

Members of the Board

Jody Breckenridge, Chair
Jeffrey DelBono
Timothy Donovan
Anthony J. Intintoli, Jr.
James Wunderman, Vice Chair

BOARD OF DIRECTORS MEETING
Thursday, September 7, 2017 at 1:15 p.m.
San Francisco Bay Area
Water Emergency Transportation Authority
Port of San Francisco
Pier 1; San Francisco

The full agenda packet is available for download at sanfranciscobayferry.com/weta

AGENDA

1. CALL TO ORDER – BOARD CHAIR
2. PLEDGE OF ALLEGIANCE/ROLL CALL
3. REPORT OF BOARD CHAIR *Information*
4. REPORTS OF DIRECTORS *Information*
5. REPORTS OF STAFF *Information*
 - a. Executive Director’s Report
 - b. Monthly Review of Financial Statements
 - c. State and Federal Legislative Updates
6. CONSENT CALENDAR *Action*
 - a. Board Meeting Minutes – July 6, 2017
 - b. Approve Amendment No. 1 to Clipper Memorandum of Understanding
7. APPROVE CONTRACT AWARD TO R.E. STAITE ENGINEERING, INC. FOR THE NORTH BAY OPERATIONS AND MAINTENANCE FACILITY PILE RECONFIGURATION PROJECT *Action*
8. APPROVE CONTRACT AWARD TO THE DUTRA GROUP FOR THE VALLEJO FERRY TERMINAL DREDGING PROJECT *Action*
9. PUBLIC COMMENTS FOR NON-AGENDA ITEMS

ADJOURNMENT

All items appearing on the agenda are subject to action by the Board of Directors. Staff recommendations are subject to action and change by the Board of Directors.

Water Emergency Transportation Authority
September 7, 2017 Meeting of the Board of Directors

PUBLIC COMMENTS The WETA welcomes comments from the public. Each person wishing to address the Board of Directors is requested to complete a Speaker Card. Please forward completed Speaker Card and any reports/handouts to the Board Secretary. Speakers will be allotted no more than three (3) minutes to speak and will be heard in the order of sign-up. Said time frames may be extended only upon approval of the Board of Directors.

Non-Agenda Items: A 15 minute period of public comment for non-agenda items will be held at the end of the meeting. Please indicate on your speaker card that you wish to speak on a non-agenda item. No action can be taken on any matter raised during the public comment period.

Agenda Items: Speakers on individual agenda items will be called in order of sign-up after the discussion of each agenda item.

WETA meetings are wheelchair accessible. Upon request, WETA will provide written agenda materials in appropriate alternative formats to individuals with disabilities. In addition, the WETA will arrange for disability-related modifications or accommodations including auxiliary aids or services to enable individuals with disabilities to participate in public meetings. Please send a written request including your name, mailing address, telephone number and brief description of the requested materials in preferred alternative format and/or auxiliary aid or service at least five (5) days before the meeting. Requests should be made by mail to: Board Secretary, WETA, 9 Pier, Suite 111, San Francisco, CA 94111; by e-mail to: contactus@watertransit.org; or by telephone: (415) 291-3377.

M E M O R A N D U M

TO: WETA Board Members

FROM: Nina Rannells, Executive Director

DATE: September 7, 2017

RE: Executive Director's Report

CAPITAL PROJECT IMPLEMENTATION UPDATE

4 New Vessels – Central Bay

This project will construct four new vessels high-speed propeller propulsion vessels; two to replace the MV *Encinal* and *Harbor Bay Express II* and two to support the growing demand for WETA services.

The Board of Directors approved a contract with Aurora Marine Design (AMD) for vessel construction management services in December 2013, and with Kvichak Marine Industries - now Vigor Kvichak (Vigor) - in April 2015 for the construction of two new replacement vessels. Vessel construction began in September 2015. The first of these vessels, the MV *Hydrus*, was completed in March and put into revenue service in April 2017. The second of these vessels, the MV *Cetus*, was placed into revenue service in August 2017.

On October 6, 2016 the Board of Directors approved a contract award to Vigor for two additional vessels and with Aurora Marine Design for construction management services. Progress to date has included purchase of main propulsion engines and material for hull construction. Hull construction has begun for both vessels and is near completion. The cabin module is being built at the Vigor Harbor Island facility. Vessel 3 is currently on schedule for completion in January 2018 and Vessel 4 is scheduled for completion in November 2018.

3 New Vessels – North Bay

This project will construct three new high-speed jet propulsion vessels; one to replace the MV *Vallejo* and two to support WETA's plans to meet Vallejo service demand and operate new Richmond ferry service. In December 2015, the Board of Directors approved a contract with Fast Ferry Management for vessel construction management services. On September 1, 2016 the Board of Directors approved a contract award to Dakota Creek Industries for vessel construction. Initial vessel construction is underway. The first vessel is scheduled for delivery in December 2018.

MV *Pisces* Quarter-Life and Passenger Capacity Increase Project

This project provides for a general refurbishment of the vessel and includes increasing the passenger capacity from 149 to 225. On October 6, 2016 the Board of Directors approved a contract award to Marine Group Boat Works. This project was completed and the vessel was placed back into service in August 2017.

MV Taurus Quarter-Life Project

This project provides for a general refurbishment of the vessel and includes increasing the passenger capacity from 199 to 225. On June 8, 2017 the Board of Directors approved a contract award to Bay Ship & Yacht. Work for this project is scheduled for completion in November 2017.

North Bay Operations and Maintenance Facility

This project constructed a new ferry operations and maintenance facility located on Mare Island in Vallejo. Landside construction was completed by West Bay Builders and waterside construction was completed by Dutra Construction Company. Construction management services were provided by Weston Solutions, Inc.. Operations and maintenance staff completed their transition into the new facility during the first week of January 2017 and are in the process of cleaning up and closing out the old maintenance site. A final component of this project will be to complete pile reconfiguration and modification work this fall.

Central Bay Operations and Maintenance Facility

This project will construct a new ferry operations and maintenance facility at Alameda Point to serve as the base for WETA's existing and future Central Bay ferry fleet and operation. The project is being constructed by Overaa/Power, a Joint Venture and construction management is being provided by 4Leaf, Inc. The building's foundation and steel framing has recently been completed, along with a protective stone wall surrounding the fuel storage site. This project is scheduled for completion in Spring/Summer 2018.

Downtown San Francisco Ferry Terminal Expansion Project

This project will expand berthing capacity at the Downtown San Francisco Ferry Terminal in order to support new and existing ferry services to San Francisco. The project also includes landside improvements needed to accommodate expected increases in ridership and to support emergency response capabilities. Project construction is being provided by Power Engineering under a Guaranteed Maximum Price contract and construction management is being provided by CH2M Hill Engineers.

Site work began in February 2017, including the installation of construction fencing, site demolition, and placement of seismic, noise, vibration, and settlement monitoring devices. Dredging and pile driving work began in June and will continue throughout the summer. This project is scheduled to be completed in late 2019.

Richmond Ferry Terminal and Service

This project will construct a ferry terminal in Richmond to support new public transit ferry service between Richmond and San Francisco. The project design includes replacement of an existing facility (float and gangway) and a phased parking plan. Project construction is being provided by Manson Construction Co. and construction management is being provided by Ghiradelli Associates. New service will be operated with the support of Contra Costa County Measure J funds authorized by the Contra Costa County Transportation Authority in March 2015 and any remaining balance of RM2 operating funds not needed to support existing services.

Project dredging is expected to begin in October. Construction of the landside portion of the terminal is expected to begin in January 2018. The estimated start date for Richmond operations is currently September 2018.

SERVICE DEVELOPMENT UPDATE

Treasure Island Service

This project, which will be implemented by the Treasure Island Development Authority (TIDA), the San Francisco County Transportation Authority (acting in its capacity as the Treasure Island

Mobility Management Authority), and the prospective developer, will institute new ferry service to be operated by WETA between Treasure Island and downtown San Francisco in connection with the planned Treasure Island Development Project. The anticipated start of operations would be 2023 given the current project schedule.

WETA staff is working with City of San Francisco staff to support development of this project. In that capacity, they are participating in regular meetings of the City's Technical Advisory Committee, convened to update and further develop the Treasure Island Mobility Management Program that will include a new ferry service to be provided in conjunction with the development project. Staff has developed a draft Memorandum of Understanding (MOU) for discussion with the City that would set forth the terms and conditions under which WETA would operate the future Treasure Island ferry service. The finalization and execution of the MOU for the Treasure Island service would be subject to consideration by the WETA Board.

Alameda Seaplane Lagoon Ferry Terminal

In April 2016, the Alameda City Council and WETA Board of Directors adopted a MOU defining a future service concept for western Alameda and identifying the terms and conditions under which a new Seaplane Lagoon Ferry Service would be implemented. The MOU defines roles and responsibilities for each party pertaining to the proposed construction of a new ferry terminal along Seaplane Lagoon on the former Naval Air Station at Alameda Point, future operation of the service, and the pursuit of funds necessary to support the new service. Staff will continue to work with the City to fulfill WETA's commitments under the MOU with the common goal of achieving the start of service by 2020.

Mission Bay Ferry Landing

The Port of San Francisco released an engineering feasibility and site selection study for a future Mission Bay ferry landing in March 2016. WETA staff participated in the study and provided input regarding ferry operations and potential service models. In December 2016, the Port of San Francisco awarded a contract to COWI/OLMM to complete preliminary design, permitting and entitlement activities and began the process in partnership with WETA. To support the effort, the City and Port of San Francisco have placed \$7 million in its capital budget. A project MOU between the Port and WETA was adopted by the WETA Board in January 2017. Staff has been working together with Port staff and their consultants on initial design and environmental testing activities. Preliminary designs for the ferry landing should be available by fall 2017.

Redwood City Ferry Terminal

A Draft Redwood City Ferry Terminal site feasibility report was completed in 2012 in an effort to identify site opportunities, constraints and design requirements, and better understand project feasibility and costs associated with the development of a terminal and service to Redwood City. During the summer of 2016, staff from the Port, WETA and the City of Redwood City met to redefine the project, shifting the development toward a public facility available to multiple ferry operators in advance of formal WETA service given the lack of project funds for such service at this time. This alternative development model will allow the Port and City to move forward with construction of a terminal, allowing time for WETA and the City to advocate for operational and vessel funding for eventual WETA service. Staff has been working with City and Port officials on a project MOU. City and Port staff are reaching out to also include the San Mateo Transportation Authority which will provide funding for the design and development stages of the project as a partner in the MOU.

SYSTEM PLANS/STUDIES

Alameda Terminals Access Initiatives

The City of Alameda City Council authorized a residential permit program for the Harbor Bay Ferry Terminal area in February 2017. City of Alameda staff has coordinated with the Harbor Bay Master Homeowner's Association to develop a strategy for implementing the residential permit and enforcement program, including outreach to surrounding communities and ferry riders. On June 27, the City began the outreach effort with cooperation from WETA through the Bay Alerts system. The City will continue its outreach process through the end of August and begin active enforcement in September 2017. To make up for the loss of parking, WETA has been working with the City to develop strategies to enhance alternative access to the terminal. WETA has recently executed an agreement with AC Transit to offer a free transfer to ferry riders that take the bus to the ferry. In addition, bike lockers have been upgraded and new bike racks have been installed.

At the request of the Harbor Bay Homeowner's Association and the City of Alameda, WETA has been considering a parking fee at the Harbor Bay lot. WETA staff has engaged a parking specialist consultant and will be evaluating potential parking fee programs, not just for Harbor Bay but for the entire WETA system. A program of systemwide parking fee program policy goals was approved by the WETA Board in November 2016 and it will be used to guide the development of a specific paid parking program for the Harbor Bay Terminal site. Staff anticipates bringing a recommendation for a parking fee program in the fall.

At Main Street, WETA staff has worked with City staff since spring 2015 to open the Officer's Club parking lot as an overflow lot for the many riders parking on dirt lots or on the shoulders of Main Street. WETA funded a new crosswalk and minor improvements to the lot which opened to ferry riders on May 24, 2016. Aside from parking, installation of 20 bicycle lockers at the Main Street terminal -- funded through a grant from the Bay Area Air Quality Management District -- occurred on February 22, 2016. Staff will shift its focus to additional improvements that can be made related to alternative terminal access modes such as buses, shuttles, bicycles, and pedestrian improvements after the parking improvements are underway. Staff has recently met with private companies such as Lyft, Chariot and Scoop in an effort to explore alternative options for improving transportation options for ferry riders in Alameda and elsewhere.

Berkeley Environmental Studies

The proposed Berkeley service will provide an alternative transportation link between Berkeley and downtown San Francisco. Staff has coordinated with Federal Transit Administration (FTA) staff to discuss the process for completion of the Final EIS/EIR. FTA has indicated that it will not be able to complete the NEPA process and issue a Record of Decision because a long-term operational funding source is not available for the service at this time. Staff will work with the new Mayor and City Council of Berkeley in the coming months to review the project work to date and discuss opportunities to move this project forward in the near future.

EMERGENCY RESPONSE ACTIVITIES UPDATE

WETA's enabling legislation, SB 976 as amended by SB 1093, directs the agency to provide comprehensive water transportation and emergency coordination services for the Bay Area region. Staff is currently working on the following emergency response related activities:

Communications: As a part of the development of the Emergency Response Plan approved by the Board in March 2016, staff identified a list of action items to bolster the WETA emergency response program, including several items to refine its communication systems:

WETA's P25 radios have been transferred to the East Bay Regional Communication System (EBRCS) to provide sufficient coverage for WETA's emergency communication needs. During the re-programming of the radios, it was determined

that WETA will still need to utilize a couple of channels on the San Francisco system. Staff is working with the City of San Francisco to develop a memorandum of understanding for the use of these. In the meantime, the radios have been re-distributed and recurrent training will be conducted with WETA and Blue & Gold staff.

- Based on an analysis of various communication equipment, staff has determined that the best equipment to provide to Blue & Gold Fleet to implement their staff recall plan are satellite phones. Satellite phones and contact lists have been distributed to Blue & Gold management. Blue & Gold is working to finalize their staff recall plan which will include enabling select staff to access additional satellite phones at key locations in order to recall crews when regular communication systems are down. WETA and Blue & Gold are aiming to test the recall plan this fall/winter.

SF Bay Regional Port Reopening Coalition Workshops:

This coalition is a group of partnering agencies in the maritime community working together to clarify the coordination process of the critical path to overall restoration of port operations following a catastrophic disaster through a series of discussion based workshops and exercises. As a follow up to the workshop series, it is the intent of this coalition to draft playbooks and begin to test them during the 2017 San Francisco Fleet Week Full Scale Exercise. On Thursday August 31, WETA will attend the After Action Meeting for the series of five workshops focused on the following capabilities:

- Vessel Operations: Pilots, Tugs, Barges and Labor
- Critical Cargo and Supply Chain Disruption
- Ports and Facilities
- Channel Survey Operations
- Multi Modal Transportation
- Emergency Ferry Transportation
- Emergency Fuel and Utilities

OPERATIONS REPORT

WETA ferry services experienced record ridership once again in the month of August. Both the new vessel MV *Cetus* and the refurbished MV *Pisces* were received and placed into service in August.

Monthly Operating Statistics - The Monthly Operating Statistics Reports for June and July 2017 are provided as Attachment A.

KEY BUSINESS MEETINGS AND EXTERNAL OUTREACH

On July 13, Nina Rannells and Lauren Gularte attended the Assembly Transportation Committee Hearing on SB 595: MTC Bridge Toll Measure.

On July 17, Nina Rannells attended the Clipper Executive Board meeting in San Mateo.

On August 4, Keith Stahnke and Lauren Gularte met with staff from the California Office of Emergency Services (Cal OES) and the Federal Emergency Management Agency (FEMA) as the first step in the application process for public assistance reimbursement for the damage to WETA's vessels and the increased siltation at the Vallejo Ferry terminal resulting from the storms earlier this year.

On August 8, Lauren Gularte attended the PG&E Company Earthquake Exercise and Showcase which was an operations-based functional exercise testing enterprise-wide preparedness, response, and resilience in managing the impacts of a catastrophic event.

On August 10, Lauren Gularte attended the Transportation Response Planning committee quarterly meeting.

On August 11, Lauren Gularte attended the regional Business Outreach Committee quarterly meeting.

On August 11, Kevin Connolly and Ernest Sanchez met with members of the Steuart Street Business Association.

On August 14, Keith Stahnke, Kevin Donnelly and Tim Hanners attended the MTC Transit Asset Management Plan(s) for Tier II operators kick off meeting.

On August 16, Nina Rannells and Kevin Connolly met with Supervisor Federal Glover at his offices in Pittsburg.

On August 17, Keith Stahnke, Kevin Donnelly and Lauren Gularte met with Port of Oakland Emergency Management and Commercial Real Estate staff to discuss potential sites for locating a temporary ferry terminal at the Port of Oakland during an emergency.

On August 18, Keith Stahnke attended a Renewable Diesel Roundtable Discussion and Technical Workshop for Marine Operators hosted by the San Francisco Department of the Environment.

On August 21, Nina Rannells attended the Clipper Executive Board meeting in Oakland.

On August 28, Kevin Connolly participated in an Alameda Maritime Community Charrette hosted by the City of Alameda.

On August 31, Lauren Gularte attended the San Francisco Bay Regional Port Reopening After Action Meeting.

OTHER BUSINESS

Assembly Bill 1121 (Chiu)

Assemblymember David Chiu (D) San Francisco, has introduced AB-1121 to make changes to WETA and enhance its ability to provide regional ferry services in the Bay Area. The bill, which passed to the Senate on May 18, 2017, includes language to increase the membership of the WETA Board of Directors to nine members, with five members to be appointed by the Governor, two members to be appointed by the Senate Committee on Rules and two members to be appointed by the Speaker of the Assembly. This has been made into a two-year bill that can be considered next year by the legislature.

Senate Bill 595 (Beall) - Regional Measure 3

Senate Bill 595 (Beall) was introduced by Senator Beall on February 17, 2017, to authorize a new bridge toll measure to raise the tolls on the state-owned bridges to fund a program of transportation improvements. The Board adopted a Regional Measure Three Principles and Investment Program at its June 2017 meeting and authorized staff to communicate a support position for the bill at its meeting in July.

This bill was amended in the Assembly Transportation Committee in July to include a set of transportation projects to receive operating and capital funds as a part of this measure including \$325 million for WETA capital projects and \$35 million annually in operating for WETA ferry

services. The bill is next scheduled to be heard in the Assembly Appropriations Committee on September 1. Staff will provide an update on the bill during the legislative update.

Renewable Diesel Investigation

The Port of San Francisco has approached Bay Area ferry operators to request that they switch to utilizing renewable diesel for the operation of ferry vessels in 2018. This request is on behalf of Mayor Lee, and is a follow-on to his initiative to convert San Francisco's public fleet to renewable diesel. Staff is working with its propulsion and emission treatment equipment manufacturers to determine if use of this fuel is technically feasible.

Organizational Review

Staff has engaged the services of Koff & Associates, a local Human Resources consulting firm, to assist in a variety of general and specific human resources needs and projects. An early task will be to review position requirements and job descriptions and prepare a market compensation study consistent with the compensation policy included in WETA's Human Resources Guide. This work is needed given the dramatic growth in the agency's program in recent years and the associated new and expanded work activities and workload taken on by employees as we have grown our system, assets and services. This initial work will take place over the next few months after which staff will bring forward a Salary and Benefits Resolution (required to be periodically authorized by the Board) and any recommended organizational or position changes for Board discussion and consideration.

END

Attachment A

Monthly Operating Statistics Report June 2017

			Alameda/ Oakland	Harbor Bay	South San Francisco	Vallejo*	Systemwide
Boardings	<i>vs. last month</i>	Total Passengers June 2017	123,465	29,364	12,875	101,881	267,585
		Total Passengers May 2017	113,033	29,436	12,878	93,699	249,046
		Percent change	9.23%	-0.24%	-0.02%	8.73%	7.44%
	<i>vs. same month last year</i>	Total Passengers June 2017	123,465	29,364	12,875	101,881	267,585
		Total Passengers June 2016	117,160	27,824	11,905	94,837	251,726
		Percent change	5.38%	5.53%	8.15%	7.43%	6.30%
	<i>vs. prior FY to date</i>	Total Passengers Current FY To Date	1,183,188	321,289	136,320	1,000,773	2,641,570
		Total Passengers Last FY To Date	1,149,822	311,313	125,946	959,939	2,547,020
		Percent change	2.90%	3.20%	8.24%	4.25%	3.71%
			Avg Weekday Ridership June 2017	4,186	1,335	585	3,768
Ops Stats		Passengers Per Hour	154	208	75	153	151
		Revenue Hours	800	141	171	665	1,777
		Revenue Miles	11,191	3,127	2,717	19,136	36,171
Fuel		Fuel Used (gallons)	51,196	12,079	13,745	161,920	238,939
		Avg Cost per gallon	\$1.87	\$1.87	\$1.87	\$1.83	\$1.84

* Includes backup bus boardings. June bus ridership totaled 462 for Vallejo.

Attachment A

Monthly Operating Statistics Report July 2017

			Alameda/ Oakland	Harbor Bay	South San Francisco	Vallejo*	Systemwide	
Boardings	<i>vs. last month</i>	Total Passengers July 2017	146,126	26,313	11,247	105,751	289,437	
		Total Passengers June 2017	123,465	29,364	12,875	101,881	267,585	
		Percent change	18.35%	-10.39%	-12.64%	3.80%	8.17%	
	<i>vs. same month last year</i>	Total Passengers July 2017	146,126	26,313	11,247	105,751	289,437	
		Total Passengers July 2016	134,453	25,116	10,419	100,426	270,414	
		Percent change	8.68%	4.77%	7.95%	5.30%	7.03%	
	<i>vs. prior FY to date</i>	Total Passengers Current FY To Date	146,126	26,313	11,247	105,751	289,437	
		Total Passengers Last FY To Date	134,453	25,116	10,419	100,426	270,414	
		Percent change	8.68%	4.77%	7.95%	5.30%	7.03%	
			Avg Weekday Ridership July 2017	4,611	1,316	562	3,825	10,314
	Ops Stats		Passengers Per Hour	177	202	73	157	162
			Revenue Hours	827	130	155	672	1,784
		Revenue Miles	11,470	2,873	2,470	19,003	35,816	
Fuel		Fuel Used (gallons)	64,337	15,610	15,633	196,488	292,068	
		Avg Cost per gallon	\$1.92	\$1.92	\$1.92	\$1.84	\$1.87	

* Includes backup bus boardings. July bus ridership totaled 775 for Vallejo.

MEMORANDUM

TO: Board Members

**FROM: Nina Rannells, Executive Director
Lynne Yu, Manager, Finance & Grants**

**SUBJECT: Monthly Review of FY 2017/18 Financial Statements for One Month
Ending July 31, 2017**

Recommendation

There is no recommendation associated with this informational item.

Summary

This report provides the attached FY 2017/18 Financial Statements for one month ending July 31, 2017.

Operating Budget vs. Actual

	Prior Actual	Current Budget	Current Actual
Revenues - Year To Date:			
Fare Revenues	\$1,942,399	\$1,600,840	\$2,281,767
Bridge Toll Revenues	846,587	1,800,794	960,501
Other Revenues	-	61,830	-
Total Operating Revenues	\$2,788,986	\$3,463,464	\$3,242,269
Expenses - Year To Date:			
Planning & Administration	\$156,978	\$254,795	\$131,068
Ferry Services	2,632,008	3,208,670	3,111,201
Total Operatings Expenses	\$2,788,986	\$3,463,464	\$3,242,269
System-Wide Farebox Recovery %	74%	50%	73%

Capital Actual and % of Total Budget

	YTD Actual	% of FY 2017/18 Budget
Revenues:		
Federal Funds	\$2,158,099	9.34%
State Funds	3,552,306	4.04%
Bridge Toll Revenues	785,501	3.63%
Other Revenues	24,374	1.32%
Total Capital Revenues	\$6,520,280	4.85%
Expenses:		
Total Capital Expenses	\$6,520,280	4.85%

Fiscal Impact

There is no fiscal impact associated with this informational item.

END

San Francisco Bay Area Water Emergency Transportation Authority
FY 201/18 Statement of Revenues and Expenses
For One Month Ending 7/31/2017

% of Year Elapsed 8%

	Current Month	Year - To - Date			Total FY 2017/18 Budget	% of Total Budget
		FY2016/17 Actual	FY 2017/18 Budget	FY 2017/18 Actual		
OPERATING EXPENSES						
<u>PLANNING & GENERAL ADMIN:</u>						
Wages and Fringe Benefits	\$86,913	\$67,687	\$120,560	\$86,913	1,419,500	6.1%
Services	67,297	100,867	140,732	67,297	1,657,000	4.1%
Materials and Supplies	391	574	7,321	391	86,200	0.5%
Utilities	1,512	871	2,421	1,512	28,500	5.3%
Insurance	1,201	1,178	2,208	1,201	26,000	4.6%
Miscellaneous	1,171	15,878	22,023	1,171	259,300	0.5%
Leases and Rentals	30,988	25,332	31,306	30,988	368,600	8.4%
Admin Overhead Expense Transfer	(58,405)	(55,409)	(71,776)	(58,405)	(845,100)	6.9%
Sub-Total Planning & Gen Admin	\$131,068	\$156,978	\$254,795	\$131,068	3,000,000	4.4%
<u>FERRY OPERATIONS:</u>						
<u>Harbor Bay FerryService</u>						
Purchased Transportation	\$156,633	\$124,262	\$172,199	\$156,633	2,027,500	7.7%
Fuel - Diesel & Urea	30,000	25,554	43,476	30,000	511,900	5.9%
Other Direct Operating Expenses	30,580	28,439	47,842	30,580	563,300	5.4%
Admin Overhead Expense Transfer	7,287	7,175	9,105	7,287	107,200	6.8%
Sub-Total Harbor Bay	\$224,500	\$185,430	\$272,622	\$224,500	3,209,900	7.0%
Farebox Recovery	54%	63%	49%	54%	49%	
<u>Alameda/Oakland Ferry Service</u>						
Purchased Transportation	\$829,245	\$671,068	\$728,525	\$829,245	8,577,800	9.7%
Fuel - Diesel & Urea	123,643	118,961	172,751	123,643	2,034,000	6.1%
Other Direct Operating Expenses	90,812	74,894	150,142	90,812	1,767,800	5.1%
Admin Overhead Expense Transfer	25,696	22,743	30,983	25,696	364,800	7.0%
Sub-Total Alameda/Oakland	\$1,069,396	\$887,665	\$1,082,401	\$1,069,396	12,744,400	8.4%
Farebox Recovery	75%	83%	47%	75%	47%	
<u>Vallejo FerryService</u>						
Purchased Transportation	\$991,495	\$909,215	\$903,493	\$991,495	10,637,900	9.3%
Fuel - Diesel & Urea	362,227	291,882	453,713	362,227	5,342,100	6.8%
Other Direct Operating Expenses	163,598	99,062	134,897	163,598	1,588,300	10.3%
Admin Overhead Expense Transfer	21,861	21,293	26,702	21,861	314,400	7.0%
Sub-Total Vallejo	\$1,539,181	\$1,321,452	\$1,518,805	\$1,539,181	17,882,700	8.6%
Farebox Recovery	83%	77%	57%	83%	57%	
<u>South San Francisco FerryService</u>						
Purchased Transportation	\$213,326	\$170,661	\$229,239	\$213,326	2,699,100	7.9%
Fuel - Diesel & Urea	30,043	33,663	49,515	30,043	583,000	5.2%
Other Direct Operating Expenses	31,195	28,940	51,103	31,195	601,700	5.2%
Admin Overhead Expense Transfer	3,561	4,198	4,985	3,561	58,700	6.1%
Sub-Total South San Francisco	\$278,124	\$237,462	\$334,842	\$278,124	3,942,500	7.1%
Farebox Recovery	30%	32%	26%	30%	26%	
Total Operating Expenses	\$3,242,269	\$2,788,986	\$3,463,464	\$3,242,269	\$40,779,500	8.0%
OPERATING REVENUES						
Fare Revenue	\$2,281,767	\$1,942,399	\$1,600,840	\$2,281,767	18,848,600	12.1%
Regional - Bridge Toll	960,501	846,587	1,800,794	960,501	21,202,900	4.5%
Regional - Alameda Tax & Assessment	-	-	61,830	-	728,000	0%
Other Revenue	-	-	-	-	-	0%
Total Operating Revenues	\$3,242,269	\$2,788,986	\$3,463,464	\$3,242,269	\$40,779,500	8.0%

San Francisco Bay Area Water Emergency Transportation Authority
FY 2017/18 Statement of Revenues and Expenses
For One Month Ending 7/31/2017

Project Description	Current Month	Project Budget	Prior Years Actual	FY2017/18 Budget ¹	FY2017/18 Actual	Future Year	% of Total Project Budget
CAPITAL EXPENSES:							
FACILITIES:							
Terminal Construction							
Downtown Ferry Terminal Expansion - South Basin	\$2,358,978	\$97,965,000	\$15,787,480	\$36,792,520	\$2,358,978	\$45,385,000	19%
Richmond Ferry Terminal	43,135	20,000,000	2,590,699	12,409,301	\$43,135	5,000,000	13%
Maintenance and Operations Facilities							
North Bay Operations & Maintenance Facility	1,972	31,082,000	29,996,658	1,085,342	1,972	0	97%
Central Bay Operations & Maintenance Facility	2,321,742	69,500,000	31,431,761	37,068,239	\$2,321,742	1,000,000	49%
FERRY VESSELS:							
Vessel Construction							
400-Pax Replacement Vessels - M/V Hydrus & M/V Cetus	16,869	33,951,000	31,175,793	2,775,207	\$16,869	-	92%
445-Pax Replacement Vessel - M/V Vallejo	536,198	23,372,000	4,694,001	12,777,999	\$536,198	5,900,000	22%
445-Pax Expansion (Waterjet) Vessels (2)	1,227,397	46,745,000	7,619,930	11,000,070	\$1,227,397	28,125,000	19%
400-Pax Expansion (Propeller) Vessels (2)	815	33,400,000	17,552,573	10,847,427	\$815	5,000,000	53%
Vessel Rehabilitation and Refurbishment							
Vessel Mid-Life Refurbishment - M/V Peralta	3,217	5,535,000	3,423,953	2,111,047	\$3,217	-	62%
Major Component Rehabilitation - M/V Solano	2,784	430,000	8,503	421,497	\$2,784	-	3%
Vessel Engine Overhaul - M/V Bay Breeze	5,205	850,000	-	850,000	\$5,205	-	1%
Vessel Qtr-Life Refurbishment - M/V Taurus	1,968	2,500,000	-	2,500,000	\$1,968	-	0%
Vessel Engine Overhaul - M/V Intintoli and M/V Mare Island	-	3,000,000	-	15,000	\$0	2,985,000	0%
Vessel Qtr-Life Refurbishment - M/V Scorpio	-	2,500,000	-	2,500,000	\$0	-	0%
CAPITAL EQUIPMENT / OTHER:							
CCTV and LCD Network Integration	-	400,000	-	400,000	\$0	-	0%
Purchase Lifesaving Equipment (IBAs)	-	90,000	-	90,000	\$0	-	0%
Purchase Spare Vessel Engine	-	400,000	-	400,000	\$0	-	0%
Purchase Service Vehicles	-	500,000	-	500,000	\$0	-	0%
Total Capital Expenses	\$6,520,280	\$372,220,000	\$144,281,352	\$134,543,647	\$6,520,280	\$93,395,000	
CAPITAL REVENUES:							
Federal Funds	\$2,158,099	\$82,304,000	\$38,161,835	\$23,114,939	\$2,158,099	\$21,027,226	49%
State Funds	3,552,306	225,349,000	81,530,443	87,928,580	3,552,306	55,889,976	38%
Regional - Bridge Toll	785,501	57,503,700	20,037,983	21,647,919	785,501	15,817,797	36%
Regional - Alameda Sales Tax Measure B / BB	24,374	5,473,300	4,551,091	922,209	24,374	-	84%
Regional - Alameda TIF / LLAD	-	490,000	-	490,000	-	-	0%
Regional - San Francisco Sales Tax Prop K	-	1,100,000	-	440,000	-	660,000	0%
Total Capital Revenues	\$6,520,280	\$372,220,000	\$144,281,352	\$134,543,647	\$6,520,280	\$93,395,000	

¹ FY2017/18 Budget includes adjustments to reflect actual FY2016/17 expenditures.

To: WETA Board Members

From: Barry Broad & Shane Gusman, State Lobbyists

Date: August 30, 2017

Re: State Legislative Report

We are in the last hectic month of the Legislative session, which will end on September 15. The Governor will then have one month to sign or veto legislation.

Regional Measure 3

SB 595 (Beall) will **authorize** the placement of a bridge toll increase measure on the ballot for consideration by Bay Area voters. While the Bay Area legislative delegation has reached a broad agreement on the projects to be funded, there are issues yet to be resolved and new controversies could still arise. The bill is now in the Assembly Appropriations Committee and then will move to the Assembly floor, where further amendments are expected.

At this point, SB 595 would provide WETA \$325 million for expanded ferry service and \$35 million annually in operating revenues. We are working with Senator Beall and other members of the Bay Area delegation regarding amendments that would clarify that any funds remaining unspent each year will be held by the MTC as a reserve for the exclusive use by WETA in future years as well as an amendment that would establish standards for measuring project performance specific to ferry operations.

If SB 595 passes the Legislature and is signed by the Governor and then the voters approve Regional Measure 3, it will enable WETA to fund a robust expansion of ferry service in the Bay Area for many years to come.

AB 1121 (Chiu)

AB 1121 by Assembly Member David Chiu was introduced as a vehicle for consideration of possible governance changes to WETA. It was made a two-year bill that can be considered next year. We had sought amendments to the bill similar to those that are now proposed to go into SB 595.

TO: WETA Board Members

FROM: Peter Friedmann, WETA Federal Legislative Representative
Ray Bucheger, WETA Federal Legislative Representative

SUBJECT: WETA Federal Legislative Board Report – September 2017

This report covers the following topics:

1. FTA Issues Notice of Funding Opportunity for Ferry Grant Program
2. September Expected to be a Busy Month in Congress, Although Little Meaningful Output is Expected
3. Potential for New “Infrastructure” Funding

FTA Issues Notice of Funding Opportunity for Ferry Grant Program

The Federal Transit Administration (FTA) has issued the Notice of Funding Opportunity (NOFO) for its competitive grant program for FY17. Grant requests are due on October 23. While the NOFO indicates that a total of \$30 million is available, it is very possible that FTA will ultimately award the FY17 and FY18 funding together, for a total of \$60 million. In fact FTA, on two separate occasions, has issued a NOFO for a single year of funding, but then awarded two years worth of funding without giving applicants an opportunity to update or supplement their requests. This happened with the FY13 NOFO (FTA ultimately awarded FY13 and FY14 funding together) and with the FY15 NOFO (when the agency awarded FY15 and FY16 funding together). WETA plans to submit an application that will be competitive and that will maximize the potential grant award under either scenario – in other words, whether FTA ultimately awards one year of funding (\$30 million) or two years of funding (\$60 million).

September Expected to be a Busy Month in Congress, Although Little Meaningful Output is Expected

Congress comes back into session in September with a long list of items that must be completed before the end of the month, including the FY18 appropriations process, increasing the nation’s borrowing limit (i.e. raising the debt ceiling), taking up an emergency supplemental appropriations bill to respond to Hurricane Harvey, reauthorization of the National Flood Insurance Program (NFIP), reauthorization of the Federal Aviation Administration (FAA), and reauthorization of the State Children’s Health Insurance Program (SCHIP). Many of these issues will be contentious, and the politics will be even trickier given the situation in Texas (recall that members of the Texas Congressional delegation opposed an emergency supplemental funding bill for New York and New Jersey after Hurricane Sandy, and it appears that the Northeast Congressional delegation may respond in kind). The most likely scenario is that Congress will punt on all of the above, passing a Continuing Resolution (CR) to keep the government funded through December, raising the debt ceiling through December, appropriating a “down payment” for Texas Hurricane response activities, and passing short-term extensions of the remaining programs.

Short-term extensions create a lot of uncertainty for organizations and individuals that rely on these programs. This uncertainty includes not only the timeline for receiving funds, but also how

much money will be available through certain programs. While the funding level for programs such as the FHWA ferry formula program and the FTA ferry grant program are set (as are other programs authorized and funded through the FAST Act), other programs have funding levels that are not guaranteed from year-to-year, and for which program advocates must fight for funding. One example of this is the TIGER grant program for large infrastructure projects. The House FY18 Transportation Appropriations bill includes no money (zero dollars) for the TIGER grant program in FY18. While alarming at first glance, this is not the first time that House Appropriators have recommending eliminating the TIGER program. In fact, House appropriators zeroed out the TIGER program in FY11, FY12, FY13 and FY14. In each of those years, the Senate Appropriations Committee has ensured that TIGER is funded at a level of at least \$500 million. In fact, TIGER has been funded every year since its inception as part of the 2009 American Recovery and Reinvestment Act (ARRA, aka the stimulus bill).

FEMA's Port Security Grant Program (PSGP) and the Transit Security Grant Program (TSGP) are also dependent on year-to-year funding. The House Appropriations Committee funded the Port Security Grant Program at \$100 million, which is the same level of funding the program has received since 2014. The House also allocated \$90 million for the Transit Security Grant Program. The Senate committee that provides funding for these two programs has yet to take up its spending bill.

Potential for New "Infrastructure" Funding

Congressional leaders continue to talk with the White House about the possibility of legislation that would generate additional funding for new "infrastructure" projects. Infrastructure is loosely defined as highway, bridge, port (sea and air), transit, housing and energy projects. If Congress were to take up such legislation, it would likely be tied to an effort to reform the tax code and reduce income tax rates. Democrats and Republicans alike have suggested that money derived from a temporary "repatriation" holiday – which would allow US companies to bring in overseas earnings at a lower tax rate – would generate up to \$300 billion in new revenue and could be used to pay for new infrastructure. If a tax reform bill includes a temporary repatriation holiday, there is no guarantee the revenue would be used for infrastructure, however, as there is a large contingent on the Hill that want to use this money to further lower the income tax rate. But if this money was made available and dedicated to transportation projects, we believe the money would most likely be used to increase funding for programs already authorized under the FAST Act. If this were to be the case, we would advocate for additional funding to be dedicated to the FTA grant program and the FHWA formula program. We continue to discuss this concept on and off the Hill so that if there is an opportunity to gain additional funding for these programs, we are positioned to make the case.

Respectfully Submitted,

Peter Friedmann and Ray Bucheger

SAN FRANCISCO BAY AREA WATER EMERGENCY TRANSPORTATION AUTHORITY
MINUTES OF THE BOARD OF DIRECTORS MEETING

(July 6, 2017)

The Board of Directors of the San Francisco Bay Area Water Emergency Transportation Authority met in regular session at the Port of San Francisco, Pier 1 in San Francisco, CA.

1. CALL TO ORDER – BOARD CHAIR

Chair Jody Breckenridge called the meeting to order at 1:21 p.m.

2. ROLL CALL

Chair Breckenridge, Director Jeffrey DelBono, Director Timothy Donovan, Director Anthony Intintoli, and Vice Chair James Wunderman were in attendance.

3. REPORT OF BOARD CHAIR

No report from Board Chair.

4. REPORTS OF DIRECTORS

No reports from Directors.

5. REPORTS OF STAFF

Executive Director Nina Rannells shared her written report with Directors and welcomed questions. She introduced Operations Manager Keith Stahnke who noted that the MV *Pisces* was completing its final sea trials and was expected to return to service shortly and that the new vessel MV *Cetus*, was expected to depart the shipyard in Washington within the next few weeks and be ready for service in August.

Director Intintoli inquired about the progress of California Assemblymember David Chiu's Bill, AB-1121, which would increase the size of the WETA Board from five to nine members. Ms. Rannells and Vice Chair Wunderman said that there had been no progress on that proposed bill.

6. CONSENT CALENDAR

Director DelBono made a motion to approve the consent calendar which included:

- a. Board Meeting Minutes – June 8, 2017
- b. Authorize Release of an Invitation for Bids for Pile Reconfiguration Work at the North Bay Operations and Maintenance Facility
- c. Authorize Release of a Request for Proposals for Phase Two Mid-Life Refurbishment of the MV *Peralta*
- d. Authorize Release of a Request for Proposals for Emergency Dredging of the Vallejo Ferry Terminal Area
- e. Authorize Release of a Request for Proposals for the MV *Solano* Propulsion Subcomponent Replacement Project

Director Intintoli seconded the motion and the consent calendar carried unanimously.

Yeas: Breckenridge, DelBono, Donovan, Intintoli, Wunderman. Nays: None.

7. APPROVE CONTRACT AMENDMENT WITH POWER ENGINEERING CONSTRUCTION FOR PHASE TWO WORK FOR THE DOWNTOWN SAN FRANCISCO FERRY TERMINAL EXPANSION PROJECT

Senior Planner Michael Gougherty presented this item to approve an amendment for the Construction Manager at Risk contract with Power Engineering Construction for Phase Two Work of the Downtown San Francisco Ferry Terminal Expansion Project for an amount not-to-exceed \$48,579,500 to complete Phase Two Work, and authorize the Executive Director to negotiate and enter into a contract amendment for this work and take any other related actions as may be necessary to support this work.

Mr. Gougherty gave a short presentation on the status of the project, shared some photos of the progress, and said the project's pile driving work continued. He noted that the project was on schedule, exactly as expected, and that noise and vibration monitoring was consistently registering results well below maximum thresholds. Mr. Gougherty explained that there had been some feedback from the waterfront community regarding the project's fencing and some bicycle racks that had been removed at the project site, and that staff was identifying options for addressing the concerns.

Ms. Rannells noted that a social media campaign supporting the project was in full swing, and people were signing up to get weekly updates on the project's progress which provided them with consistent and detailed insight into what they can expect to see happening on the project each week.

Director Intintoli made a motion to approve the item.

Director Donovan seconded the motion and the item carried unanimously.

Yeas: Breckenridge, DelBono, Donovan, Intintoli, Wunderman. Nays: None.

8. REVIEW SENATE BILL 595 (BEALL) – A REGIONAL MEASURE TO IMPROVE MOBILITY IN BAY AREA BRIDGE CORRIDORS

Ms. Rannells presented this item to review California Senate Bill 595 (RM3), A Regional Measure to Improve Mobility in Bay Area Bridge Corridors and consider a support position on the bill. She distributed a copy of the bill's current language to Directors and said it was expected to be heard in the Assembly Transportation Committee on July 10. Ms. Rannells said it was critical that the bill move out of this Committee the week of July 10 or it would not proceed any further this year.

Ms. Rannells introduced Shane Gusman of Broad & Gusman, LLP who briefly reviewed the proposed bill and said it was still generally quite broad in its language, with only vague mentions of public transit operating funds and performance measures. Mr. Gusman said that the Bay Area Delegation was working with the Committee Chair to develop more comprehensive bill language and that he expected that engagement to have a positive result in moving the bill forward.

Mr. Gusman said when the bill moves out of the Transportation Committee it will have until the end of session on September 15 to move through the Appropriations Committee, and that it was not unheard of for a bill to pass both houses in a single day after that process. He said the July 10 hurdle was the most urgently pressing deadline, and he recommended that the Board support the bill.

Ms. Rannells explained that while she would prefer to see more comprehensive measure language with specifics regarding ferries, this was the only vehicle to keep the bridge toll measure moving forward at this time. She added that given the importance of bridge tolls in supporting WETA's operation, it was important to support this effort.

Mr. Wunderman said that this is a critical time and that the additional funding was desperately required to help mitigate the increasing traffic congestion in the transbay corridors. Mr. Wunderman said that Metropolitan Transportation Commission (MTC) Executive Director Steve Heminger was presently working on language for the bill to include specific projects and numbers in an effort to clarify the bill and move it forward. He urged ferry supporters to contact legislators in Sacramento to express their support for water transit funding and this bill.

PUBLIC COMMENT

Representing Masters, Mates & Pilots (MM&P), Veronica Sanchez said that she had accompanied Vice Chair Wunderman and others from the Bay Area Council to Sacramento to lobby for RM3. She said the operating subsidy was very important to MM&P members because it paid crew, captain, customer service and engineering salaries.

Vice Chair Wunderman made a motion for the Board to support SB-595.

Director Intintoli seconded the motion and the item carried unanimously.

Yeas: Breckenridge, DelBono, Donovan, Intintoli, Wunderman. Nays: None.

9. DISCUSSION REGARDING MTC'S PROPOSAL TO PROGRAM REGIONAL MEASURE 2 OPERATING FUNDS TO NEW REGIONAL PROJECTS

Ms. Rannells presented this item requesting direction from Directors on how to proceed in conversation with MTC on their proposal to add two new projects to the Regional Measure 2. She shared a letter that staff had prepared and submitted in response to the proposal within the MTC public comment period. Ms. Rannells explained that when one did the math, it was not clear that there would not be sufficient funds to support all that was now being proposed for the RM2 funds and that WETA's operating funds could be in jeopardy.

Ms. Rannells said WETA staff had met with MTC staff to discuss the concern. Vice Chair Wunderman said that the two new projects being proposed to receive the RM2 funding had been included in the RM3 language and he had requested that they be removed.

Chair Breckenridge said she was dismayed that there had been no proactive outreach to discuss this with WETA given the impact such a change would have on the agency and the service it provides. She proposed that Directors vote on the matter to express the gravity of their concern.

Director Intintoli made a motion to endorse the Executive Director's letter and express concern about the lack of direct engagement with WETA regarding the systemwide impact to WETA's ridership of MTC's proposed changes to the RM2 funds allocation.

Vice Chair Wunderman seconded the motion and the vote was unanimous.

Yeas: Breckenridge, DelBono, Donovan, Intintoli, Wunderman. Nays: None.

10. REPORT ON DISADVANTAGED BUSINESS ENTERPRISE AND SMALL BUSINESS ENTERPRISE GOAL ACHIEVEMENT FOR FFY 14-16

Program Manager/Analyst Lauren Gularte presented this informational item on WETA's Report on Disadvantaged Business Enterprise (DBE) and Small Business Enterprise (SBE) Goal Achievements for FFY 2014-2016.

Ms. Gularte noted that WETA had achieved an average of 2.28% DBE participation and 5.8% SBE participation each year of the FFY 14-16 triennial period, and had exceeded its DBE goals in FFY 2014

and FFY 2016. She said that WETA would continue its DBE and SBE firms outreach generally, through various channels and events, and would also continue its extra diligent outreach efforts to those firms specializing in vessel repair, refurbishment and construction. She said WETA would encourage firms in the state of Washington to become certified in the state of California so that WETA's work with those firms can be included in its reporting.

Chair Breckenridge asked that staff include DBE and SBE information for those firms that qualify as DBEs or SBEs but are located in the state of Washington, as an addendum to the required California reporting. She said this was important to do even if WETA does not receive "credit" from the Federal Transit Administration (FTA) for working with those companies, because it may help shine a light on the challenges faced in finding companies for maritime work locally who qualify as small or disadvantaged enterprises under FTA guidelines.

11. OPEN TIME FOR PUBLIC COMMENTS FOR NON-AGENDA ITEMS

Napa resident Mike Setti, who previously worked for the Vallejo Bay Link ferry system, noted that there was a company called Moose Boats that was building smaller, aluminum boats in Vallejo. He said Moose Boats was presently building boats for fire and police service and the company may be able to evolve into a local, larger shipbuilder if given more business.

Chair Breckenridge thanked Mr. Setti for his comments and said she would like staff to contact Moose Boats for possible emergency response back-up engagement.

All business having been concluded, the meeting was adjourned at 2:27 p.m.

- Board Secretary

MEMORANDUM

TO: Board Members

FROM: Nina Rannells, Executive Director

SUBJECT: Approve Amendment No. 1 to Clipper® Memorandum of Understanding

Recommendation

Approve Amendment No. 1 to the Clipper® Memorandum of Understanding.

Background/Discussion

Clipper is the regional automated fare payment system for public transit operators and passengers in the San Francisco Bay Area. The Amended and Restated Clipper® Memorandum of Understanding (MOU) by and among the Metropolitan Transportation Commission and the 22 transit operators participating in the Clipper® program provides the framework for the joint oversight and operation of the system. This MOU became effective on February 19, 2016.

MTC and Bay Area transit agency staff have developed a set of amendments to the MOU to improve the functioning of the Clipper® Executive Board established through the MOU. The proposed Amendment No. 1 to the MOU (Attachment A) reflects the following recommended changes:

- The MOU calls for the Executive Board Chair and Vice Chair to be elected annually. **The proposed amendment would revise the MOU to provide for two-year terms for the Chair and Vice Chair.**
- The MOU allows two absences for members in each calendar year in which a Board Member may appoint a delegate to vote on their behalf and count towards a quorum. Thereafter Board Members must be present to vote on items and any representative they send in their absence does not have voting rights and does not count towards a quorum. **The proposed amendment would revise that to allow for Board Member delegates to vote and count towards a quorum for up to four absences per calendar year.**
- The Parties to the MOU share a mutuality of interest and need for joint cooperation in legal matters relating to Clipper®. California case law recognizes a “common interest” doctrine that permits Parties with such shared legal interest to communicate confidentially through legal counsel, as long as certain conditions exist. **The proposed amendment adds a statement recognizing the Parties’ Common Interest, which will permit the Parties under circumstances in which their legal interests are aligned to communicate through counsel without waiving the attorney client, attorney work product, or the pooled information privileges.**

These changes have been approved by the Clipper® Executive Board and now need to be approved by MTC and all 22 transit agencies participating in the Clipper® program.

Fiscal Impact

There is no fiscal impact associated with this item.

END

Item 6b - Attachment A

AMENDMENT NO. 1 to

AMENDED AND RESTATED CLIPPER® MEMORANDUM OF UNDERSTANDING

This is Amendment No. 1 (“Amendment”), effective as of April 17, 2017 (“Amendment No. 1 Effective Date”) to the Amended and Restated Clipper® Memorandum of Understanding (the "MOU") dated February 19, 2016, by and among the Metropolitan Transportation Commission ("MTCs") and the following transit operators participating in the Clipper® program (referred to herein individually as an "Operator" or collectively as the "Operators"):

Alameda-Contra Costa Transit District ("AC Transit"); Golden Gate Bridge Highway and Transportation District ("GGBHTD"); the San Francisco Bay Area Rapid Transit District ("BART"); the City and County of San Francisco, acting by and through its Municipal Transportation Agency ("SFMTA"); the San Mateo County Transit District ("SamTrans"); the Santa Clara Valley Transportation Authority ("VTA"); the Peninsula Corridor Joint Powers Board ("Caltrain"); Central Contra Costa Transit Authority; City of Fairfield, as the operator of Fairfield and Suisun Transit; City of Petaluma; Eastern Contra Costa Transit Authority; Livermore/Amador Valley Transit Authority; Marin County Transit District; Napa Valley Transportation Authority; Solano County Transit; Sonoma County Transit; Sonoma-Marin Area Rail Transit; Vacaville City Coach; Western Contra Costa Transit Authority; San Francisco Bay Area Water Emergency Transportation Authority; City of Santa Rosa; and City of Union City; and any other transit operators that implement Clipper® and execute a Supplemental Agreement to the MOU.

MTC and the Operators are referred to herein collectively as the "Parties" or individually as a "Party".

1. The Parties hereto agree to amend the MOU as follows: Article IV, **Clipper® Executive Board**, is amended in part as follows:

a. Subarticles H, Board Chair; Committees, and I, Delegates, are amended to read:

H. Board Chair; Committees. The Executive Board shall bi-annually elect a Chair and Vice Chair from its members. The Chair shall provide administrative staff support to the Executive Board, as needed as determined by the Chair and the Clipper® Executive Director. The Chair may appoint advisory committees or working groups for specified projects of limited duration. The Executive Board may establish standing committees from time to time.

I. Delegates. Executive Board members may appoint, in writing, delegates to vote on their behalf in the event of a member's absence from any Executive Board meeting, for up to four (4) meetings per calendar year. No voting rights are accorded to delegates, nor do delegates count toward a quorum of the Executive Board, when they are representing an Executive Board member for meetings after four (4) missed meetings in a calendar year.

2. A new Article XII, **Common Interest**, is added to the MOU, as follows:

ARTICLE XII
Common Interest

The Parties recognize a mutuality of interest, and a need for joint cooperation in legal matters relating to Clipper®. In furtherance of this common interest, any communications among Parties and counsel for any of the Parties shall be confidential and protected from disclosure to any third party by each and every privilege – including, but not limited to, the attorney-client privilege, the attorney work product privilege, and the pooled information privilege – notwithstanding the dissemination of the communications and work product among Parties by the counsel that made the information available in the first instance. If information covered by the privileges is requested by a third party pursuant to a subpoena or other discovery request, then counsel receiving the request shall notify in a timely fashion the counsel who disclosed the information so that the privileges against disclosure may be asserted.

Should any Party withdraw from or otherwise terminate its participation in the Clipper® program, such withdrawal or termination shall not impair the privileges that protect any information that has been shared prior to such action. Any Party that withdraws or terminates its participation in the Clipper® program shall promptly return all privileged materials that the Party has received.

3. All other terms of the MOU not amended herein shall remain in full force and effect.

SIGNATURES ON SUBSEQUENT PAGES

SAN FRANCISCO BAY AREA WATER EMERGENCY TRANSPORTATION AUTHORITY

RESOLUTION NO. 2017-21

**APPROVE AMENDMENT NO. 1 TO THE AMENDED AND RESTATED CLIPPER®
MEMORANDUM OF UNDERSTANDING WITH THE METROPOLITAN TRANSPORTATION
COMMISSION AND BAY AREA TRANSIT OPERATORS**

WHEREAS, Clipper® is the regional automated fare payment system for public transit operators and passengers in the San Francisco Bay Area; and

WHEREAS, the San Francisco Bay Area Water Emergency Transportation Authority executed an agreement with the Metropolitan Transportation Commission on January 13, 2012 to enter into the Clipper® Memorandum of Understanding with MTC and participating Bay Area transit operators with respect to operation of the Clipper® fare payment system; and

WHEREAS, this agreement was modified under authority of all participating parties, effective February 19, 2016, to be the Amended and Restated Clipper® Memorandum of Understanding (MOU); and

WHEREAS, the parties have developed a set of amendments to the MOU to improve the functioning of the Clipper® Executive Board; and

WHEREAS, WETA staff has recommended the approval of Amendment No. 1 to the MOU; now, therefore, be it

RESOLVED, that the Board of Directors hereby approves Amendment No. 1 to the Amended and Restated Clipper® Memorandum of Understanding with the Metropolitan Transportation Commission and Bay Area transit operators and authorizes the Executive Director to execute the agreement.

CERTIFICATION

The undersigned, Board Secretary, does hereby certify that the foregoing is a full, true and correct copy of a resolution duly and regularly adopted at a meeting of the San Francisco Bay Area Water Emergency Transportation Authority held on September 7, 2017.

YEA:

NAY:

ABSTAIN:

ABSENT:

/s/ Board Secretary

2017-21

END

MEMORANDUM

TO: Board Members

FROM: Nina Rannells, Executive Director
Chad Mason, Senior Planner

SUBJECT: Approve Contract Award to R.E. Staite Engineering, Inc. for the North Bay Operations and Maintenance Facility Pile Reconfiguration Project

Recommendation

Approve contract award to R.E. Staite Engineering, Inc. in an amount not to exceed \$450,000 for the North Bay Operations and Maintenance Facility Pile Reconfiguration Project and authorize the Executive Director to negotiate and enter into a contract and take any other related actions as may be necessary to support this work.

Background

Construction of the North Bay Operations and Maintenance Facility was substantially completed in 2016 and operations at the facility commenced in January 2017. Since operations commenced a few issues have been identified with regard to the piles and facility configuration.

The North Bay Operations and Maintenance Facility Pile Reconfiguration Project will install three (3) new piles and relocate one (1) existing pile that will be used to help guide vessels into the maintenance facility and improve navigation and facility safety overall. Project work includes:

- Installation of a new 36-inch diameter guide pile at Berth 1 to allow ferries to facilitate easier vessel maneuvering into the Berth from the river.
- Installation of two 24-inch diameter steel pipe fender piles on each side of the access gangway to provide for a safety buffer between the ferries and the gangway.
- Re-installation of a guide pile on the south side of the facility that is slightly out of plumb due to an obstruction encountered during the original installation.

Discussion

On July 6, 2017, the Board of Directors authorized release of an Invitation for Bids (IFB) for the North Bay Operations and Maintenance Facility Pile Reconfiguration Project to be implemented during the Fall 2017 in-water work window.

On July 26, 2017, WETA released an IFB for the pile reconfiguration work. A pre-bid conference was held on-site at the North Bay Operations and Maintenance Facility on August 8, 2017, that was attended by three (3) marine construction firms. A total of six (6) addendums were issued providing additional information, clarification and answers to questions from bidders. Bids were due to WETA on or before August 25, 2017 at 2:00 p.m.

One bid was received in response to the IFB. A public bid opening was held on August 25, 2017, at which time the bid submitted by R.E. Staite Engineering, Inc. (R.E. Staite), was determined to be the low bid based upon the price proposal submitted. In accordance with the

IFB process utilized for this project, staff reviewed the bid documents submitted by R.E. Staite and has determined them to be responsive. Additionally, staff has verified references submitted and determined R.E. Staite to be qualified to perform this work.

Staff has determined the bid from R.E. Staite to complete the North Bay Operations and Maintenance Facility Pile Reconfiguration Project to be responsive and responsible and recommends that the Board of Directors authorize award of a contract for this work in an amount not to exceed \$450,000, which includes a 5% owner's contingency for appropriation in the event that unanticipated work is necessary to complete this project.

Fiscal Impact

Sufficient funds remain in the North Bay Operations and Maintenance Facility Project budget to support award of this contract.

END

SAN FRANCISCO BAY AREA WATER EMERGENCY TRANSPORTATION AUTHORITY

RESOLUTION NO. 2017-22

APPROVE CONTRACT AWARD TO R.E. STAITE ENGINEERING, INC. FOR THE NORTH BAY OPERATIONS AND MAINTENANCE FACILITY PILE RECONFIGURATION PROJECT

WHEREAS, the San Francisco Bay Area Water Emergency Transportation Authority (WETA) issued an Invitation for Bids (IFB) for the North Bay Operations and Maintenance Facility Pile Reconfiguration Project (Project) on July 26, 2017; and

WHEREAS, the WETA has established procedures in its Administrative Code procuring project construction services; and

WHEREAS, the WETA followed the procedures in its Administrative Code for procuring construction services for the Project, including solicitation and evaluation of proposals for the Project; and

WHEREAS, WETA staff recommends the award of a construction contract to R.E. Staitte Engineering, Inc., the lowest responsive bidder for the Project, in the amount of \$450,000, which includes a 5% owner's contingency; now, therefore, be it

RESOLVED, that the Board of Directors hereby approves entering into an agreement with R.E. Staitte Engineering, Inc., in an amount not to exceed \$450,000 to complete the North Bay Operations and Maintenance Facility Pile Driving Reconfiguration Project; and

RESOLVED, that the Board of Directors authorizes the Executive Director to negotiate and execute the agreement and take any other related actions to support this work.

CERTIFICATION

The undersigned, Board Secretary, does hereby certify that the foregoing is a full, true and correct copy of a resolution duly and regularly adopted at a meeting of the San Francisco Bay Area Water Emergency Transportation Authority held on September 7, 2017.

YEA:

NAY:

ABSTAIN:

ABSENT:

/s/ Board Secretary

2017-22

END

MEMORANDUM

TO: Board Members

**FROM: Nina Rannells, Executive Director
Keith Stahnke, Manager, Operations**

SUBJECT: Approve Contract Award to The Dutra Group for the Vallejo Ferry Terminal Dredging Project

Recommendation

Approve contract award to The Dutra Group in an amount not to exceed \$318,750 for the Vallejo Ferry Terminal Dredging Project and authorize the Executive Director to negotiate and enter into a contract and take any other related actions as may be necessary to support this work.

Background

Maintenance dredging of the Vallejo Ferry Terminal is required on an ongoing basis to support continued ferry operations and to ensure that the float is buoyant at all tidal levels for continued access by the ferry boats. Due to record rainfall totals in Northern California during the winter of 2016/2017, there has been accelerated accretion of silt in the Vallejo Ferry Terminal basin. Staff had an interim hydrographic survey done in January of 2017 that indicated that 77% of the material dredged in 2015 had already come back into the basin. This site has historically experienced 2% silt return per month. Since the 2015 dredging episode, it has experienced 5% silt return per month on average.

The higher than average siltation that occurred last winter has resulted in the need to complete an interim dredge this fall to ensure that services can be operated until the next full dredge scheduled to take place in 2018. It is anticipated that we will need to dredge 3,600 cubic yards of material to clear the Vallejo Terminal area for operation through August 2018. The work window for dredging in the Mare Island Strait is limited to August-October each year.

Discussion

On July 6, 2017, the Board of Directors authorized staff to solicit bids for the Vallejo Dredging Project. Since then, staff has been able to secure the required project permits and received approval to dredge this cycle from the Dredge Materials Management Office (DMMO) at their August 9th meeting.

On August 14, 2017, WETA released an IFB for the work associated with the dredging at the Vallejo Ferry Terminal. This project will be implemented during the 2017 dredge window and is expected to occur on or around the third week of September 2017. A pre-bid conference was held on August 22, 2017, and was attended by 4 marine construction firms. A total of two addendums were issued providing additional information, clarification and answers to questions from bidders. Bids were due to WETA on or before August 30 at 2:00 p.m. A total of two bids were received in response to the IFB. A public bid opening was held, at which time the bid submitted by The Dutra Group was determined to be the apparent low bid based upon the price proposal submitted.

The table below summarizes the price for each submittal.

FIRM	PRICE PROPOSAL
The Dutra Group	\$289,770
Salt River Construction	\$325,000

In accordance with the IFB process utilized for this project, staff has reviewed the bid documents submitted by The Dutra Group and has determined them to be responsive. Additionally, staff has verified references submitted by The Dutra Group and determined them to be responsible and acceptable for performing this work.

Staff has determined The Dutra Group to be the lowest responsive and responsible bidder for the Vallejo Ferry Terminal Dredging project and recommends that the Board of Directors authorize award of a contract for this work in the amount of \$318,750 which includes a 10% owner's contingency for appropriation in the event that unanticipated work is necessary to complete this project.

Fiscal Impact

The Vallejo Ferry Terminal Dredging project will be funded through the FY 2017/18 Operating Budget.

END

SAN FRANCISCO BAY AREA WATER EMERGENCY TRANSPORTATION AUTHORITY

RESOLUTION NO. 2017-23

**APPROVE CONTRACT AWARD TO THE DUTRA GROUP FOR THE VALLEJO FERRY
TERMINAL DEDGING PROJECT AND AUTHORIZE THE EXECUTIVE DIRECTOR TO
NEGOTIATE AND EXECUTE THE AGREEMENT**

WHEREAS, the San Francisco Bay Area Water Emergency Transportation Authority (WETA) issued an Invitation for Bids (IFB) for the Vallejo Ferry Terminal Dredging Project (Project) on August 14, 2017; and

WHEREAS, the WETA has established procedures in its Administrative Code for procuring project construction services; and

WHEREAS, the WETA followed the procedures in its Administrative Code for procuring construction services for the Project, including solicitation and evaluation of proposals for the Project; and

WHEREAS, WETA staff recommends the award of construction services to The Dutra Group, the lowest responsive bidder for the Project, in the amount of \$318,750, which includes a 10% owner's contingency; now, therefore, be it

RESOLVED, that the Board of Directors hereby approves entering into an agreement with The Dutra Group in an amount not to exceed \$318,750 to complete the Vallejo Ferry Terminal Dredging Project; and be it further

RESOLVED, that the Board of Directors authorizes the Executive Director to negotiate and execute the agreement and take any other related actions to support this work.

CERTIFICATION

The undersigned, Board Secretary, does hereby certify that the foregoing is a full, true and correct copy of a resolution duly and regularly adopted at a meeting of the San Francisco Bay Area Water Emergency Transportation Authority held on September 7, 2017.

YEA:

NAY:

ABSTAIN:

ABSENT:

/s/ Board Secretary

2017-23

END