



Members of the Board

Charlene Haught Johnson, Chair
Anthony J. Intintoli, Jr., Vice Chair
Gerald Bellows
Beverly Johnson
John O'Rourke

**MEETING AGENDA FOR THE
WETA BOARD OF DIRECTORS**

Thursday, October 7, 2010 at 1:00 P.M.
San Francisco Bay Area
Water Emergency Transportation Authority
9 Pier, Suite 111
San Francisco

The full agenda packet is available for download at www.watertransit.org.

AGENDA

This information will be made available in alternative formats upon request. To request an agenda in an alternative format, please contact the Board Secretary at least five (5) working days prior to the meeting to ensure availability.

PUBLIC COMMENTS The Water Emergency Transportation Authority welcomes comments from the public. Speakers' cards and a sign-up sheet are available. Please forward completed speaker cards and any reports/handouts to the Board Secretary.

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. Speakers will be allotted no more than three (3) minutes to speak and will be heard in the order of sign-up.

Agenda Items: Speakers on individual agenda items will be called in order of sign-up after the discussion of each agenda item and will be allotted no more than three (3) minutes to speak. You are encouraged to submit public comments in writing to be distributed to all Directors.

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| 1. <u>CALL TO ORDER – BOARD CHAIR</u> | Information |
| 2. <u>ROLL CALL/PLEDGE OF ALLEGIANCE</u> | Information |
| 3. <u>REPORT OF BOARD CHAIR</u> | Information |
| 4. <u>REPORTS OF DIRECTORS</u> | Information |
| 5. <u>REPORTS OF STAFF</u> | Information |
| a. Executive Director's Report | |
| b. Legislative Update | |

Water Emergency Transportation Authority
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| 6. <u>CONSENT CALENDAR</u>
a. Minutes August 19, 2010 | <i>Action</i> |
| 7. <u>APPROVE AMENDED AND RESTATED AGREEMENT #10-010 WITH CAMBRIDGE SYSTEMATICS FOR FERRY RIDERSHIP FORECASTING SERVICES</u> | <i>Resolution</i> |
| 8. <u>AWARD OF FLOAT AND GANGWAY CONSTRUCTION CONTRACT FOR THE PIER 9 LAYOVER BERTHING FACILITY</u> | <i>Resolution</i> |
| 9. <u>APPROVE AMENDMENT NO. 1 TO AGREEMENT #09-007 WITH KPFF, INC. FOR DESIGN AND ENGINEERING SERVICES FOR THE CENTRAL BAY OPERATIONS AND MAINTENANCE FACILITY</u> | <i>Resolution</i> |
| 10. <u>APPROVE CONTRACT FOR LEGISLATIVE SUPPORT SERVICES</u> | <i>Resolution</i> |
| 11. <u>AUTHORIZE FILING APPLICATION WITH THE METROPOLITAN TRANSPORTATION COMMISSION FOR \$230,000 REGIONAL MEASURE 2 CAPITAL FUNDS</u> | <i>Resolution</i> |
| 12. <u>APPROVE FERRY SERVICE OPERATIONS TRANSFER AGREEMENT AMONG SAN FRANCISCO BAY AREA WATER EMERGENCY TRANSPORTATION AUTHORITY, CITY OF ALAMEDA AND ALAMEDA REUSE AND REDEVELOPMENT AUTHORITY</u> | <i>Resolution</i> |
| 13. <u>APPROVAL OF THE DISADVANTAGED BUSINESS ENTERPRISE GOAL FOR FY2010/11 – FY2012/13</u> | <i>Action</i> |
| 14. <u>INFORMATIONAL PRESENTATION</u>
a. Update on Downtown San Francisco Terminal Expansion Project | <i>Information</i> |
| 15. <u>RECESS INTO CLOSED SESSION</u>
a. <u>CONFERENCE WITH REAL PROPERTY NEGOTIATORS</u>
Property: City of Alameda ferry terminal related property/assets
Agency Negotiators: Nina Rannells and Keith Stahnke, San Francisco Bay Area Water Emergency Transportation Authority
Negotiating Parties: City of Alameda
Under Negotiation: Terms and conditions to the transfer of property with the City of Alameda for the Alameda Oakland and Harbor Bay Ferry Services | <i>Action</i>
<i>To Be Determined</i> |
| b. <u>CONFERENCE WITH REAL PROPERTY NEGOTIATORS</u>
Property: City of Vallejo ferry terminal related property/assets
Agency Negotiators: Nina Rannells and John Sindzinski, San Francisco Bay Area Water Emergency Transportation Authority
Negotiating Parties: City of Vallejo
Under Negotiation: Terms and conditions to the transfer of property/assets with the City of Vallejo for the Vallejo Baylink Service | <i>Action</i>
<i>To Be Determined</i> |
| c. <u>CONFERENCE WITH REAL PROPERTY NEGOTIATORS</u>
Property: City of Berkeley ferry terminal related property
Agency Negotiators: Nina Rannells and John Sindzinski, San Francisco Bay Area Water Emergency Transportation Authority | <i>Action</i>
<i>To Be Determined</i> |

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Negotiating Parties: City of Berkeley
Under Negotiation: Terms and conditions to the cooperative agreement/lease with the City of Berkeley for Berkeley service

16. REPORT OF ACTIVITY IN CLOSED SESSION

Chair will report any action taken in closed session that is subject to reporting at this time. Action may be taken on matters discussed in closed session.

***Action
To Be Determined***

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

ADJOURNMENT

Water Emergency Transportation Authority (WETA) meetings are wheelchair accessible. Upon request WETA will provide written agenda materials in appropriate alternative formats to individuals with disabilities. Please send a written request to contactus@watertransit.org or call (415) 291-3377 at least five (5) days before the meeting. Under Cal. Gov't. Code sec. 84308, Directors are reminded that they must disclose on the record of the proceeding any contributions received from any party or participant in the proceeding in the amount of more than \$250 within the preceding 12 months. Further, no Director shall make, participate in making, or in any way attempt to influence the decision in the proceeding if the Director has willfully or knowingly received a contribution in an amount of more than \$250 within the preceding 12 months from a party or such party's agent, or from any participant or his or her agent, provided, however, that the Director knows or has reason to know that the participant has a financial interest in the decision. For further information, Directors are referred to Gov't. Code sec. 84308 and to applicable regulations.

MEMORANDUM

TO: WETA Board Members
FROM: Nina Rannells, Executive Director
DATE: October 7, 2010
RE: Executive Director's Report

PROJECT UPDATES

Service Transition Implementation – The Transition Plan guides the consolidation of the Vallejo, Alameda/Oakland and Harbor Bay ferry services under WETA, and presents a five year financial outlook of WETA operating and expansion activities. The WETA Board of Directors adopted the final Transition Plan on June 18, 2009, in compliance with Senate Bills 976 and 1093 requirements.

WETA and City of Alameda staff and legal counsels have worked to finalize the Transition Agreement for Alameda ferry services, which is an item for Board consideration at the October 7 Board meeting. Alameda City Council will consider action on the item at their regularly scheduled Council meeting on October 5th.

WETA and City of Vallejo staffs are meeting weekly to discuss terms and details of the Vallejo service transition. In addition, WETA and City of Vallejo staff have begun meeting periodically with a larger group, including Metropolitan Transportation Commission and Solano Transportation Authority representatives, to review the progress of our work and discuss any larger county and/or regional issues that have been identified associated with the transition. These discussions are all in support of our goal to bring forward a Vallejo service transition term sheet for Board consideration in November 2010.

Emergency Water Transportation System Management Plan (EWTSMMP) - This plan sets a framework for WETA coordination of emergency response and recovery efforts using passenger ferries and will provide a detailed definition of WETA's roles and responsibilities for incident planning, response, recovery and restoration of normal operations. The WETA Board of Directors adopted the final Emergency Water Transportation System Management Plan on June 18, 2009, in compliance with the requirements of Senate Bills 976 and 1093. Preparation of the EWTSMMP and the Emergency Operations Plan (agency's internal plan) are complete.

Staff continues to attend regional emergency response meetings with staff from MTC, emergency management agencies, and other Bay Area transit properties to coordinate and prepare for disasters and to revise agency response plans.

Spare Vessels - Two spare vessels, *Gemini* and *Pisces*, have been constructed by Nichols Brothers Boat Builders and Kvichak Marine Industries that will be used to augment existing services and expand WETA's emergency response capabilities. Both of these vessels are chartered to the City of Alameda and are currently being utilized in Alameda-Oakland, Tiburon and Alameda Harbor Bay services.

South San Francisco Ferry Service - This service will provide access to biotech and other jobs in South San Francisco for East Bay commuters and expand the geographic reach of emergency ferry transportation response capabilities on the San Francisco Bay.

Two 199-passenger vessels, Scorpio and Taurus, have been constructed by Kvichak Marine Industries and Nichols Brothers Boat Builders. Both of these vessels are chartered to the City of Alameda and are currently being utilized in Alameda-Oakland, Tiburon and Alameda Harbor Bay services.

Both the terminal (Power Engineering) and float (Manson) contractors are completing their final design work on schedule and within budget. Manson anticipates start of float construction in mid-October and Power plans on securing the building permit this month as well.

Berkeley Ferry Service – This service will provide an alternative transportation link between Berkeley and downtown San Francisco. WETA staff and its design team are scheduled to meet with BCDC in October to review new site plans that are intended to respond to their comments and concerns.

Treasure Island Service – This project, implemented by Treasure Island Development Authority (TIDA), the Mayor's Office of Economic and Workforce Development and the prospective developer, will institute new ferry service between Treasure Island and downtown San Francisco. WETA has served as the lead agency in securing design services for the future ferry terminal on Treasure Island and is working in partnership with TIDA to move this project forward.

Downtown San Francisco Ferry Berthing Expansion - This project will expand ferry berthing capacity at the San Francisco Downtown Ferry Terminal to accommodate expanded regular and emergency response ferry services. The current capacity at this terminal can only sustain the addition of the Berkeley-to-San Francisco route; any other route will require further terminal capacity.

Staff has been working with the design team to develop initial studies and sketch concepts for this project that will be utilized to solicit stakeholder feedback during the initial public outreach process that is scheduled to commence later this month. A staff presentation providing a detailed project update is included on this month's Board meeting agenda.

Pier 9 Berthing Facility - This project would construct two layover berths for mooring and access to ferry vessels on Pier 9 alongside the northern pier apron and adjacent to the WETA Administrative Offices.

The RFP for the construction of this project was released on Monday, August 2, with proposals due to WETA in early September. Three firms submitted proposals to WETA for this work and staff has prepared a recommendation for contract award for consideration by the Board at the October 7 meeting.

Central Bay Operations and Maintenance Facility - This project will develop an operations and maintenance facility to serve basic vessel fueling, maintenance, shop, warehouse, storage and emergency operations needs for WETA's future fleet of central bay vessels

WETA has prepared a final concept design which will be used to support preparation of the necessary environmental impact review documents required by CEQA and NEPA regulations. Staff is currently working with the City of Alameda and various regulatory agencies to review the concept plans. Staff is tentatively scheduled to provide an informational presentation on this project to the City of Alameda Planning Commission in November. Environmental clearance of this project is

anticipated to occur by Spring of 2011. In relation to this project, staff has prepared a Board item recommending authorization of a contract amendment with KPFF, Inc. to provide additional services in support of the on-going environmental review of this project.

Hercules Environmental Review/Conceptual Design - WETA is working cooperatively with the City of Hercules to prepare the necessary environmental documents to support new ferry service in coordination with a Capitol Corridor commuter train station (and local feeder bus service) in a new Water Transit Oriented Development (WaTOD) being built at the Hercules waterfront.

Miscellaneous Environmental Assessments/Conceptual Design – This project involves completing environmental and conceptual design documents for potential future ferry services in Antioch, Martinez, Redwood City and Richmond.

Staff issued an RFQ for terminal design services to prepare conceptual designs in support of the environmental analyses being prepared for each of the four proposed terminals in August. On September 16, 2010, staff received 39 proposals in response to the RFQ. Staff is currently in the process of evaluating the proposal received and anticipates bringing an item to the Board in November to recommend contract award(s) to the firm(s) selected to provide design services for these projects.

UPDATE ON RELEVANT PROJECTS IMPLEMENTED BY OTHER AGENCIES

Vallejo Station - Vallejo Station is a compact, transit-oriented mixed-use project in the City of Vallejo that includes two major transit elements – a bus transfer facility that will consolidate local, regional and commuter bus services and a 1,200 space parking garage for ferry patrons and the general public.

Design of Phase A of the parking structure is 100% complete and all funding sources for Phase A of the Program have been secured. Construction of the parking structure commenced on June 1, with an expected construction completion date of February 2012. Excavation of the site has begun and will continue into October 2010. Differing site conditions have been found during excavation, that have resulted in minor design changes but the project schedule has not yet been affected.

Meetings with USPS personnel regarding relocation are still underway and a potential relocation site has been identified. Escrow has been closed on the underlying USPS Parcel which is now owned by the City. Design of Phase B of the Parking Structure is in the final design stage with the construction start date being dependent on the relocation of the post office property and full funding for this phase.

Site work and utility construction is complete on the Bus Transit Center, structural steel has been erected, internal and external framing is complete, the HVAC system is installed, interior dry wall and plumbing are complete and the roof is in place. Exterior siding is currently being installed on the building and brick flatwork has begun. The base pad has been paved and poured and the shelter structures have been erected but not fully installed. Construction is currently at 65% completion, with an anticipated construction end date of April 2011.

Mare Island Ferry Maintenance Facility – This project will construct a new ferry maintenance facility located at Building 165 on Mare Island in Vallejo in three phases. Phase 1 constructs a 48,000 gallon fuel storage (2 week supply) and delivery system. Phase 2 includes construction of a system of floats and piers to initially berth 6 vessels but designed in a modular fashion to accommodate future growth of the fleet, demolition of Building 855, and construction of a new warehouse/shop in its place. Phase 3 will renovate Building 165 into a permanent office and shop

space (including lead dust abatement), and security installations. The design consultants, Winzler & Kelly, finished the conceptual design for all three phases in August 2005.

In anticipation of WETA taking over ferry operations from the City of Vallejo, WETA Staff reviewed the project in early 2009 and recommended that five specific areas of the plan be re-studied/amended including fuel tank storage options, modular construction of vessel berths, options to address BCDC global warming criteria, re-examining if continuing renovation of building 165 is optimal and revising lead dust abatement cost estimates.

Lennar (landlord of the site) and City of Vallejo, in consultation with WETA, are working to complete a 95% clean draft of the Facilities Agreement Lease in the very near term. Once received, the document will be routed to the City and WETA staff for a comprehensive review. The City Engineer and Ferry Staff completed a walk through of the parcel with Lennar on May 13. Verbal agreements were reached regarding a slight reorientation of the southern parcel line to maximize utility of the site. A drawing showing the revised parcel line has been prepared by Winzler & Kelly and forwarded to Lennar for inclusion in the 95% Facility Agreement Lease.

Marcy Wong – Donn Logan Architects have submitted several planning documents to the City of Vallejo Planning Department concerning the project:

- Historic Evaluation of Building 165
- Application for Certificate of Appropriateness
- Planned Unit Development Permit Application
- Request for a Finding of Reasonable Necessity for Demolition of Building 855

The project should go before the Architectural Heritage and Landmarks Commission at their September 2010 meeting for comment/approval.

Work continues on the plans and specifications package for the Phase 1 Ferry Fueling Facility and Phase 2 Waterfront Infrastructure. The consultant team, being led by Winzler & Kelly, expects to have the 100% package completed for City and WETA review by the end of February 2011.

The United States Coast Guard has provided a Letter of No Concern regarding the project impacts to the federal navigable channel in Mare Island Strait. This letter has been forwarded to the United States Army Corps of Engineers (USACOE). The USACOE has conducted a policy search to confirm that there is no regulation that applies to this situation, and that no specific permit from the ASACOE will be required.

Winzler & Kelly has now turned their attention to the remaining environmental and permitting work. They will be preparing a Subsequent Mitigate Negative Declaration (S-MND) in support of an updated CEQA for the project. This work is expected to be complete in January 2011. In the meantime Winzler & Kelly will be getting all other required permits teed up so that CEQA work will enable all other permits to finalize.

The overall plan moving forward is to have all construction documents, permits, leases, environmental, and right-of-ways in hand by April 1, 2011 and take the project out to bid for Phases 1 and 2. The ultimate goal is to enter into a construction contract prior to July 1, 2011.

OUTREACH, PUBLIC INFORMATION, AND MARKETING EFFORTS

On September 2, Nina Rannells gave a presentation at the City of Oakland/Port of Oakland Liaison Committee on WETA's work plan.

On September 21 and 22, Keith Stahnke attended and gave a presentation at the GreenPacific Conference on the status of WETA's operation and vessel programs.

On October 3 – 6, Nina Rannells and Keith Stahnke attended the Interferry Conference in New York City. Nina Rannells provided a presentation on WETA's green ferries on October 4.

OTHER ACTIVITIES / ITEMS

Proposition 1B Funds – Proposition 1B funds provided to WETA for ferry service projects are authorized for a period of three years at a time. The statute authorizing these funds is unclear as to the start date of the time period and the process for extending or reauthorizing funds. CalEMA has not been able to provide clear guidance as to their process for re-allocating funds at the end of the three year term, but has indicated that they believe that the first year's money will expire in March 2011, even though funds were just recently received by WETA. Due to the uncertainty of the situation, and the potential risk of a loss or gap in funds, staff has requested our state lobbyist, Barry Broad, to work with the Legislative Analyst's office to analyze the situation and to develop a course of action to ensure that funds will remain with WETA until project completion.

ADMINISTRATION

August Financial Statements - Attached are the monthly financial statements for FY 2010/11 through August 2010, including the Statement of Revenues and Expenses and the Capital Budget vs. Expenditures reports.

Water Emergency Transportation Authority
FY2010/11 Statement of Revenues and Expenses
August 2010

	Current Month	Prior Year Actual	2010/11 Budget	2010/11 Actual	% of Budget	% of Year Elapsed 17%
Operating Revenues						
Operating Assistance						
RM 2 Planning	195,818	3,974,266	4,950,000	364,691	7.4%	
SUASI	-	26,198	-	-	0%	
Total Operating Assistance	195,818	4,000,464	4,950,000	364,691	7.4%	
Other Revenues						
Interest Income	602	13,050	15,000	1,066	7.1%	
Other	-	7,900	-	-	0.0%	
Total Other Revenues	602	20,950	15,000	1,066	7.1%	
Total Operating Revenues	196,420	4,021,413	4,965,000	365,757	7.4%	
Total Capital Revenues	348,929	17,675,940	28,222,995	694,639	2.5%	
Total Revenues	545,349	21,697,353	33,187,995	1,060,396	3.2%	
Operating Expenses						
Operations						
Wages and Fringe Benefits	91,497	1,472,036	1,613,000	185,010	11.5%	
Services	76,190	2,144,939	2,798,000	127,485	4.6%	
Materials and Supplies	2,133	25,071	87,000	2,288	2.6%	
Utilities	397	11,322	19,000	666	3.5%	
Insurance	-	28,973	37,000	-	0.0%	
Miscellaneous	2,074	38,597	103,000	2,074	2.0%	
Leases and Rentals	23,527	279,526	293,000	47,169	16.1%	
Total Operations	195,818	4,000,464	4,950,000	364,691	7.4%	
Total Operating Expenses	195,818	4,000,464	4,950,000	364,691	7.4%	
Total Capital Expenses	348,929	17,675,940	28,222,995	694,639	2.5%	
Total Expenses	544,746	21,676,404	33,172,995	1,059,330	3.2%	
Excess Revenues (Loss)	602	20,950	15,000	1,066		

**Water Emergency Transportation Authority
FY2010/11 Statement of Revenues and Expenses
August 2010**

Project Description	Current Month	Project Budget	Prior Year Actual	2010/11 Budget	2010/11 Actual	Future Year	% of Project
Expenses							
2 Spare Vessels	-	17,000,000	16,764,811	235,189	-	-	99%
SSF Vessels	1,988	20,500,000	19,504,841	995,159	4,028	-	95%
SSF Mitigation Study	-	275,000	42,459	52,541	-	180,000	15%
SSF Terminal Construction	298,638	26,000,000	1,420,414	15,985,586	607,767	8,594,000	8%
Berkeley Environ/Conceptual Design	3,061	1,954,700	1,566,858	303,842	15,782	84,000	81%
Berkeley Terminal Design	-	3,200,000	-	1,500,000	-	1,700,000	0%
Hercules Environ/Conceptual Design	853	1,080,000	981,684	98,316	953	-	91%
Pier 9 Mooring/Floats	3,777	2,750,000	329,867	2,420,133	13,451	-	12%
Environmental Studies/Conceptual Design	2,143	3,250,000	56,000	2,120,000	8,634	1,074,000	2%
Central Bay Ops/Maintenance Facility	27,658	2,600,000	128,770	962,230	29,668	1,509,000	6%
Maintenance Barge, Floats & Ramps	-	5,000,000	-	1,250,000	-	3,750,000	0%
S.F. Berthing - Environ/Conceptual Design	10,811	3,300,000	-	2,300,000	14,356	1,000,000	0%
Total Capital Expenses	348,929	86,909,700	40,795,705	28,222,995	694,639	17,891,000	
Revenues							
RM 2	107,575	32,881,735	31,410,679	1,290,975	122,586	180,081	96%
San Mateo County Sales Tax	98,325	15,000,000	410,919	10,892,865	253,191	3,696,216	4%
Federal	-	14,407,533	6,574,895	3,753,658	-	4,078,980	46%
Proposition 1B	143,029	23,820,432	2,399,211	11,485,497	318,862	9,935,724	11%
Total Capital Revenues	348,929	86,109,700	40,795,705	27,422,995	694,639	17,891,000	

Federal Activities Report to WETA Board September 30, 2010

After a week of fundraising flurry, Congress left Washington, DC on the last day of September. While this year saw major legislation pass Congress, such as Financial Reform and Healthcare, major initiatives remain to be taken up during the “Lame Duck Session” when Congress reconvenes after the elections, or will be punted to next year.

This report focuses on achievements this far for WETA this year (over \$2 million) and what’s in the pipeline to continue to enhance the flow of federal funding for WETA.

Funding – Near Term

This year, we have pursued and obtained earmarks from the Ferry Boat Discretionary Fund. The House Transportation Appropriations Bill now includes \$775,000 for Berkeley (thanks to Rep. Barbara Lee) and \$1.25 million for the Vallejo ferry maintenance facility (thanks to Rep. George Miller). This is in the short-term pipeline; it could pass this year during the Lame Duck.

Funding – Long Term

The big opportunity for WETA and ferry systems nationwide is passage of the Transportation Authorization Bill. This bill is supposed to be rewritten and passed every six years, spending the approximately \$500 billion that is collected over that period in federal gas tax revenue. The current TEA bill was supposed to be updated two years ago. Why the delay?

First, **more money is needed**. Revenues from the gas tax have fallen each year as people have shifted to transit, cars have better gas mileage, and more ethanol (exempt from the gas tax) is blended into the gasoline. The last time the gas tax was increased was 1991, and it was not indexed for inflation. And while revenues have dropped, needs have increased. It is estimated that the entire amount of gas tax revenue projected over the coming six years *will be insufficient just to maintain existing transportation infrastructure. It will not be sufficient to pay for any new transit or highway project.*

[NOTE: There is no doubt that a substantial increase in the federal gas tax will be necessary. For the past three years, Congress and the White House have been reluctant to pass a tax increase, during an economic recession. At some point Congress will “bite the bullet” and consider a gas tax increase, perhaps as much as 7 cents/gallon.]

Second, *Congress has additional priorities*. It wants to add a “Freight” title, recognizing that some infrastructure must be built with freight movement as the priority, not just people. This means more spending and a new revenue source, thus far undetermined. More to WETA’s

interest, we and public ferry systems seek a “Ferry Title” to increase federal support of public ferries from the current \$68 million/year to, conceivably, as much as \$200 million/year. At this point, the amount of the increase is unknown, but clearly there is support in Congress for an increase, which will benefit WETA and other public systems. ***More on this below.***

WETA & the TEA Bill Reauthorization

Our highest priority is gaining, in the coming TEA bill, a significant flow of future federal funding to support WETA expansion. [To review: under the current TEA bill, \$2.5 million per year was set-aside for WETA, which continues. The current TEA bill also provides \$6 million for the Oyster Point Ferry Terminal).

A new Ferry Title could include the following:

- As much as \$100 million for the Ferry Boat Discretionary Fund to be distributed via DOT grants to public ferry applicants, or by Congressional earmarks, such as those which Representative Lee and Senator Murray have sponsored for WETA each year.
- As much as \$100 million to be distributed by a new formula. This has been an area of particular focus of our lobbying efforts. As WETA is a relatively new system relative to some of the large existing systems in Washington State, Alaska, and New York, the proposed formula could generate \$2 million or \$3 million per year for WETA (depending on the size of the total pot of money that Congress provides). However, we believe that WETA’s critical transit and emergency role and ambitious expansion plans justify a larger share. The San Francisco Bay Area Delegation is definitely “on board”, with Congressman Garamendi working with us to gain a substantial and dependable funding stream for WETA over the life of the next TEA bill. On the Senate side, we are working with Committee staff and with Senators Murray and Boxer to gain a similar provision. Letters from California State legislators to Senator Boxer (who Chairs the Committee that will write the Transportation Authorization Bill) have been helpful.

It is doubtful that the TEA Reauthorization will actually pass Congress during the Lame Duck. However, the House version could conceivably pass and this means we are continuing to work hard with our Delegation and with Congressman Garamendi to gain inclusion of a favorable provision in the House TEA bill now.

In sum, we have over \$2 million in the pipeline for WETA in the next few months. We are laying the groundwork for substantial additional funding to WETA in future bills.

Respectfully Submitted,

Peter Friedmann

SAN FRANCISCO BAY AREA WATER EMERGENCY TRANSPORTATION AUTHORITY

MINUTES OF THE BOARD OF DIRECTORS MEETING

(August 19, 2010)

The Board of Directors of the San Francisco Bay Area Water Emergency Transportation Authority met in regular session at the WETA offices at Pier 9, Suite 111, San Francisco, CA.

1. ROLL CALL AND CALL TO ORDER

Chair Charlene Haught Johnson called the meeting to order at 1:10 p.m. Directors present were Vice Chair Anthony Intintoli and Director Gerald Bellows. Vice Chair Anthony Intintoli led the Pledge of Allegiance.

2. REPORT OF BOARD CHAIR

None.

3. REPORT OF DIRECTORS

None.

4. REPORTS OF STAFF

Executive Director Nina Rannells reported that WETA had closed its first bond issue totaling \$10.1 million on August 3, with an interest rate of 4.632%. She noted that the rate was more favorable than had initially been expected and that these funds would provide WETA with the working capital needed to move forward with the construction phase of the South San Francisco terminal project.

Ms. Rannells also noted the addition of an update from WETA's Federal Legislative Representative Peter Friedmann summarizing a great deal of activity including increased earmarks in the Transportation Appropriations Bill which now included \$1.25 million for the Vallejo Maintenance Facility and \$775,000 for Berkeley vessels for WETA in the Ferry Boat Discretionary Fund.

Chair Johnson noted the item in Mr. Friedmann's report regarding Senator Patty Murray's election race in Washington State, adding appreciation for the Senator's advocacy for WETA.

Ms. Rannells closed with congratulations to Manager of Public Affairs Leamon Abrams on the birth of his daughter Leilah.

5. CONSENT CALENDAR

Vice Chair Intintoli made a motion to approve the minutes from the July 15, 2010 Board of Directors meeting. Director Bellows seconded the motion and the item carried unanimously.

6. OVERVIEW OF FY 2009/10 FINANCIAL AUDIT SCOPE AND PROCESS

Ms. Rannells presented this informational item regarding WETA's FY 2009/2010 financial audit currently underway as required by the Authority's Administrative Code. She noted that the audit was being independently performed by Maze & Associates. Ms. Rannells then introduced Cory Biggs of Maze & Associates who delivered a status report to the Board, stating that he anticipated no issues with the audit and that field work would conclude in September or October with the final audit anticipated by December.

Chair Johnson asked how WETA could best guard against embezzlement. Mr. Biggs said that the key was having good internal controls in place by having more than a single person involved in transactions, such as having one person who writes checks but another who keeps books, which WETA has. He also said that having ABAG as a third party accounting administrator provides an additional safeguard.

Vice Chair Intintoli asked if WETA was insured for potential losses of this type. Ms. Rannells indicated that she was not certain whether this would be covered under the agency's general liability policy. Chair Johnson suggested that any insurance through the bank was not likely to be sufficient. Ms. Rannells said that as WETA's financial picture had changed significantly in recent months, and that staff would investigate insurance options. She noted that process currently in place was already multi-layered, with WETA requesting payments and ABAG processing them. She added that additional security measures such as requiring two signatures on check requests from WETA plus two signatures on payments processed at ABAG are in place.

7. APPROVE ON-CALL PLANNING LIST AND CONTRACTS

Planner/Analyst Mike Gougherty presented this item requesting Board approval by resolution of a list of on-call planning consulting firms and to authorize the Executive Director to negotiate and execute individual agreements on an as-needed basis in an amount not to exceed \$100,000 per agreement per year.

Mr. Gougherty noted that the need to secure the services of on-call planning consultants was due to the scope and anticipated volume of WETA's work program, and that the additional resources and planning expertise in specific areas would be required to complement existing staff resources.

Chair Johnson asked how many firms had been solicited for the RFQ. Mr. Gougherty replied that notifications were sent to over 400 interested parties. He also explained that the five recommended firms had each teamed with several additional firms in the SOQs and that this would give WETA access to a wide variety of expertise as needed. Manager of Planning & Development John Sindzinski added that one of the advantages of the team approach was that WETA staff would not be required to manage 30 or 40 different contracts. He noted that many of the firms involved offered extremely high levels of expertise in areas that would be useful to WETA.

Ms. Rannells added that the budget requested was for a maximum amount that may not be required, and that the on-call list would give WETA access to specialized professionals if and only if and when needed. Ms. Rannells noted that it was based on the model WETA used for on-call marine engineering and listed example scenarios such as planning for Clipper Card implementation or assistance developing the RFP for consolidated ferry operations depending on WETA's need for expertise or to supplement staff availability.

Vice Chair Intintoli asked if there was a potential conflict regarding Mundle & Associates. Mr. Gougherty said that Subhash Mundle had called with concerns due to a sub-contract to audit RM2 recipients. Ms. Rannells added that the firm had done work on TDA audits as well, and that although WETA did not currently receive TDA funds, Mundle & Associates had requested to be withdrawn from consideration from the on-call list.

Vice Chair Intintoli noted that City of Vallejo Public Works Director Gary Leach had said Vallejo hoped to piggyback with WETA and asked Mr. Sindzinski for clarification as to how this would work. Mr. Sindzinski said the possibility existed that, through an agreement with Vallejo, WETA could procure the services of one of these firms to analyze parking strategies for the downtown Vallejo area on behalf of the City.

Director Bellows made a motion to approve the item. Vice Chair Intintoli seconded the motion and the item carried unanimously.

8. PUBLIC COMMENT

John Hummer of the U.S. Maritime Administration said that he had attended a roundtable in Sacramento the previous day, and that Randy Iwasaki of the Contra Costa Transportation Authority had requested that he relay a message to WETA asking that WETA contribute a Letter of No Prejudice regarding Hercules. Mr. Hummer said that it was his understanding that if Hercules proceeded with its work on its transit development without a ferry terminal that the terminal would cost significantly more for WETA to build in the future.

Ms. Rannells thanked Mr. Hummer and noted that she had already been contacted by Mr. Iwasaki and that she would touch base with him again to clarify the request. Ms. Rannells noted, however, that she believed that WETA's involvement at this stage would be premature without a completed environmental document or the project.

Chair Johnson requested an update from staff regarding progress on the South San Francisco terminal project. Mr. Sindzinski said that some portions of the terminal were in final design stages and that both the float and gangway and the terminal pier structure firms were ready to mobilize and drive piles before the end of construction season in November. He noted that there was a Buy America waiver issue that he anticipated would be resolved quickly.

Vice Chair Intintoli asked what kinds of solutions could be considered regarding the differing demands for both vessel speed and passenger capacity on the various routes. Manager of Operations Keith Stahnke noted that in order to operate at optimal efficiency, trips less than ten miles generally used 25 knot ferries for maximum fuel efficiency, and that trips over 10 miles required 35 knot vessels in order to keep transit times acceptable to passengers.

Vice Chair Intintoli emphasized that WETA should operate vessels with maximum efficiency. Mr. Stahnke pointed out that one of the important benefits to consolidating ferry operations would be the flexibility in assigning the most appropriate vessels to each route to meet required passenger capacity and efficiency.

Ms. Rannells noted that the next opportunity to consider options for additional vessels would arrive with the advent of a Berkeley service. Vice Chair Intintoli reiterated that WETA continue to look at ways to afford maximum efficiency and flexibility with its fleet.

9. RECESS INTO CLOSED SESSION AND REPORT ON CLOSED SESSION

Chair Johnson called the meeting into closed session at 2:00 p.m. Upon reopening of the meeting at 2:45 p.m. she reported that no action had been taken.

10. ADJOURNMENT

All business having concluded, the meeting was adjourned at 2:45 p.m.

Respectfully Submitted,

Board Secretary

MEMORANDUM

TO: Board Members

FROM: Nina Rannells, Executive Director
John Sindzinski, Manager, Planning & Development

SUBJECT: Approve Amended and Restated Agreement #10-010 with Cambridge Systematics for Ferry Ridership Forecasting Services

Recommendation

Approve Amended and Restated Agreement #10-010 with Cambridge Systematics for ferry ridership services to provide additional ridership forecasting services for an amount not to exceed \$250,000 and authorize the Executive Director to execute the amended and restated agreement.

Background

On May 24, 2001, the WTA executed Agreement #01-101P with Cambridge Systematics for ridership forecasting services in relation to the expansion of water transit on San Francisco Bay. In 2002, Cambridge Systematics developed a customized ridership forecast model for the WTA that was peer-reviewed and approved by the MTC, as required by the state legislature. The model utilized demographic and transportation data from ABAG 1998 projections, the MTC 2025 Regional Transportation Plan, and local jurisdiction land-use plans to generate future year 2025 ridership forecasts for existing and planned ferry service on San Francisco Bay. The initial ridership forecasts generated by this model were utilized by WTA to prepare the WTA Program Environmental Review (EIR) and the WTA Implementation and Operations Plan (IOP).

The WTA subsequently amended the scope of work and total contract value of Agreement #01-101P to include additional services required to generate updated ridership forecasts in support of the environmental review of new ferry terminal construction in South San Francisco, Berkeley, Hercules and Treasure Island, as well as other planning and environmental analyses conducted by staff.

WETA is currently preparing environmental reviews for the construction of new ferry terminals in Antioch, Martinez, Redwood City, and Richmond, as well as the expansion of existing facilities at the Downtown San Francisco Ferry Terminal. The environmental review of each project will need to consider future year 2035 ridership forecasts to accurately and adequately evaluate potential environmental impacts in accordance with CEQA and NEPA guidelines. In order to generate these forecasts, WETA will need to update its existing ridership forecast model database to include data from ABAG 2009 Projections, the MTC 2035 Regional Transportation Plan, and current local jurisdiction land-use plans.

Discussion

Amended and Restated Agreement #10-010 would authorize Cambridge Systematics to provide the ferry ridership forecasting services required to update the ridership forecast model and generate new ridership forecasts in support of the Authority's on-going environmental review projects. Staff believes that Cambridge Systematics is uniquely qualified to undertake this work. Since 2001, Cambridge Systematics has provided the WTA and WETA will excellent professional services in fulfilling the original scope of work and undertaking additional work

authorized by subsequent contract amendments to their existing agreement. Cambridge Systematics has demonstrated expertise in water transit planning and exhibited a thorough understanding of the Authority's work program. Additionally, Cambridge Systematics has detailed knowledge of the existing structure of WETA's ridership forecast model database and extensive experience working with the specific demographic and transportation data that will be included in the proposed model update.

Staff has received a cost proposal from Cambridge Systematics to provide ferry ridership forecasting services to complete the additional work required to generate new future year 2035 ridership forecasts. Staff has estimated that completion of this work by Cambridge Systematics would require a budget amount not-to-exceed \$250,000.

The amended and restated agreement would modify the original agreement with Cambridge Systematics to extend the term to December 30, 2012, increase the not-to-exceed total contract value from \$1,160,000 to \$1,410,000 and modify the scope of services to include additional ferry ridership forecasting services required to update the ridership forecast model and generate new ridership forecasts. Additionally, the amended and restated agreement would make certain other updating changes to the form of professional services agreement to incorporate the Authority's current contract and insurance requirements for professional service agreements. Staff recommends that the Board approve Amended and Restated Agreement #10-010 with Cambridge Systematics and authorize the Executive Director to execute the amended and restated agreement.

Fiscal Impact

This contract work is included in the FY 2010/2011 Budget and will be funded with Regional Measure 2 and Proposition 1B funds.

END

MEMORANDUM

TO: Board Members

FROM: Nina Rannells, Executive Director
John Sindzinski, Manager, Planning & Development
Keith Stahnke, Manager, Operations

SUBJECT: Award of Float and Gangway Construction Contract for the Pier 9 Layover Berthing Facility

Recommendation

Award a contract for the construction of the Pier 9 Layover Berthing Facility to Manson Construction Company in an amount not to exceed \$2,482,410 and authorize the Executive Director to negotiate and enter into a contract for this work. Additionally, increase the budget authority for this project by \$400,000 to a total of \$3,150,000.

Background/Discussion

On February 4, 2010 the Board of Directors approved the release of the Request for Proposal (RFP) for the construction of the Pier 9 layover berthing facility at its headquarters in San Francisco, CA. This project includes the floats, gangways, piles and other structures needed to moor two ferry vessels at Pier 9. It also includes a small public access and viewing component required in the BCDC permit issued to WETA to build this facility on San Francisco Bay. These improvements include installing benches between Piers 9 and 15 as well as bollards to protect the Bay Trail from auto and trucks.

This is a design build project that requires the winning contractor to complete all design, technical specifications and the like to build the project as specified by WETA. WETA used the expert professional services of one of its engineering firms, Moffatt + Nichol, to prepare the conceptual plans and to write the basic engineering specifications that detail the project requirements.

The winning contractor is required to prepare the 100% plans and specifications in accordance with WETA standards and guidance and then build and install the components at Pier 9. The project includes two floats of about 20 by 80 feet that the vessels will berth at; gangways connecting these floats to the Pier 9 apron; and power and other utility connections to service the moored ferry vessels. The project also requires the driving of eight piles to moor the floats to as well as to protect the Pier and float from collisions by ferries coming and going to the berth.

Procurement Process:

The procurement process used for this project involved issuance of an RFP, as it is a "design build" construction project, meaning that the selected contractor must complete design work to WETA's specifications. The RFP was released on August 2, 2010 to the construction industry. Notice of the availability of this RFP was sent to WETA's mailing list, noticed in several trade

papers, as well as posted on the Agency's website consistent with the Authority's Administrative Code.

During the period the RFP was available, WETA hosted a Proposers' conference at the project site in San Francisco that was attended by upwards of ten different contractors. Proposals were due to WETA on or before September 2, 2010.

Evaluation Process:

The RFP required proposers to submit technical qualifications for review and scoring. Proposers were also required to submit in a separate sealed envelope price proposals that would be reviewed for those who met the technical requirements. The technical portion of the evaluation process amounted to 40% of the total possible score. Scores of each proposer's technical proposals were used to determine which of the proposers were in the competitive range. Technical scores considered each proposer's technical approach to and understanding of the project, management plan, and experience in building similar structures, references, qualifications of its proposed team, and its safety and environmental awareness programs, among other factors.

A total of three proposals were received in response to the RFP. An evaluation team composed of WETA staff, the design engineer and WETA's construction manager reviewed the written technical proposals. In addition all three firms were interviewed in September 28, 2010 to answer the evaluation team's questions about the proposal. The results of the evaluations team's analysis of the technical submittals is shown below.

Firm	Technical scores
Dutra Construction	31
Manson Construction	34
Vortex	32

Once the technical scoring was completed the evaluation team evaluated the price proposal submitted by the three contractors. This two-step process was used to identify the most qualified firms WETA would consider as far as making an award based on combined technical and price rankings.

These price proposals are in the range of the engineer's estimate prepared by Moffatt + Nichol, the agency's engineering firm which wrote the technical specifications and developed the initial plans for the project. The price proposals are shown below.

Firm	Price proposal	Score
Dutra Construction	\$2,361,596	60
Manson Construction	\$2,364,200	60
Vortex	\$2,412,500	59

Pursuant to the review process set forth in the RFP, the information above and the results of the technical scores determined earlier in the process resulted in the final scores for each submittal as summarized in the table below.

Firm	Combined total score
Dutra Construction	91
Manson	94
Vortex	90

Based on these results, the evaluation committee concluded that the proposal from Manson Construction Company is the “best value” submittal for this project. As a result, staff recommends awarding a contract to Manson to construct the float and gangway project in the amount of their proposal (\$2,364,200), and proposes that the Executive Director be authorized a 5% contingency (\$118,210) to allow for any additive changes that WETA may find it needs to complete the project to its satisfaction, to add elements that were not in the original specifications or to deal with unforeseen circumstances. In addition staff requests that the Board formally increase the budget authority for this project as set forth in the agency’s 2010/11 budget by \$400,000 to a total of \$3,150,000, to be funded with Proposition 1B funds.

Based on their submittals, the Notice to Proceed with final design activities will be issued in late October 2010 with the project to be completed by July 1, 2011.

Fiscal Impact

The Pier 9 berthing construction project is included in the FY 2010/11 Capital Budget. Sufficient RM2 and State Prop 1B grant funds have been secured to support this contract award.

END

MEMORANDUM

TO: Board Members

FROM: Nina Rannells, Executive Director
John Sindzinski, Manager, Planning & Development

SUBJECT: Approve Amendment No. 1 to Agreement #09-007 with KPFF, Inc. for Design and Engineering Services for the Central Bay Operations and Maintenance Facility

Recommendation

Approve Amendment No.1 to Agreement #09-007 with KPFF, Inc. in the amount of \$75,000 to provide additional services in support of the ongoing environmental review for the Central Bay Operations and Maintenance Facility and authorize the Executive Director to execute the contract amendment.

Background

WETA is developing a project to design and construct a Central Bay Operations and Maintenance Facility at Pier 5 in Alameda, CA. This facility would provide layover berthing capacity and allow WETA to perform servicing, fueling and regular maintenance for its future central bay fleet of up to 11 vessels. This project would also include a landside facility that would serve as a base for WETA's service operations, emergency operations center, crews, concessionaires, and parts storage.

In June 2008, the WETA Board awarded a contract to ICF International to prepare the environmental review required by CEQA and NEPA regulations for this project. In November 2009, the WETA Board awarded a contract to KPFF, Inc. to provide Phase I conceptual design and engineering services in support of the environmental review for the Central Bay Operations and Maintenance facility for an amount not-to-exceed \$200,000. Additionally, the Board authorized an option for WETA to continue working with KPFF, Inc. to provide Phase II preliminary and final design services in support of construction for this project, subject to future Board authorization of a contract amendment.

KPFF has completed the initial conceptual design and engineering work originally contemplated under Phase I of this contract. ICF International is in the process of utilizing this work to complete the environmental review and is working with regulatory agencies to secure initial permitting for this project. Staff anticipates that a completed environmental review document will be brought to the Board for approval by the middle of 2011.

Discussion

WETA will require additional services from KPFF, Inc. during the course of completing the environmental review for this project that were not included in the original Phase I contract award. These Phase II services include attending various project meetings, preparing additional presentation materials, and making necessary future revisions to the conceptual design required as a part of finalizing the environmental review documents and process.

KPFF, Inc. has efficiently provided quality design and engineering services in completing the initial Phase I design work. Staff has estimated that a budget of \$75,000 will be required for KPFF to provide additional services in support of the environmental review work still underway. This work will bring the project through to the end of the environmental process, at which time WETA will determine the course for moving forward with this project.

Staff recommends that the Board authorize Contract Amendment No. 1 to Agreement #09-007 with KPFF, Inc. to increase the total not-to-exceed contract amount of the existing agreement from \$200,000 to \$275,000 with actual expenditures authorized on a Task Order basis and authorize the Executive Director to execute the contract amendment.

Fiscal Impact

This project is included in the FY 2010/11 Budget and Proposition 1B funds are available to support this additional work.

END

MEMORANDUM

TO: Board Members

FROM: Nina Rannells, Executive Director

SUBJECT: Approve Contract for Legislative Support Services

Recommendation

Approve a contract with John Burton for legislative support services and authorize the Executive Director to execute an agreement for these services in an amount not to exceed \$25,000.

Background/Discussion

One of WETA's ongoing work efforts involves garnering local, state and federal support from key administrators and legislators for our program and projects to expand ferry services and related waterborne emergency response capabilities on the San Francisco Bay. While staff has worked successfully to build working relationships with key administrators, it would be beneficial to the agency to secure specialized support services from an external source to help secure legislative support for WETA at the state and federal levels as the need arises. Staff believes that John Burton is uniquely qualified to assist the agency with this service in that:

- He is familiar with the agency and our legislative and regulatory issues at both the state and federal level and would be able to "hit the ground running"; and
- His extensive experience in the US Congress and California legislature give him unique access to decision-makers at the state and federal level whose decisions may be critical to the agency's mission.

Staff has requested a proposal from Mr. Burton to provide these services and recommends that the Board authorize a contract with Mr. Burton for \$25,000 under Section 502.2(J) of the Administrative Code, which authorizes the agency to procure goods and services without competition under limited circumstances. Subdivision (J) of this provision allows the agency to procure services non-competitively where the Board has determined that the award of a contract pursuant to competitive procedures identified in the agency's Administrative Code would not produce an advantage or would be infeasible. Staff believes that this is the case in that:

- A competitive procurement would be unlikely to identify another consultant with his combination of experience and access; and
- The limited contract size suggests that a competitive procurement would be unlikely to produce any advantage for the agency.

Fiscal Impact

Funds to support this contract are available in the FY 2010/2011 operating budget.

END

MEMORANDUM

TO: Board Members

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

SUBJECT: Authorize Filing Application with the Metropolitan Transportation Commission for \$230,000 Regional Measure 2 Capital Funds

Recommendation

Staff recommends the Board authorize the filing of application, including related certifications, for \$230,000 Regional Measure 2 (RM2) capital funds to support:

- 1) the continuing environmental studies and conceptual design of the Berkeley Ferry Terminal project, and
- 2) update WETA's ridership model and generate new ridership forecasts for Berkeley and Hercules services

Background

Regional Measure 2 (RM2) program includes \$48.0 million for various WETA capital projects including conduct environmental studies and design work for future services. These funds are made available through allocation by the Metropolitan Transportation Commission (MTC). To date, \$27.5 million has been allocated to WETA from this program.

Discussion

In January, 2010, the Board authorized amending Winzler & Kelly's design service contract for additional work required to complete the Final EIR/EIS and meet some of the conditions that the Berkeley City Council required of WETA in its support of the ferry project. As a result, an additional \$180,000 in RM2 capital funds is required to support this work.

In an earlier item, the Board authorized WETA to enter into a service agreement with Cambridge Systematics to provide services to update the existing ridership forecast model utilized by WETA and to generate new ridership forecasts. A portion of this work, including costs associated with updating the ridership forecasts for Berkeley and Hercules services in the amount of \$50,000, will be funded with RM2 capital funds to be secured as a part of this grant application.

Staff is revising its RM2 Initial Project Report (IPR) related to this project and requests a new allocation of funds from MTC in the amount of \$230,000. The RM2 fund allocation process established by the MTC requires project sponsors to adopt an Initial Project Report (IPR) and certify general program and project conditions in order to secure funds. The IPR related to this project is provided as **Attachment 1** to this report.

MTC's RM2 certification requirements encompass both general program and project-specific items such as compliance with MTC's RM2 policies, CEQA compliance and indemnification of MTC from any claims resulting from the project. The full list of certifications and assurances are contained in the Board resolution associated with this item and provided as **Attachment 2**. These certifications and assurances effectively serve as a part of the contract between WETA and MTC for the requested funds

Fiscal Impact

This item supports the application with MTC for \$230,000 RM2 capital funds to support completing environmental and conceptual design documents for the Berkeley Ferry Terminal project as well as ridership forecast updates for both Berkeley and Hercules services.

END

MEMORANDUM

TO: Board Members

FROM: Nina Rannells, Executive Director

SUBJECT: Approve Ferry Service Operations Transfer Agreement Among San Francisco Bay Area Water Emergency Transportation Authority, City of Alameda and Alameda Reuse and Redevelopment Authority

Recommendation

Approve the transition of the Alameda/Oakland Ferry Service and the Alameda/Harbor Bay Ferry Service from the City of Alameda ("City") to the San Francisco Bay Area Water Emergency Transportation Authority ("Authority") (the "Transition"), approve the Ferry Service Operations Transfer Agreement substantially in the form presented by the Authority staff; and authorize the Executive Director to complete negotiations and make such modifications to the Ferry Service Operations Transfer Agreement as are necessary and appropriate to reflect the terms and conditions of the Transition described herein, execute the final form of Ferry Service Operations Transfer Agreement, and take all other steps and execute all other documents as are necessary to achieve the Closing of the Ferry Service Operations Transfer Agreement and to implement the Transition.

Find that the acquisition by the Authority of the City's and Alameda Reuse and Redevelopment's (ARRA) respective interests in ferry vessels and related facilities currently used by the City to provide the Alameda/Oakland Ferry Service from Main Street Ferry Terminal in Alameda to the San Francisco Ferry Building at the Port of San Francisco, and the Harbor Bay Ferry Service from the Harbor Bay Ferry Terminal in Alameda to the San Francisco Ferry Building at the Port of San Francisco is exempt from the requirements of the California Environmental Quality Act. 14 Cal.Code.Reg. §§ 15301; 15061(b)(3). The acquisition provides for continued operation of the existing ferry vessels and waterside facilities under the management of the Authority, and continued operation of the City's landside ferry terminal assets by the City. No changes to the environment will occur as a result of the acquisition. Authorize the Executive Director to record a Notice Exemption in the Official Records of Alameda County.

Background

Authority was established pursuant to California Senate Bill 976, as amended by Senate Bill 1093, codified as the San Francisco Bay Area Water Emergency Transportation Response and Disaster Recovery Act, California Government Code sections 66540 et seq. (as so amended, "Act") which authorizes the consolidation of San Francisco regional ferry services.

The Act authorized implementation of the Transition through the transfer and lease (or alternative property rights transfer arrangements) to Authority of City's assets used in operating the Alameda/Oakland Ferry Service and the Alameda/Harbor Bay Ferry Service.

In furtherance of the Transition, Authority approved a Transition Plan in June 2009, which received input from City and other relevant agencies.

Since adoption of the Transition Plan, Authority and City have refined the proposed approach to the Transition to provide for direct transfer of certain personal property and assignment of certain rights and obligations from City and ARRA to Authority.

The Authority staff has negotiated a Ferry Service Operations Transfer Agreement among the Authority, City and ARRA to set forth their mutual agreement with respect to the terms and conditions pursuant to which the Authority will acquire certain assets, rights and obligations from City and ARRA, and memorializing other rights and obligations of the parties necessary to implement the Transition (the "Transition Agreement").

Upon execution of the Transition Agreement, the parties will open an escrow and proceed to complete due diligence and obtain all required approvals and consents in connection with the Transition. Authority staff will also undertake other administrative tasks reasonably prudent and necessary to be completed prior to the Authority's commencement of operation of the Alameda/Oakland Ferry Service and the Harbor Bay Ferry Service, including but not necessarily limited to, development and presentation to the Board of an operating budget and fare structure for the ferry services, procurement of necessary insurance policies, and hiring of personnel to manage the ferry service operations. Authority staff intends to bring such matters to the Board for approval prior to Closing the Transition.

Upon satisfaction of the conditions to Closing set forth in the Transition Agreement, the escrow holder will be directed to make such filings, and to distribute funds and documents in escrow, as is necessary to complete the Transition. The Transition Agreement provides for Closing to occur on or before February 15, 2011, although staff hopes to complete the service transfer by January 2011.

The Ferry Service Operations Transfer Agreement is an activity covered by the general rule that the California Environmental Quality Act ("CEQA") applies only to projects which have the potential for causing a significant effect on the environment and, therefore, is exempt from CEQA pursuant to Section 15061(b)(3) of the CEQA Guidelines, and the Authority and/or City, as the Lead Agency, intends on filing a Notice of Exemption pursuant to Section 15062 of the CEQA Guidelines, following its approval of the Ferry Service Operations Transfer Agreement.

Discussion

Consistent with the direction of the Act, the Authority has reached an agreement with the City and ARRA on the terms for the Transition. If approved by the Board, the Transition will occur on or before February 15, 2011.

The Transition Plan originally contemplated that the Authority would acquire title to the ferry vessels and other waterside assets used in connection with the Alameda/Oakland Ferry Service ("AOFS") and the Harbor Bay Ferry Service ("HBFS"), and would lease the landside ferry terminal assets from the City and ARRA. After several months of due diligence and negotiations, the parties have agreed to move away from the landside asset lease structure contemplated by the Transition Plan, and have agreed upon the following basic structure and terms for the Transition:

A. Disposition of Assets:

1. Vessels: City will assign to Authority the City's title to and equity interest in ferry vessels used in the AOFS and HBFS (Harbor Bay Express II, Bay Breeze, Encinal and MV Peralta) in their "as-is" condition, and the charter agreements pursuant to which the Authority charters four other vessels to City will be terminated.
2. Waterside Assets: City and ARRA will assign to Authority their respective interests in the Waterside Assets, including with respect to each Service, pilings, passenger gates, aluminum passenger ramps, ramp awnings and the related gangways used in connection with operation of each Service, (ii) the YC Barge located at the Main Street Ferry Terminal, (iii) the float used in connection with the HBFS, and (iv) the navigational channel markers located off of the Harbor Bay Ferry Terminal; all located below the top of the San Francisco Bay shoreline embankment as of the Effective Date of the Transition Agreement. An abandoned crane located on the concrete pier head at the Main Street Ferry Terminal is expressly excluded from the Waterside Assets to be assigned to Authority.
3. Landside Ferry Terminal Assets: The City and ARRA will retain their respective interests in all landside ferry terminal facilities, including the restrooms, parking lots, lights, and landscaping, the City will continue to manage and maintain such landside ferry terminal facilities consistent with current practices, and will continuously make the same available to ferry passengers for a period of 66 years, or such lesser period of time as the Authority continues to use the Main Street Ferry Terminal and/or the Harbor Bay Ferry Terminal for the AOFS and the HBFS, respectively, and/or back-up/emergency ferry service. Authority will not acquire any real estate interest in the Landside Ferry Terminal Assets but will have the right to request improvement in facility service levels or additional unscheduled maintenance and repairs.
4. Exclusive Landing and Mooring Rights. City will grant Authority exclusive landing and mooring rights as required to conduct AOFS and HBFS operations.
5. Other Personal Property. City will assign other personal property to the Authority, such as Books and Records, spare parts and machinery, account balances at the Closing, and any proprietary data.
6. Contracts. Certain contracts and contract rights required to continue service will be assigned to Authority, including the Blue & Gold and Harbor Bay Maritime Operating Agreements, the AOFS Operating Agreement with the Port of Oakland, and certain grant agreements. The Authority intends to take such steps as are reasonably necessary and appropriate after Closing with respect to the assigned contracts to enable the Authority to apply for, obtain and use federal funding for the administration, operation and maintenance of the AOFS and HBFS.

B. Financial Consideration:

1. Authority will not pay any cash consideration to City for transfer of the Vessels, the Waterside Assets, other personal property or assignment of contracts and grants.
2. Authority will pay \$90,000 to ARRA for the YC barge at the Main Street Ferry Terminal; an asset currently leased by City for provision of the service. This amount will be held in escrow pending the City's removal or retrofit of the crane currently located on the concrete pier head at the Main Street Ferry Terminal.
3. Authority will pay landing and mooring fees equal to the costs to be incurred by the City to maintain the Main Street Ferry Terminal and the Harbor Bay Ferry Terminal consistent with current levels, based upon an annual budget to be mutually agreed upon by the parties.

C. Service Level Commitment.

1. Service Levels: Authority shall continue to maintain and operate the AOFS and the HBFS at the current FY10-11 service levels, provided that projected revenues and other funding for each service, taking into account the Authority's regional system needs balanced with the City's interest in maintaining service levels for its residents and businesses, remain sufficient to cover such service's operating expenses without incurring a deficit that is likely to have a material adverse effect on the service.
2. Adjustment of Service Levels: In the event of a budget shortfall, the Authority will consider all available alternatives to service level reductions, including seeking additional funding, fare increases, and operating expense reductions. Prior to implementing a reduction in service levels, the Authority will inform the City, and upon City's request, will make an informational presentation at a City Council meeting at which the City and interested persons will have the opportunity to comment; however, the Authority shall have ultimate control over service level decisions.

D. Local Funding Commitment.

1. City shall contribute to Authority for operation of the HBFS the Transportation Improvement Funds (TIF) collected each year in an amount not to exceed \$500,000 per year, payable in four equal installments per year, quarterly in advance.
2. City shall contribute to Authority for operation of the HBFS Landscape and Lighting District (LLAD) 84-2 funds collected by City in the not to exceed amount of \$72,194 per year.
3. Authority and City shall meet and confer every ten years to review the City's funding commitment in light of the HBFS' then current operating revenues and expenses.

E. Regional Funding Commitment.

1. Subject to approval of the Alameda County Transportation Commission, Authority will dedicate all existing Measure B fund balances and future Measure B monies exclusively to operation, maintenance and capital expenses for the HBFS, and service between the Main Street Ferry Terminal or the future Seaplane Lagoon Ferry Terminal and the San Francisco Ferry Building at the Port of San Francisco, with or without a stop in Oakland.
2. Provided that (a) RM-1 remains in effect, (b) the City continues to make its local contribution, and (c) Authority continues to operate (i) the HBFS, and (ii) either the AOFS as a single service serving Oakland and Alameda, or two separate services, one of which serves Oakland, and one of which serves Alameda from either the Main Street Ferry Terminal or the future Seaplane Lagoon Ferry Terminal (collectively, the “Bifurcated Services”), then Authority shall contribute to such services at least 51.4% of total annual RM1-5% ferry operating revenues available to WETA.
3. Provided that (a) RM-1 remains in effect (currently through March of 2022), (b) the City continues to make its local contribution, and (c) Authority continues to operate (i) the HBFS, and (ii) the AOFS, then Authority shall provide a continuing commitment of RM-2 revenues to the extent necessary to cover operating deficits, in an amount equivalent to at least 3.9% of the then current fiscal year budgeted operating expenses for the AOFS.
4. Provided that (a) RM-1 remains in effect, (b) the City continues to make its local contribution, and (c) Authority continues to operate (i) the HBFS, and (ii) the Bifurcated Services, then Authority shall provide a continuing commitment of RM-2 revenues to the extent necessary to cover operating deficits, in an equitable amount determined by Authority, taking into consideration the then current budgeted operating expenses for the Bifurcated Services.

F. Other Funding Commitments.

1. City shall assist Authority in seeking ongoing contributions toward HBFS from Harbor Bay Business Park Association, and toward AOFS from the Port of Oakland.
2. Authority may implement periodic fare increases.
3. City shall support Authority’s efforts to obtain additional funding sources for the services.
4. Authority shall fund ongoing maintenance, rehabilitation, and purchase or replacement of Waterside Assets (vessels, floats, etc.) as needed utilizing RM1-2% (restricted to capital projects), RM2, state, federal, or other funds secured by Authority for that purpose.

- G. Assignment and Assumption of Liabilities: Insurance.
1. Liabilities. City shall retain known and unknown tort liabilities existing with respect to the Services and the ferry terminals prior to the Closing. Authority shall assume City's liabilities with respect to contracts related to the Services for payments owing with respect to such contracts prior to the Closing but not becoming due and payable until after the Closing, except for payment obligations under contractual indemnities for tort liabilities. Authority shall assume liabilities arising with respect to the Services from and after the Closing, and shall indemnify City against the same, except for liabilities with respect to hazardous materials, or with respect to the City's or the Authority's fraud, gross negligence or willful misconduct.
 2. Insurance. The Transition Agreement sets forth detailed insurance requirements. Generally, insurance for operation of the Services, and with respect to waterside facilities, will be provided by the Authority's operating contractors (presently Blue & Gold and Harbor Bay Maritime). The operators shall name both the Authority and the City as additional insureds on such policies. The Authority will procure Comprehensive General Liability Insurance with respect to landside operations, and shall name the City as an additional insured on such policies. The City will continue to provide property/casualty insurance for the landside ferry terminal assets. In addition, the City will procure a separate policy of insurance to cover tort liabilities arising with respect to events occurring prior to the Closing. The cost of such policy, anticipated to be approximately \$25,000, will be deducted from the Transaction Cash to be disbursed to the Authority at the Closing.
- H. Crane at Main Street Ferry Terminal. The Transition Agreement provides for the City to complete environmental review of the possibility of removing or rehabilitating the crane located on the concrete pier head. City covenants to complete the review in good faith, and to enter into a contract for and pay the removal/rehabilitation cost for the crane upon receipt of reasonable bids. The Authority's \$90,000 payment for the ARRA YC Barge will be held in escrow for a period of up to two years to secure the City's obligation. If the City has not entered into a contract by the expiration of 2 years from the Closing Date, the escrowed funds will be released to the Authority.
- I. Seaplane Lagoon. The Transition Agreement acknowledges the possibility that a new ferry terminal may be built at Seaplane Lagoon, and sets forth parameters for the Authority's consideration of relocation from the Main Street Ferry Terminal to a new terminal at Seaplane Lagoon. If the Authority determines to relocate to Seaplane Lagoon, the Authority may continue to use the Main Street Ferry Terminal for Back-up/Emergency operations, unless and until City notifies the Authority that the City is terminating such use due to a new City development project at the Main Street Ferry Terminal.

J. Additional Authority Agreements.

1. Authority will provide additional vessels to support current and future service operations as needed.
2. Authority will participate in an alternative fuel pilot program to convert a ferry vessel to Liquefied Natural Gas if City secures funding to cover all costs for such program.
3. Authority will cooperate with City and AC Transit in efforts to provide the ongoing availability of bus transit coordinated with arrivals and departures at Alameda ferry terminals.
4. Authority will comply with the requirements of Senate Bill 976 by employing the Alameda Ferry Service Manager upon the Closing.
5. Authority will cooperate with regional transit operating and planning agencies to explore the feasibility of establishing/joining a fuel purchasing consortium.
6. Authority will work with operators of connecting transit services to develop a system for providing transfers between the ferry services and other connecting transit services.
7. Authority will implement reasonable practices designed to measure and assure customer satisfaction, such as establishing a rider advisory committee and conducting periodic customer satisfaction surveys.

K. Potential Bay Ship & Yacht Expansion. The Transition Agreement includes the parties' acknowledgement that Bay Ship & Yacht may desire to expand its operation that presently borders the Main Street Ferry Terminal to the east by using Pier 5 to the west of the Main Street Ferry Terminal for vessel lay berthing. The Transition Agreement provides that Authority would not unreasonably withhold its consent to such use, provided that certain conditions are met and such operations do not interfere with or increase the cost of Authority's operations. The Transition Agreement also provides that if Authority is no longer using the Main Street Ferry Terminal and City/ARRA desires to lease it to Bay Ship & Yacht, City will assure that Bay Ship & Yacht provides the Authority with lay berth space for one vessel at no cost, and in the event of emergency, will provide Authority with a suitable dock and passenger ramps. In such case, City would be entitled to reduce its local TIF/LLAD financial contribution to reflect the foregone rent to the City as a result of the lay berth space reserved to the Authority.

L. Parity with City of Vallejo. To address City concerns about being the first operator to transition ferry service to Authority, the Transition Agreement sets forth Authority's representation of its intent to negotiate an agreement with the City of Vallejo for transition of the existing Baylink ferry services on terms and conditions substantially consistent to the Transition Agreement. It further provides a mechanism for the Authority to notify the City if the Authority agrees to provide the City of Vallejo with compensation in excess of that afforded to City for substantially similar consideration, including rent that is not allocable to a difference in costs or obligations to be borne by the City of Vallejo. In such

event, Authority may be entitled to increase the landing and mooring fees charged to Authority in a manner commensurate with the Vallejo transition agreement.

M. Process.

1. Escrow. Upon execution of the Transition Agreement, the parties shall enter into an escrow agreement and deposit the executed Transition Agreement into the escrow. Additional documents, such as consents to assignment, estoppel certificates, bills of sale, certificates of title, and the like will be delivered to escrow as received by the parties. The Transaction Cash and the ARRA barge purchase price will also be deposited to escrow prior to Closing.

2. Due Diligence. Authority will promptly arrange for inspection of vessels and the ferry terminal premises by a qualified entity. City will cooperate in making all documents and things available to Authority for review and inspection. The parties will seek required approvals and authorizations, estoppel certificates, consents to assignment and such other things as may be necessary to effectuate the Transition.

3. Operating Budget. Authority will develop an Alameda Ferry Service operating budget for Board adoption, and any associated grant transfer agreements, to support the operation of Alameda ferry services under WETA post transfer.

4. Insurance. It is anticipated that Authority's insurance provider will want to inspect the assets and premises. Authority will come back to the Board prior to the Closing to request authorization to procure required insurance coverages.

5. Fare Policy. Authority will draft a fare policy and bring it forward for the Board's consideration and approval prior to the Closing.

6. Ferry Manager. Authority will develop proposed terms for employment of the Alameda Ferry Service Manager and bring such proposal to the Board for its approval prior to the Closing.

7. Other. Authority and City will cooperate in taking such other steps, and executing such other documents, as may be reasonably necessary to accomplish the Transition.

Fiscal Impact

Approval of this agreement represents the first step in transitioning Alameda's ferry services to operate under WETA. A budget for this operation will be brought forward for Board review and approval in the next two months prior to system transfer. Staff anticipates that this budget will be substantially the same as the current budget approved by the City for the operation of these services.

END

MEMORANDUM

TO: Board Members

FROM: Nina Rannells, Executive Director
Leamon Abrams, DBE Program Administrator

SUBJECT: Approval of the Disadvantaged Business Enterprise (DBE) Goal for FY 2010/11 through FY 2012/13

Recommendation

Approve by motion the establishment of a 2.0% Disadvantaged Business Enterprises (DBE) goal applicable to anticipated upcoming contracts assisted by the Federal Transit Administration (FTA) during FY 2010/11 through FY 2012/13, and authorize the Executive Director to take required steps to circulate and transmit this goal to FTA.

Background

As a recipient of federal transportation funding, the Water Emergency Transportation Authority (Authority) is required to have a diversity program for the participation of Disadvantaged Business Enterprises (DBE) in Authority contracting opportunities. In the past the Authority has submitted an annual report to Federal Transit Administration (FTA) and set an annual overall DBE goal. In March 2010, the Department of Transportation issued new regulations directing that henceforth federal grant recipients set overall DBE goals on a three-year basis. Accordingly, the Authority's goal methodology will be submitted to FTA every three years based upon anticipated FTA-assisted contracts for the three forthcoming fiscal years.

Discussion

Staff recommends establishing a 2.0% overall DBE goal for FY10/11 through FY12/13. As with last year, the 2.0% overall goal is broken into 100% race-neutral and 0% race-conscious components. This recommendation is based upon an evaluation of contracting opportunities for projects anticipated to receive FTA funding during the next three fiscal years, including projects associated with Alameda and Vallejo services as summarized by project type below:

Design Services	\$1,600,000
San Francisco Berthing Expansion Final Design	\$1,600,000
Vessel Rehabilitation	\$1,364,000
Ferry Vessels Rehabilitation	\$1,364,000
Terminal and Facility Construction	\$16,523,028
Berkeley Terminal Construction	\$10,000,080
Floats and Gangways Construction	\$400,000
Dredging	\$800,000
North Bay Ferry Maintenance Facilities Construction	<u>\$5,322,948</u>
GRAND TOTAL	\$19,487,028

The evaluation conducted in order to develop this goal involved a two-step process. The first step consisted of identifying the prime and subcontracting opportunities for each contract by their North American Industry Classification System (NAICS) codes that closely match the types of work (prime and sub) required for the contracts and analyzing the relative availability of DBEs

for those opportunities by comparing data from the California Unified Certification Program database of all certified DBEs with the Census Bureau's County Business Patterns database of all firms to come up with an overall DBE participation percentage.

The second part of the evaluation consisted of considering any appropriate adjustments to this percentage that would be appropriate based upon an assessment of known relevant evidence to narrowly tailor the base DBE participation figure to the Authority's marketplace. Per FTA guidance, this analysis could include actual DBE participation in the Authority's race/gender-neutral contracts in recent years or other known factors which could limit or expand the availability of DBEs to participate in the types of work that WETA has planned over the next three years.

In considering this second step, staff identified that all of the \$19.4 million in FTA funding is projected to be expended for marine-related work such as gangway and pier improvement construction projects; 91.79% of the Authority's program is specifically terminal and facility construction and vessel repair. Only firms certified in California may be used in the relative availability analysis or counted towards the Authority's DBE participation. Through WETA's experience with contracts of these types to date, consultation with contractors in the area and consultation with the Golden Gate Bridge District regarding their experience with similar projects over the years, WETA determined that the subcontracting areas for marine-related work often require special license and insurance requirements, limiting opportunities for DBE participation. As a result, staff determined that relative DBE availability and base figure per contract for the ferry refurbishment projects is generally between 0.0% and 2.2% due to a number of factors including:

- The risk and the financial challenges associated with the marine industry are such that firms almost exclusively self-perform; a negligible amount of the total contract is provided to subcontractors. The Authority's experience with the South San Francisco ferry terminal is that the work will be largely self-performed by a single contractor.
- Marine work requires expensive, specialized equipment; even "minor" elements such as towing, requires a significant investment in equipment. Few firms (and almost no DBE's) take on the risk of the substantial capital investment required for the specialized equipment required for marine-related work.
- Due to the size of the Authority's projects, the bonding requirements and financial requirements limit the prospective prime contractors for the work to companies that exceed the DBE size standards.
- Marine work is very specialized and DBE's are extremely underrepresented in marine-related NAICS codes. As example in the category of NAICS 336611, Ship Building and Repair, there are no DBEs in the state of California.
- The subcontracting areas for ferry construction and refurbishment work often require special license and insurance requirements, limiting DBE participation.

A summary of these percentages by type of project is provided as **Attachment A** to this report.

Staff recommends that the Authority Board of Directors approve actions relative to the FY 10/11 through FY 12/13 Disadvantaged Business Enterprise (DBE) goal, as follows:

1. Establish a 2.0% DBE goal applicable to anticipated federal contracts assisted by the Federal Transit Administration, in the three forthcoming fiscal years;

2. Authorize staff to circulate this goal for public comment, consistent with Federal requirements; and
3. Authorize the Executive Director to submit this goal and goal methodology to FTA in the event that no public comments are received that require further consideration or modifications of the proposed goal.

As in the past, Authority staff will continue to actively participate in events and technical assistance targeted to DBEs including certification workshops; technical training and outreach to trade associations to facilitate achievement of this goal in future contracts.

Fiscal Impact

None.

END

Attachment A

FY 10/11 through FY 12/13 Overall DBE Goal for FTA-Assisted Contracts

The availability figures determined for the FTA-assisted contracts were calculated into projected DBE participation dollars by taking the FTA dollars budgeted for each program area and multiplying by the availability figure for each contract. The total of the projected DBE participation dollars was then divided by the total of the budgeted FTA dollars for all contracts, resulting in a 2.0% overall goal.

<u>Description of Contract</u>	<u>FTA Dollars</u>	<u>DBE Availability Per Contract</u>	<u>FTA \$ Projected for DBEs</u>
San Francisco Berthing Expansion Final Design	\$1,600,000	1.37%	\$21,918
Ferry Vessels Rehabilitation	\$1,364,000	0.0%	\$0
Terminal and Facility Construction	\$16,523,028	2.23%	\$388,924
Total FTA Dollars and DBE Dollars	\$19,487,028	2.00%	<u>\$390,482</u>

<u>FTA \$ Projected for DBEs</u>	<u>FTA \$ Budgeted</u>	<u>Annual Overall Goal</u>
<u>\$390,482</u>	<u>\$19,487,028</u>	2.0%

MEMORANDUM

TO: Board Members

FROM: Nina Rannells, Executive Director
John Sindzinski, Manager, Planning & Development

SUBJECT: Update on Downtown San Francisco Terminal Expansion Project

Recommendation

This is an informational item and does not include a recommendation for Board action.

Background/Discussion

Staff is currently undertaking the environmental review process required by CEQA and NEPA regulations to expand berthing capacity at the Downtown San Francisco Ferry Terminal. This project would include phased construction of up to three new terminals that would be necessary to provide additional berthing capacity for WETA's future ferry services to Downtown San Francisco. The Downtown Ferry Terminal Expansion Project will also include other terminal improvements such as expanded passenger waiting and queuing areas, partial removal and repair of dilapidated pier structures, emergency response staging areas, public access enhancements, and new terminal wayfinding signage.

In February, 2010 WETA entered into a Memorandum of Understanding with the Port of San Francisco to establish a coordinated planning process between the two agencies for this project, in accordance with WETA's desire to expand terminal and the Port's interest as the responsible land-use jurisdiction at the project site. In July 2010, the WETA Board authorized a contract award to URS Corporation to undertake environmental review of this project and a separate contract award to ROMA Design Group to provide design and engineering services in support of the environmental review.

WETA and the Port have been working collaboratively with the design team from ROMA Design Group to develop initial sketch concept plans that will be used to solicit input from project stakeholders. The project team will be initiating interviews to conduct outreach with stakeholders over the next three months and incorporating their feedback into the conceptual design that will be developed for this project in support of the environmental review.

An informational overview of the preliminary conceptual design, as it will be discussed with stakeholders, will be provided at the meeting. Staff anticipates that a final conceptual design will be developed over the next year and that the environmental review for this project will be completed in Fall 2012.

END