>
<tr>
<td>Sound Transit</td>
<td>Seattle, WA</td>
<td>3 Cab Cars, 8 Coach Cars</td>
<td>2 Cab Cars, 14 Coach Cars</td>
</tr>
<tr>
<td>North County Transit District</td>
<td>Oceanside, CA</td>
<td>3 Cab Cars, 8 Coach Cars</td>
<td>9 Cab Cars, 18 Coach Cars</td>
</tr>
</tbody>
</table>

The RFP identified the requirements and specifications for the procurement of these Commuter Rail Coach and Cab Cars including associated materials. The Consortium issued three (3) Addendums and four (4) clarifications to the RFP and released a Conformed RFP to incorporate all changes. Proposals were due on January 22, 2020.

As a result of the solicitation, the Consortium received a proposal from the following manufacturer:

Bombardier Transit Corporation (Bombardier).

The proposal was evaluated by a panel consisting of SJRRC’s Director of Operations, as well as representatives from Sound Transit and NCTD. Sound Transit performed the responsiveness and responsibility reviews, reviews required based on receiving on proposal and coordinated the contract and price negotiations between the Consortium and Bombardier.

The Consortium and Bombardier came to an agreement on the terms and pricing.

The contract to be awarded for the SJRRC vehicles is for an amount not-to-exceed $66,500,00 for the initial seventeen (17) units, and is broken down in the table below:
### San Joaquin Regional Rail Commission

<table>
<thead>
<tr>
<th>Description</th>
<th>Unit</th>
<th>Unit Price</th>
<th>Quantity</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commuter Rail Cab Car</td>
<td>Vehicle</td>
<td>$3,924,590</td>
<td>5</td>
<td>$19,622,950</td>
</tr>
<tr>
<td>Commuter Rail Coach Car</td>
<td>Vehicle</td>
<td>$3,503,828</td>
<td>12</td>
<td>$42,045,936</td>
</tr>
<tr>
<td>Documents, Manuals, &amp; Catalogs</td>
<td>Lump Sum</td>
<td>$40,519</td>
<td>1</td>
<td>$40,519</td>
</tr>
<tr>
<td>Section 16.5.1 Spare Parts</td>
<td>Per Vehicle</td>
<td>$28,981</td>
<td>17</td>
<td>$492,677</td>
</tr>
<tr>
<td>Diagnostic Test Equipment, including special tools</td>
<td>Lump Sum</td>
<td>$161,252</td>
<td>1</td>
<td>$161,252</td>
</tr>
<tr>
<td>Warranty, 2 years</td>
<td>Per Vehicle</td>
<td>$128,072</td>
<td>17</td>
<td>$2,177,224</td>
</tr>
<tr>
<td>Training</td>
<td>Lump Sum</td>
<td>$58,949</td>
<td>1</td>
<td>$58,949</td>
</tr>
<tr>
<td>Delivery</td>
<td>Per Vehicle</td>
<td>$40,361</td>
<td>17</td>
<td>$686,137</td>
</tr>
<tr>
<td>Surety Bond(^2)</td>
<td>Per Vehicle</td>
<td>$43,520</td>
<td>17</td>
<td>$739,840</td>
</tr>
<tr>
<td>Contingency (Including In-Plant Inspection Services)</td>
<td>Lump Sum</td>
<td>$474,516</td>
<td>1</td>
<td>$474,516</td>
</tr>
</tbody>
</table>

**TOTAL**                                           | $66,500,000  

Staff is working with the Consortium on joint in-plant inspection services to be used by all three parties to take advantage of the economies of scale of having one firm completing all inspections. The cost of the in-plant inspection services is included in the contingency line item and will be brought before the Board for approval.

Additionally, the contract has the option to purchase up to seventeen (17) additional vehicles during the seven-year contract term. Any options purchased will be brought before the Board for approval. SJRRC also has the right to assign their options to other agencies as needed.

**Fiscal Impact:**

Project costs for the current fiscal year are identified in the 2019/2020 Work Program & Budget within the Capital Projects Budget. As a multi-year contract, future project costs will be included in subsequent year’s Work Program & Budgets. Funding for the coach and cab cars include the Transit and Intercity Rail Capital Program (TIRCP), Senate Bill (SB) 132, and Affordable Housing and Sustainable Communities (AHSC) Program.

**Recommendation:**

Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Approving an Agreement with Bombardier Transit Corporation for Bi-Level Commuter Passenger Rail Coach and Cab Cars and Associated Costs, Not-To-Exceed $66,500,000, and Authorizing the Executive Director to Execute Any and All Necessary Documents.
RESOLUTION SJRRC-R-19/20-

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE SAN JOAQUIN REGIONAL RAIL COMMISSION APPROVING AN AGREEMENT WITH BOMBARDIER TRANSIT CORPORATION FOR BI-LEVEL COMMUTER PASSENGER RAIL COACH AND CAB CARS AND ASSOCIATED COSTS, NOT-TO-EXCEED $66,500,000, AND AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE ANY AND ALL NECESSARY DOCUMENTS

WHEREAS, SJRRC secured multiple funding sources for the purchase of Commuter Railroad Coach and Cab Cars; and

WHEREAS, SJRRC, desires to initially purchase five (5) Cab Cars and twelve (12) Coach Cars and related materials (the Base Order) and have the option to purchase up to seventeen (17) additional coach cars and related materials (Options); and

WHEREAS, SJRRC entered an agreement with North County Transit District (NCTD) and Central Puget Sound Regional Transit Authority (Sound Transit) for the joint procurement of commuter rail coach and cab cars, with Sound Transit as lead agency (the Consortium); and

WHEREAS, the Consortium issued a Request for Proposals, Solicitation No.: RTA/RP 0281-19 dated November 22, 2019; and

WHEREAS, the Consortium issued three (3) Addendums and four (4) clarifications to the RFP; and

WHEREAS, Bombardier submitted its initial proposal dated January 22nd, 2020 in response to the RFP; and

WHEREAS, the Consortium and Bombardier came to agreement on the terms and price; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the San Joaquin Regional Rail Commission hereby Approve an Agreement with Bombardier Transit Corporation for Bi-Level Commuter Passenger Rail Coach and Cab Cars, Not-To-Exceed $66,500,000, and Authorizing the Executive Director to Execute Any and All Necessary Documents

PASSED AND ADOPTED, by the Board of Commissioners this 3rd day of April 2020, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:
ATTEST:  

STACEY MORTENSEN, Secretary  

SAN JOAQUIN REGIONAL RAIL COMMISSION  

CHRISTINA FUGAZI, Chair
Item 6  ACTION

Approve Two (2) Resolutions of the Board of Commissioners of the San Joaquin Regional Rail Commission Approving Agreements with Nomad Digital, Inc. and Xenconsult, Inc. (dba Xentrans) for Wi-Fi Hardware, Software, Service, Support, and Oversight Services and Authorizing the Executive Director to Execute Any and All Documents Related to the Project

Action 1. Approve a Five (5) Year Agreement with a Five Year Extension Option with Nomad Digital, Inc. for Wi-Fi Hardware, Installation, Software, Service, and Support Not-To-Exceed $2,620,000 and Authorizing the Executive Director to Execute Any and All Documents Related to the Project

Action 2. Approve a Five (5) Year Agreement with a Five Year Extension Option with Xenconsult, Inc. (dba Xentrans) for Wi-Fi Oversight, Service, and Support Not-To-Exceed $830,000 and Authorizing the Executive Director to Execute Any and All Documents Related to the Project

Background:
Onboard Wi-Fi has consistently ranked as one of the most important passenger amenities for the ACE Service. At the March meeting Rail Commission presented a history of ACE Wi-Fi service, the need to transition to a next generation Wi-Fi system and the opportunity to leverage the work for the Capitol Corridor and San Joaquiins for a new ACE system.

Capitol Corridor Joint Powers Authority Procurements:
The Capitol Corridor Joint Powers Authority (CCJPA) released two solicitations to separately procure a Next Generation Wi-Fi solution and a company to provide management and oversight of the solution during both the deployment and operational phases.

The Next Generation Wi-Fi solution was procured to replace a legacy system that had been deployed in 2011 and had deteriorated significantly which required that it either be replaced or upgraded. This solution includes new hardware, software, installation and support for the Amtrak fleets that include Capitol Corridor, San Joaquiins, and Pacific Surfliner. CCJPA's procurement was intended to allow other agencies to use its procurement for those services to save agencies time, draw on its expertise, and reduce cost by multiple agencies sharing the same platform. The SJRRC Operations Superintendent sat on the evaluation panel for CCJPA for this procurement.

Contracting Structure:
As a result of the procurement, CCJPA awarded its contracts to Xentrans for Wi-Fi Management and Oversight Services and Nomad Digital for Wi-Fi hardware, installation, maintenance, and service operations. Nomad Digital is contracted to provide the Wi-Fi
solution and Xentrans is contracted to ensure the solution is specified properly, delivered as contracted and then operates within set performance metrics. Xentrans operates as an “extension of staff” for the participating agencies providing technical expertise and also Tier 1 support of the final solution.

The Wi-Fi procurement is intended to include the provision for the vendor to provide system upgrades over time to prevent obsolescence as technology evolves. The vendor must present a technical roadmap every six months to the participating agencies to describe both near-term changes (6-12 months) in technology and future technology (1-3+ years) that is also being developed that could be of interest to agencies. This also serves as an opportunity for the agencies to provide input to the process and with their future needs.

The intention of this process is to prevent what has happened with the ACE, CCJPA, SJJPA and other Wi-Fi systems in the past where they were satisfactory when they were first deployed but lacked a structured approach to ensure that technology was refreshed in a planned/strategic manner over time resulting in degrading performance and customer dissatisfaction.

ACE Wi-Fi Agreement Structure:

Due to the differences in the fleet and operations of Amtrak and ACE, staff determined that utilizing Xentrans before finalizing the scope with Nomad Digital would be in the best interest of the agency. Xentrans drew upon its Wi-Fi field specialty and expertise to analyze the ACE train system and helped to determine the appropriate Wi-Fi program for ACE with its institutional knowledge of working with Nomad on the CCJPA solution. Xentrans initial delivery was to assist staff in working with Nomad Digital to appropriately specify the Wi-Fi system and project plan for ACE, including presenting a detailed capabilities presentation to the SJRRC Board on March 6, 2020. This work has been completed in preparation for both Nomad Digital and Xentrans long term agreements to be brought the board.

The overall costing structure of the ACE Wi-Fi Proposal is as follows:

<table>
<thead>
<tr>
<th>Nomad Digital, Inc</th>
<th>Xentrans</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Wi-Fi Hardware, Installation, Software, Service, and Support</strong></td>
<td><strong>Wi-Fi Oversight, Service, and Support</strong></td>
</tr>
<tr>
<td><strong>One-Time Capital Expenditure</strong> (Hardware and Installation)</td>
<td><strong>Annual Operational Expenditure</strong> (Software Licensing, Service, and Support)</td>
</tr>
<tr>
<td>$1,620,000</td>
<td>$130,000</td>
</tr>
<tr>
<td></td>
<td>$140,000</td>
</tr>
</tbody>
</table>

Sole Source Justification:
Section 7.1 sets forth the criteria allowing for sole source purchases. Pursuant to Section 7.1.1.5 of SJRRC's Procurement Manual, "[Where] there are other sources of supply but because of financial, schedule, performance and other factors a single source of supply is immune from effective competition. Such an immunity is created when the award to a different contractor would create a waste of SJRRC funds resulting from a substantial increase in support costs, a substantial schedule delay not owing to poor planning by SJRRC, an unacceptable technical risk towards completion of a project (or continuation of a warranty), or substantial increases in lifecycle costs." Furthermore, pursuant to Section 7.1.2.3.1 of SJRRC's Procurement Manual, “…No purchase order shall be issued to the vendor until the Contracts and Compliance Department and a Director have confirmed that the procurement qualifies as a sole source purchase, and an encumbered requisition confirms that budgeted funds are available and SJRRC Legal Counsel has been consulted.”

At this time, it is at SJRRC's best interest to enter into a sole source agreement with Nomad Digital, Inc. and Xentrans for these services based on the following:

- A waste of SJRRC funds would result in a substantial increase in support/staff costs if SJRRC were to solicit. This is a unique situation where another agency has completed the procurement process which allows other agencies to cost share in a unique fashion. After extensive review staff determined that there is no other group or institute initiating the same service or structure to allow in cost savings. CCJPA’s procurement took approximately twelve (12) months from release to award. With ACE trains not having any Wi-Fi, SJRRC could not justify releasing its own procurement furthering the delay significantly in getting Wi-Fi service restored on the ACE trains.

- If SJRRC were to not utilize CCJPA’s procurement/award and perform a separate solicitation for the same services, it would be a waste of public funds because SJRRC would be responsible for the entire cost of the end system. By utilizing CCJPA’s procurement and award, SJRRC will pay a fraction of the cost as opposed to burdening the entire cost. This cost sharing arrangement is in the best interest of SJRRC.

- Schedule delay is not due to any poor planning of SJRRC. Once aware that Wi-Fi would be deactivated by the current vendor, staff reached out to CCJPA to work with them on a joint procurement. CCJPA has several high-profile technology related projects for the intercity rail program and lack of speedy progress on the joint Wi-Fi effort was further delaying restoration of ACE Wi-Fi service and antagonizing the passengers. Thus, staff determined that working with firms directly would be the only choice to avoid further delays. After regrouping, staff determined that this project fell under a sole source procurement.

- CCJPA’s award process that provides backup that an open and fair competition was performed and that SJRRC is taking advantage of the cost savings by using this procurement will be included in the procurement documentation.

- The SJRRC Contracts and Compliance Department and a Director have confirmed that the procurement qualifies as a sole source purchase, budgeted funds are available, and SJRRC Legal Counsel has been consulted.
Fiscal Impact:

Project capital costs for the current fiscal year will be amended into 2019/2020 Work Program & Budget within the Capital Projects Budget. Operating costs are identified in the 2019/2020 Work Program & Budget within the SJRRC/ACE Operating Budget. As a multi-year contract, future operating and capital costs will be included in subsequent year’s Work Program & Budgets.

Recommendation:

Approve Two (2) Resolutions of the Board of Commissioners of the San Joaquin Regional Rail Commission Approving Agreements with Nomad Digital, Inc. and Xenconsult, Inc. (dba Xentrans) for Wi-Fi Hardware, Software, Service, Support, and Oversight Services and Authorizing the Executive Director to Execute Any and All Documents Related to the Project

Action 1. Approve a Five (5) Year Agreement with a Five Year Extension Option with Nomad Digital, Inc. for Wi-Fi Hardware, Installation, Software, Service, and Support Not-To-Exceed $2,500,000 and Authorizing the Executive Director to Execute Any and All Documents Related to the Project

Action 2. Approve a Five (5) Year Agreement with a Five Year Extension Option with Xenconsult, Inc. (dba Xentrans) for Wi-Fi Oversight, Service, and Support Not-To-Exceed $825,000 and Authorizing the Executive Director to Execute Any and All Documents Related to the Project
RESOLUTION SJRRC-R-19/20-

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE SAN JOAQUIN REGIONAL RAIL COMMISSION APPROVING A FIVE (5) YEAR AGREEMENT WITH A FIVE YEAR EXTENSION OPTION WITH NOMAD DIGITAL, INC. FOR WI-FI HARDWARE, INSTALLATION, SOFTWARE, SERVICE, AND SUPPORT NOT-TO-EXCEED $2,620,000 AND AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE ANY AND ALL DOCUMENTS RELATED TO THE PROJECT

WHEREAS, Onboard Wi-Fi is an important passenger amenity. Once deactivated in July 2019, SJRRC was in need of a solution; and

WHEREAS, Capital Corridor Joint Powers Authority (CCJPA) completed a procurement for Wi-Fi Hardware Installation, Software, Service and Support which was awarded to Nomad Digital, Inc.; and

WHEREAS, the procurement lead by CCJPA allowed peer passenger rail agencies to utilize the procurement and enter into their own agreements with Nomad Digital, Inc.; and

WHEREAS, based on the criteria met, SJRRC determined to enter into this Agreement as a sole source pursuant to the SJRRC Procurement Manual; and

WHEREAS, SJRRC and Nomad Digital, Inc. came to agreement on the terms and price; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the San Joaquin Regional Rail Commission hereby Approve a Five (5) Year Agreement with a Five Year Extension Option with Nomad Digital, Inc. for Wi-Fi Hardware, Installation, Software, Service, and Support Not-To-Exceed $2,620,000 and Authorizing the Executive Director to Execute Any and All Documents Related to the Project

PASSED AND ADOPTED, by the Board of Commissioners this 3rd day of April 2020, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST: SAN JOAQUIN REGIONAL
RESOLUTION SJRRC-R-19/20-

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE SAN JOAQUIN REGIONAL RAIL COMMISSION APPROVING A FIVE (5) YEAR AGREEMENT WITH A FIVE YEAR EXTENSION OPTION WITH XENCONSULT, INC. (DBA XENTRANS) FOR WI-FI OVERSIGHT, SERVICE, AND SUPPORT NOT-TO-EXCEED $830,000 AND AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE ANY AND ALL DOCUMENTS RELATED TO THE PROJECT

WHEREAS, Onboard Wi-Fi is an important passenger amenity. Once deactivated in July 2019, SJRRC was in need of a solution; and

WHEREAS, Capital Corridor Joint Powers Authority (CCJPA) completed a procurement for Wi-Fi Oversight, Service and Support which was awarded to Xenconsult, Inc. (Dba Xentrans); and

WHEREAS, the procurement lead by CCJPA allowed peer passenger rail agencies to utilize the procurement and enter into their own agreements with Xenconsult, Inc. (Dba Xentrans); and

WHEREAS, based on the criteria met, SJRRC determined to enter into this Agreement as a sole source pursuant to the SJRRC Procurement Manual; and

WHEREAS, SJRRC and Xenconsult, Inc. (Dba Xentrans) came to agreement on the terms and price; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the San Joaquin Regional Rail Commission hereby Approve a Five (5) Year Agreement with a Five Year Extension Option with Xenconsult, Inc. (dba Xentrans) for Wi-Fi Oversight, Service, and Support Not-To-Exceed $830,000 and Authorizing the Executive Director to Execute Any and All Documents Related to the Project

PASSED AND ADOPTED, by the Board of Commissioners this 3rd day of April 2020, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST:       SAN JOAQUIN REGIONAL RAIL COMMISSION
Approve a Resolution of the San Joaquin Regional Rail Commission to Appoint a Member and an Alternate of the Rail Commission Who are Residents of San Joaquin County to Serve on the Governing Board of the San Joaquin Joint Powers Authority

Background:
Due to the passing of Commissioner Bob Johnson who was the Commission’s primary representative on the San Joaquin Joint Powers Authority, the Commission needs to appoint a primary representative and an alternate.

Currently, Commissioner Elliott serves as the alternate and participated in the March Authority meeting.

Fiscal Impact:
There is no fiscal impact.

Recommendation:
Approve a Resolution of the San Joaquin Regional Rail Commission to Appoint a Member and an Alternate of the Rail Commission Who are Residents of San Joaquin County to Serve on the Governing Board of the San Joaquin Joint Powers Authority.
RESOLUTION SJRRC-R-19/20-

RESOLUTION OF THE SAN JOAQUIN REGIONAL RAIL COMMISSION TO APPOINT A MEMBER AND AN ALTERNATE OF THE RAIL COMMISSION WHO ARE RESIDENTS OF SAN JOAQUIN COUNTY TO SERVE ON THE GOVERNING BOARD OF THE SAN JOAQUIN JOINT POWERS AUTHORITY

WHEREAS, the “Intercity Passenger Rail Act of 2012” (AB 1779), authored by Assemblymember Cathleen Galgiani with Bi-Partisan support, was passed by the Legislature on August 30, 2012 and signed by the Governor on September 29, 2012; and

WHEREAS, AB 1779 reauthorizes regional government agencies’ ability to form the San Joaquin Joint Powers Authority (SJJPA) to take over the governance/management of the existing San Joaquin intercity passenger rail service between Bakersfield-Fresno-Modesto-Stockton-Sacramento-Oakland; and

WHEREAS, the San Joaquin Regional Rail Commission (SJRRRC) is one of the 10 member agencies who can appoint a Member and an Alternate Member serves on the Governing Board for SJJPA; and

WHEREAS, the primary Member on the SJJPA Governing Board passed away leaving a vacancy and requiring an appointment; and

WHEREAS, the Appointees must reside in San Joaquin County and be SJRRRC board members;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the San Joaquin Regional Rail Commission hereby appoints a Member and an Alternate Member to the San Joaquin Joint Powers Authority as follows:

_________________________________  _______________________
     Primary           Alternate

PASSED AND ADOPTED, by the Board of Commissioners this 3rd day of April 2020, by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:  
ATTEST:  SAN JOAQUIN REGIONAL RAIL COMMISSION

_____________________________  _____________________________
STACEY MORTENSEN, Secretary  CHRISTINA FUGAZI, Chair