



**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 April 1, 2010 at 1:00 P.M.*  
**San Francisco Bay Area**  
**Water Emergency Transportation Authority**  
Pier Nine, Suite 111  
San Francisco

*The full agenda packet is available for download at [www.watertransit.org](http://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.

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

**Water Emergency Transportation Authority**  
**April 1, 2010 Meeting of the Board of Directors**

---

6. CONSENT CALENDAR *Action*
  - a. Minutes March 4, 2010
  
7. APPROVE CONTRACT AWARD FOR CONSTRUCTION MANAGEMENT SERVICES FOR THE PIER 9 BERTHING FACILITY PROJECT TO C2PM PROGRAM & CONSTRUCTION MANAGERS *Resolution*
  
8. APPROVE CONTRACT AWARD FOR INSURANCE BROKERAGE AND RISK MANAGEMENT CONSULTING SERVICES TO WELLS FARGO INSURANCE SERVICES USA, INC *Resolution*
  
9. AUTHORIZE RELEASE OF A REQUEST FOR QUALIFICATIONS (RFQ) FOR ON-CALL MARINE ENGINEERING SERVICES *Action*
  
10. OAKLAND WATERFRONT-UPTOWN SHUTTLE BUS PROJECT UPDATE *Information*
  
11. OVERVIEW OF WETA EMPLOYEE BENEFITS *Information*
  
12. RECESS INTO CLOSED SESSION
  - a. CONFERENCE WITH REAL PROPERTY NEGOTIATORS *Action*

Property: City of Alameda ferry terminal related property/assets  
Agency Negotiators: Nina Rannells and John Sindzinski, 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

*To Be Determined*
  
  - b. CONFERENCE WITH REAL PROPERTY NEGOTIATORS *Action*

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

*To Be Determined*
  
  - c. CONFERENCE WITH REAL PROPERTY NEGOTIATORS *Action*

Property: City of Berkeley ferry terminal related property  
Agency Negotiators: Nina Rannells and John Sindzinski, San Francisco Bay Area Water Emergency Transportation Authority  
Negotiating Parties: City of Berkeley  
Under Negotiation: Terms and conditions to the cooperative agreement/lease with the City of Berkeley for Berkeley service

*To Be Determined*
  
13. 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.

**Water Emergency Transportation Authority**  
**April 1, 2010 Meeting of the Board of Directors**

---

14. 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](mailto: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.

**M E M O R A N D U M**

TO: WETA Board Members  
FROM: Nina Rannells, Executive Director  
DATE: April 1, 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 met with City of Alameda staff on March 19 to continue discussions on the terms of the Alameda ferry service transition and is working towards developing a draft of the transfer agreement. On March 12, WETA staff met with the City of Vallejo staff to resume transition discussions with the goal of transitioning ferry services to WETA prior to or at the same time as the Vallejo and Benicia bus system consolidation.

**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. WETA is currently working on setting up the communication system in the emergency operations center and continues to develop and implement a training program to staff and operate the center in the event of a disaster. Staff is also working on coordinating the agency's participation in an emergency response exercise, conducted by MTC, which will be held in parallel with the Golden Guardian exercise in May.

**Spare Vessels** - Two spare vessels, *Gemini* and *Pisces*, have been constructed by Nichols Brothers Boat Builders, Ice Floe DBA 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.

Construction of two new 199-passenger vessels for this service by Kvichak Marine Industries and Nichols Brothers Boat Builders, Ice Floe DBA is well underway. The first of the South San Francisco

vessels, *Scorpio*, entered the San Francisco Bay in December, 2009. This vessel will be utilized on the Harbor Bay Ferry route beginning in March. The second vessel, *Taurus*, is scheduled to arrive on the San Francisco Bay in mid-April.

Price proposals for the two construction projects were submitted on February 12, 2010. On March 17, staff received "best and final offers" from each offeror and will be evaluating same as part of the ongoing procurement process. Staff anticipates bringing a recommendation to the Board for award in May, assuming cash flow issues are resolved.

**Berkeley Ferry Service** – This service will provide an alternative transportation link between Berkeley and downtown San Francisco.

While the consultant continues preparing the draft final EIR/EIS staff responded to BCDC with a letter detailing how this project is consistent with their Bay Area Plan. Additionally, staff and the project designers met with Berkeley police to review the project plans and receive their input on safety and security design details associated with the terminal site.

**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 met with the Treasure Island Developer and City staff in February to review revised service and terminal plans that would reduce terminal construction costs and allow for gradual implementation of new services. These changes are being considered as a means to bring the project costs into alignment with anticipated revenues. While these plans significantly reduce the overall project costs, most notably in the shorter term, the developer is concerned that the project is still too expensive. Further work on the terminal plan is on hold awaiting resolution of this issue between the developer and the City of San Francisco.

**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.

The MOU between the Port and WETA has been signed by the WETA's and the Port's Executive Directors. This MOU clarifies each agency's roles and responsibilities during the environmental clearance and conceptual design phase of the planning for expanded berthing at the downtown ferry terminal. Staff is now finalizing the RFQs for design and environmental services and expects to release both in early April..

**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.

In June 2008, the Board adopted a Final Mitigated Negative Declaration for the Pier 9 Layover Ferry Berth Facility and filed a Notice of Determination as provided in Section 15075 of the State CEQA guidelines, and staff has since worked to secure required permits and finalize project design. Four submittals were received in response to the RFQ for construction management services. A staff recommendation to award a contract will be brought to the WETA Board in April. Staff anticipates issuing an RFP for project construction in April once a Construction Management firm is under contract and available to participate in this process.

**Central Bay Operations and Maintenance Facility** - This project will develop a site for WETA operations and maintenance to serve basic vessel fueling, maintenance, shop, warehouse, storage and emergency operations needs.

Environmental assessment and preliminary conceptual planning for this project continues on schedule and within budget. The design consultant for this project has submitted a draft Basis of Design for a maintenance facility and will begin work on a concept design in April. WETA staff has received and is reviewing a preliminary draft lease for this property from the Alameda Reuse and Redevelopment Authority.

**Hercules Environmental Review/Conceptual Design** - WETA has worked 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.

The City of Hercules is working to complete its own environmental assessment for the Capitol Corridor station project as this is a "fast track" project for the City that needs to be in construction in 2010. The environmental assessment for the ferry terminal and service is being completed by Impact Sciences, under contract with WETA and in consultation with the City of Hercules. Impact Sciences is scheduled to complete an Administrative Draft of the EIR/EIS for WETA, City and FTA review in late spring.

**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.

WETA has chosen 4 consultants to conduct environmental assessments for ferry terminals in the above cities. All four environmental assessments have been on hold since December 2008, due to the State's suspension of Proposition 1 B funds. Staff has been in regular contact with CalEMA to discuss options for ensuring that once work is resumed, expense reimbursements will flow within a reasonable timeframe. Given the continued uncertainty in the State 1B funding, staff is considering options for moving these projects forward with alternative fund sources or cash flow mechanisms. Once funding cash flow issues are resolved and firms are hired to complete the complementary conceptual design work, each assessment should take approximately 18 months to complete.

### **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.

Design of Phase A of the parking structure is 100% complete and bid advertisement was January 29, 2010 with a bid opening planned for March 4, 2010. The City Council has approved the transfer of title of the parking structure property from the Redevelopment Agency to the City. All funding sources for the Parking Structure Phase A have been secured. A purchase agreement to purchase the post office property is currently in escrow and meetings with USPS personnel regarding relocation are underway. Design of Phase B of the Parking Structure is in the final design stage with construction start date being dependent on the relocation of the Post Office property and full funding for this phase. Site work and utility construction continues on the Bus Transit Center with an anticipated construction end date of February 28, 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% Draft Facilities Lease Agreement by the end of March. The design consultants have started work on the BCDC permit for Phase 2 and expect to finish 50% plans and specifications for the fueling facility and waterfront infrastructure by June.

In order to allocate one of the project's grants by June 2010, the City recently met with the grant administrator to discuss the feasibility of conducting advance construction activities, which could include fabrication of the fuel storage tanks and other major items. Phase 1 and 2 are fully funded, however, funding for Phase 3 is complicated by the restriction against using federal funds for lead dust abatement activities. The city and Lennar are currently in discussions regarding the most efficient arrangement for completing the lead dust abatement in Building 165.

### **OUTREACH, PUBLIC INFORMATION, AND MARKETING EFFORTS**

On March 11, Keith Stahnke attended the MTC Trans Response Plan Steering Committee meeting.

On March 15, Leamon Abrams participated in the Bay Area Council's Transportation Committee meeting.

On March 17, WETA staff met with staff from Redwood City and the Port of Redwood City to discuss options for re-starting the Redwood City environmental analysis.

On March 22, Nina Rannells participated in the Bay Area Council's joint Transportation and Land Use Committee meeting.

On March 24, Nina Rannells and Vice Chair Intintoli met with Senator DeSaulnier in Sacramento to discuss the impact of the Proposition 1B funding issues on WETA's program.

On March 25, Nina Rannells, Keith Stahnke and Lynne Yu met with MTC staff to discuss service transition work and funding for next year.

March 31, WETA held a Community Advisory Committee Meeting to update members on agency activities.

### **OTHER ACTIVITIES / ITEMS**

**WETA Reserves/Regional Measure 2 Funds** – Staff continued discussions with MTC regarding options for addressing WETA cash flow needs associated with implementing our operating and capital programs. This issue relates to the need to have access to cash reserves to support ongoing operations and emergency response capabilities and to make up-front payment of capital project invoices prior to receiving grant reimbursements. Creating a cash reserve is an important operating requirement for WETA as it moves forward to take on system operations and will be equally as important as WETA moves forward with large construction projects, such as South San Francisco terminal construction, which requires WETA to make up-front payments for work activities.

**Proposition 1B Funds** – Staff has been in regular contact with CalEMA over the past year working to sort through the status of FY 2007/08 and FY 2008/09 Proposition 1B grant awards and to receive payment of funds owed. With the enactment of AB 1203 on January 1, 2010, WETA is due to receive up-front payment of all awarded Proposition 1B funds not previously invoiced/paid. According to CalEMA, this amounts to approximately \$31 million FY 2007/08 and FY 2008/09 program funds, which were funded with April 2009 bond proceeds, and \$13.7 million FY 2008/09 program funds (pending), which were funded with October/November 2009 bond proceeds. Staff continues to work with CalEMA to secure payment of these grants as soon as possible. Receipt of these funds will allow WETA to move forward with several capital and planning projects that have been slowed or stalled due to the lack of state funds

**Prevailing Wage** – On July 1, 2009 staff sent a letter to the Department of Industrial Relations (DIR) asking whether or not prevailing wage laws apply to passenger ferry operations on the San Francisco Bay and if DIR can conduct a special determination even if prevailing wage laws do not apply. On July 14 WETA received a letter from DIR stating that WETA is not required by state law to pay prevailing wage for ferry operations work. DIR issued a draft special determination for prevailing wages for regular ferry operations on the San Francisco Bay on October 7, 2009, and a clarifying letter on February 17, 2010, related to health and welfare rates for deckhands. Staff is reviewing the information in these letters and will bring forward a discussion on this subject at a future meeting.

#### **ADMINISTRATION**

**February Financial Statements** - Attached are the monthly financial statements for February 2010, including the Statement of Revenues and Expenses and the Capital Budget vs. Expenditures reports.



**Water Emergency Transportation Authority  
FY2009/10 Statement of Revenues and Expenses  
February 2010**

% of Year  
Elapsed  
67%

	Current Month	Prior Year Actual	FY 2009/10 Budget	FY 2009/10 Actual	% of Budget
<b>Operating Revenues</b>					
<b>Operating Assistance</b>					
RM 2 Planning	442,154	3,656,290	4,500,000	2,273,699	50.5%
SUASI	-	173,802	-	26,198	0.0%
<b>Total Operating Assistance</b>	442,154	3,830,092	4,500,000	2,299,896	51.1%
<b>Other Revenues</b>					
Interest Income	770	34,643	30,000	8,887	29.6%
Other	-	51,500	-	1,000	0.0%
<b>Total Other Revenues</b>	770	86,143	30,000	9,887	33.0%
<b>Total Operating Revenues</b>	442,924	3,916,235	4,530,000	2,309,783	51.0%
<b>Total Capital Revenues</b>	146,695	17,675,940	35,816,070	5,406,985	15.1%
<b>Total Revenues</b>	589,619	21,592,175	40,346,070	7,716,768	19.1%
<b>Operating Expenses</b>					
<b>Operations</b>					
Wages and Fringe Benefits	114,845	1,294,230	1,590,000	964,914	60.7%
Services	297,899	2,164,056	2,370,000	1,082,560	45.7%
Materials and Supplies	635	29,045	92,500	5,729	6.2%
Utilities	1,224	12,847	17,000	6,513	38.3%
Insurance	-	30,352	35,000	28,216	80.6%
Miscellaneous	4,025	41,170	95,500	26,545	27.8%
Leases and Rentals	23,527	295,942	300,000	185,420	61.8%
<b>Total Operations</b>	442,154	3,867,643	4,500,000	2,299,896	51.1%
<b>Total Operating Expenses</b>	442,154	3,867,643	4,500,000	2,299,896	51.1%
<b>Total Capital Expenses</b>	146,695	17,675,940	35,816,070	5,406,985	15.1%
<b>Total Expenses</b>	588,849	21,543,583	40,316,070	7,706,881	19.1%
<b>Excess Revenues (Loss)</b>	770	48,592	30,000	9,887	

**Water Emergency Transportation Authority  
FY 2009/10 Capital Budget vs Expenditures  
February 2010**

Project Description	Current Month	Project Budget	Prior Year Actual	2009/10 Budget*	2009/10 Actual	Future Year	% of Project
<b>Expenses</b>							
2 Spare Vessels	-	17,000,000	16,758,493	241,507	7,677	-	99%
SSF Vessels	14,072	20,500,000	11,441,898	7,000,000	3,699,209	2,058,102	74%
SSF Terminal Design	6,480	3,000,000	2,794,926	205,074	90,163	-	96%
SSF Mitigation Study	1,467	275,000	35,581	100,000	5,721	139,419	15%
SSF Terminal Construction	16,023	26,000,000	-	15,000,000	1,281,422	11,000,000	5%
Berkeley Environ/Conceptual Design	30,063	1,782,700	1,490,239	292,461	114,011	-	90%
Berkeley Terminal Design	-	3,200,000	-	1,500,000	-	1,700,000	0%
Hercules Environ/Conceptual Design	16,430	1,080,000	908,016	171,984	47,777	-	88%
Pier 9 Mooring/Floats	5,750	2,750,000	237,562	2,512,438	88,875	-	12%
Environmental Studies/Conceptual Design	-	3,000,000	56,000	1,500,000	-	1,444,000	2%
Central Bay Ops/Maintenance Facility	56,410	2,600,000	7,394	2,592,606	72,129	-	3%
Maintenance Barge, Floats & Ramps	-	5,000,000	-	3,500,000	-	1,500,000	0%
S.F. Berthing - Environ/Conceptual Design	-	2,500,000	-	1,200,000	-	1,300,000	0%
<b>Total Capital Expenses</b>	<b>146,695</b>	<b>88,687,700</b>	<b>33,730,110</b>	<b>35,816,070</b>	<b>5,406,985</b>	<b>19,141,520</b>	
<b>Revenues</b>							
RM 2	67,226	37,887,699	30,960,852	5,996,429	2,479,947	930,418	88%
San Mateo County Sales Tax	8,012	15,000,000	-	8,653,950	323,601	6,346,050	2%
Federal	0	9,480,002	2,705,864	4,174,100	1,275,011	2,600,038	42%
Proposition 1B	71,457	26,319,999	63,395	16,991,590	1,328,425	9,265,014	5%
<b>Total Capital Revenues</b>	<b>146,695</b>	<b>88,687,700</b>	<b>33,730,110</b>	<b>35,816,070</b>	<b>5,406,985</b>	<b>19,141,520</b>	

*\*Actual FY2008/09 expenditures were greater than the estimate; therefore, FY2009/10 Budget is \$51,070 less than the Adopted Budget.*

**SAN FRANCISCO BAY AREA WATER EMERGENCY TRANSPORTATION AUTHORITY**

**MINUTES OF THE BOARD OF DIRECTORS MEETING**

*(March 4, 2010)*

The Board of Directors of the San Francisco Bay Area Water Emergency Transportation Authority met in regular session at Vallejo City Hall Council Chambers, 555 Santa Clara St, Vallejo CA.

**1. ROLL CALL AND CALL TO ORDER**

Chair Charlene Haught Johnson called the meeting to order at 1:30 p.m. Directors present were Vice Chair Anthony Intintoli, Director Gerald Bellows, and Director John O'Rourke. Director O'Rourke led the Pledge of Allegiance.

**2. REPORT OF BOARD CHAIR**

Chair Johnson thanked the City of Vallejo for hosting the meeting and introduced Vallejo City Manager Bob Adams.

Public Comment

Mr. Adams welcomed Board and Staff to Vallejo on behalf of the Mayor and City Council and said that the city looked forward to a mutually beneficial partnership with WETA and the continuation of a first class ferry service for the people of Vallejo.

**3. REPORT OF DIRECTORS**

Vice Chair Intintoli thanked the Board for traveling to Vallejo for the meeting and for touring the Vallejo ferry properties including the terminal and Mare Island maintenance facilities.

He also reported on his trip to Washington with colleagues from the Solano County Transportation Authority to promote transportation projects which the Solano County mayors had agreed upon as priorities for the county. He noted that many of these projects could have direct or indirect impact on ferry service, adding that 40% of Vallejo Baylink ferry riders reside in Vallejo, another 20% come from the rest of Solano County and the remaining 40% from adjoining counties. He noted the importance of Solano and adjoining counties as sources for potential ferry passengers and the need to continue to build relationships and work together with other North Bay communities.

**4. REPORTS OF STAFF**

Executive Director Nina Rannells referred the Board to the Executive Director Report included in the board packet and offered to address any questions.

Director O'Rourke noted the item on prevailing wage and asked if staff could arrange a workshop or informational presentation on the issue for the next meeting. Ms. Rannells noted the most recent letter from the Department of Industrial Relations which was currently under staff review. Chair Johnson agreed that she would like a presentation at a future meeting and Director O'Rourke reiterated that he felt it was important the Board be informed about this issue.

**5. CONSENT CALENDAR**

Director Bellows made a motion to approve the minutes from the February 4, 2010 Board of Directors meeting. Director O'Rourke seconded the motion and the item carried unanimously.

---

**6. APPROVE A FY 2009/10 OPERATING BUDGET INCREASE AND AUTHORIZE FILING AN APPLICATION WITH THE METROPOLITAN TRANSPORTATION COMMISSION FOR REGIONAL MEASURE 2 FUNDS TO SUPPORT THIS INCREASE**

Ms. Rannells presented this item requesting approval of a FY 2009/10 operating budget increase in the amount of \$300,000 and to authorize filing an application with the Metropolitan Transportation Commission (MTC) for Regional Measure 2 operating funds to support this increase. She noted that the increase would be needed primarily to support activities related to the Service Transition Spare Vessels, primarily for the dredging work required for service to Harbor Bay.

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

**7. AUTHORIZE RELEASE OF A REQUEST FOR QUALIFICATIONS (RFQ) FOR STATE LEGISLATIVE REPRESENTATION SERVICES**

Public Affairs Manager, Leamon Abrams, presented this item requesting authorization for staff to issue a Request for Qualifications for professional services to represent and support WETA on state legislative matters. He noted that the current agreement with Broad & Gusman, LLP expires on June 30, and that the Board can either authorize staff to issue an RFQ for services or direct staff to renew the current contract with Broad & Gusman, LLP. Ms. Rannells clarified that it was staff's recommendation that the agency issue an RFQ as a means to identify and evaluate the pool of qualified and interested firms that might provide these services to WETA..

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

**8. INFORMATIONAL PRESENTATIONS & FACILITY TOUR**

Vallejo Public Works Director Gary Leach presented an overview of the history and current status of the Baylink Ferry service, including the terminal facilities and the Mare Island maintenance facilities. He also reviewed the status of the Vallejo Station parking garage and transit terminal projects and related funding issues.

Ms. Rannells noted that WETA has supported the City of Vallejo efforts to secure funds for the Vallejo Station project and that WETA had included the Vallejo Maintenance Facility as one of its proposed projects for FY 2010/11 Ferryboat Discretionary Fund and federal transportation reauthorization funds. She also noted that WETA included some funds for the maintenance facility in its application to CalEMA for FY 2009/10 Proposition 1B funds.

Mr. Leach concluded noting that Vallejo was working toward consolidating the Vallejo and Benicia bus systems under a Joint Powers Authority which would mean the City of Vallejo would soon be out of the transportation business and that once issues regarding the Mare Island facility were resolved that Vallejo looked forward to turning over the keys to WETA.

Vice Chair Intintoli asked what the status was of the operations contract with Blue & Gold Fleet. Mr. Leach replied that the city was working on a contract extension and jointly seeking FTA approval to continue this contract for up to an additional two years through a joint letter from the city and WETA. Ms Rannells clarified that FTA would not normally approve the operating contract, but that Vallejo had received authority from FTA to extend the current contract with Blue and Gold beyond five years (FTA's standard), so FTA approval for an additional extension was warranted. Chair Johnson asked why two years would be requested. Ms. Rannells noted that while the transition should take place within the year, WETA will need some additional time to issue an RFP and award a new service contract for its regional system. Mr. Leach added that transferring operations to another contractor would take time as well.

Vice Chair Intintoli noted a practical issue regarding the maintenance of restrooms at the Vallejo Ferry Terminal and suggested that attendants may be required in order to keep them clean and in good working order. Mr. Leach said he would look into the matter.

At this time Chair Johnson cancelled the closed session noted on the agenda as Item 10. She invited members of the public to join the Board and Staff on a tour of the Vallejo facilities as the meeting remained in session.

The tour began at 2:20 p.m. and included the site of the future Vallejo Station, the new parking garage, the Vallejo ferry terminal facilities, and the Mare Island maintenance facilities.

**9. ADJOURNMENT**

All business having concluded, the meeting was adjourned at 3:30 p.m.

Respectfully Submitted,

Board Secretary

---

MEMORANDUM

---

**TO:** Board Members

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

**SUBJECT:** Approve Contract Award for Construction Management Services for Pier 9 Berthing Facility Project to C2PM Program & Construction Managers

**Recommendation**

Approve contract award for construction management services for the Pier 9 Berthing Facility Project to C2PM Program & Construction Managers and authorize the Executive Director to negotiate and execute a contract for services in an amount not to exceed \$175,000.

**Background**

The Pier 9 Berthing Facility will consist of two layover berths along the north side of Pier 9, adjacent to the WETA administrative offices. The facility will include two side-tie berths that utilize floats and access ramps to moor up to two out-of-service WETA 118' catamaran vessels. The layover berths are not intended for passenger service or as a base for staging daily operations. These facilities would initially be used at Pier 9 but could be relocated for use in emergency response situations or as the agency evolves and other operating facilities are built.

In June 2008, the Board adopted a Final Mitigated Negative Declaration for the Pier 9 Berthing Facility and filed a Notice of Determination to meet CEQA requirements. Staff has since worked to secure project permits, finalize initial project design, and secure funding commitments.

On February 4, 2010, the Board authorized staff to issue a Request for Qualifications (RFQ) for construction management services for the Pier 9 Berthing Facility Project and also authorized issuing an RFP for projected construction. Once a construction management firm is hired, staff will proceed to issue the RFP for the construction contract.

**Discussion**

On February 10, 2010, staff issued an RFQ for construction management services for the Pier 9 Berthing Facility Project to over 410 firms on the WETA's technical consultant list through email and further solicited interest through notices on the website consistent with WETA's Administrative Code. A total of four Statement of Qualifications (SOQ) were received in response to the RFQ. The SOQs were reviewed by an evaluation panel that included WETA staff, as well as the Project Principal from Moffatt & Nichol, the design consultants for this project. The review panel requested that two of the proposing firms, Ghirardelli Associates and C2PM Program & Construction Managers, each provide additional information regarding their qualifications and proposals through oral interviews. These interviews were conducted on March 25, 2010.

Selection criteria for the contract award, as established within the RFQ, included the following:

- **Project Understanding** – Demonstration of a clear understanding of the project and ability to work collaboratively with other consultants, agencies, etc.;
- **Previous Experience** – Relevant experience and past success managing all processes, procedures, and paperwork for similar projects;
- **Team Qualifications** – Team experience working with a multi-disciplinary team of firms engaged with public sector marine projects; and
- **References** – Satisfaction of previous clients with regard to project delivery, timeliness and budgets.

Based upon the information submitted and supplemental interviews, the review panel recommends awarding a contract to C2PM Program & Construction Managers for this work. The selection panel gave C2PM Program & Construction Managers the highest rating based on their ability to comprehensively address all of the major project issues, their proposed technical approach and input from references. C2PM has successfully worked on similar projects in the past and has proposed a strong staffing plan for the project.

The work scope for the proposed contract includes assisting with the procurement of the construction contractor and serving as the “owner’s representative” during project construction which will include such work tasks as securing all requisite documentation from the chosen contractor, monitoring the contractor’s performance against the plans and specifications set forth in the construction RFP, assuring that the contractor’s monthly invoices are accurate and fairly represent work accomplished, overseeing safety and compliance with environmental safeguards while the construction is underway and completing project closeout activities. The recommended contract award is for an amount not to exceed \$175,000 with work to be managed and completed based upon task orders issued by WETA staff within this overall contract limit.

**Fiscal Impact**

This project is included in the FY 2009/10 Capital Budget and would be funded with Regional Measure 2 funds.

\*\*\*END\*\*\*

MEMORANDUM

---

**TO:** Board Members

**FROM:** Nina Rannells, Executive Director  
Keith Stahnke, Manager, Operations  
Melanie Jann, Manager, Administration & Business Services

**SUBJECT:** Approve Contract Award for Insurance Brokerage and Risk Management Consulting Services to Wells Fargo Insurance Services USA, Inc

**Recommendation**

Approve contract award to Wells Fargo Insurance Services USA, Inc (Wells Fargo) for insurance brokerage and risk management consulting services and authorize the Executive Director to negotiate and execute an agreement in an amount not to exceed \$125,000.

**Background**

In June, 2009, WETA adopted the *Emergency Water Transportation System Management Plan* and *Transition Plan* which outlined WETA's expanded responsibilities for coordinating waterborne emergency response activities, consolidating Alameda-Oakland, Alameda Harbor Bay and Vallejo Baylink ferry services under WETA and planning and implementing new ferry routes. These responsibilities and acquisition of existing contracts and property require WETA to assess its risk exposure in assuming existing services and implementing new routes.

WETA currently holds office policies for liability which includes personal injury, non-owned and hired automobile liability, public official's errors and omissions, and employment practices liability as well as property and worker's compensation.

**Discussion**

On February 4, 2010, the Board authorized staff to issue a Request for Qualifications (RFQ) for insurance brokerage and risk management consulting services. The scope of services identified in the RFQ included:

- Recommending best practices approach for insurance requirements as WETA moves from a planning agency to an operating agency;
- Preparing insurance manual;
- Assess risks;
- Identify insurance requirements and appropriate levels of coverage;
- Prepare insurance specifications consistent with exposures to loss presented by the activities contemplated;
- Review agency contracts for adequacy and compliance with requested coverage and provide feedback as needed regarding management of risks;
- Monitor insurance documents from contractors; and
- Provide general risk management advice.

In March, 2010, staff issued an RFQ for this work to over 125 firms on WETA's non-technical professional services consultant list through e-mail. WETA further solicited interest through notices on WETA's website consistent with the Authority's Administrative Code.



WETA received six Statement of Qualifications (SOQs) in response to the RFQ. The SOQs were reviewed by an evaluation panel that included WETA staff and the Director of Risk Management/Safety from the Golden Gate Bridge, Highway and Transportation District. The review panel invited four of the proposing firms to provide additional information regarding their qualifications through oral interviews. These firms included Alliant, Marsh, Wells Fargo, and Willis Insurance Services. Interviews were held on March 23, 2010.

Selection criteria for award as established within the RFQ included the following:

- ❖ **Team Qualifications & Experience** –Team leader and team experience on relevant public sector projects;
- ❖ **Project Understanding & Proposed Approach** - Demonstration of a clear understanding of the project scope as expressed in the written proposals and oral interviews and the firm's proposed partnership approach for managing project tasks;
- ❖ **References** - Satisfaction of current clients with regard to customer service and support, responsiveness, and fees;
- ❖ **Access to Resources** – Access to multiple sources and markets in a manner that benefits clients and suits client's needs; and
- ❖ **Problem Solving** – Ability to handle issues, challenges, and conflicts that may arise in a constructive manner.

Based upon the information submitted, supplemental interviews, and satisfactory references, the review panel recommends selecting Wells Fargo to serve as WETA's insurance broker and to provide various risk management consulting services as needed under an initial three year contract with an option to renew annually thereafter and a not-to-exceed contract amount of \$125,000. Wells Fargo provides insurance brokerage and risk management consulting services for numerous public sector clients in the industry, including a number of familiar organizations requiring similar policies and services as WETA, including the Golden Gate Bridge, Highway and Transportation District, Washington State Ferries, San Mateo County Transit District and Metropolitan Transportation Commission..

Staff anticipates that insurance brokerage and related advisory services will vary year-to-year depending upon the number and types of facilities owned or leased, the structure of services provided by WETA and the Authority's construction program. Staff anticipates requiring risk management consulting services in the near term in order to help determine appropriate insurance policies and coverage levels associated with the Alameda and Vallejo services and to establish standards for terminal and facility construction contracts. These services would be provided as needed and actual expenditures would be authorized on a task order basis within established annual budget limits. Actual insurance policies secured through Wells Fargo's brokerage services would be brought forward to the Board for separate approval.

#### **Fiscal Impact**

Funding for insurance brokerage and risk management consulting services is included in the approved FY 2009/2010 operating budget and will be included in future year budgets to support this contract award.

\*\*\*END\*\*\*

**MEMORANDUM**

---

**TO: Board Members**

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

**SUBJECT: Authorize Release of a Request for Qualifications (RFQ) for On-Call Marine Engineering Services**

**Recommendation**

Authorize by motion release of a RFQ for On-Call Marine Engineering Consulting Services to support WETA vessels and marine facilities.

**Background/Discussion**

With the retirement of WETA's previous Marine Engineer in January 2009, the agency shifted from having a full time engineer on staff to contracting for marine engineering services as needed. To date, in FY 2009/10, the agency demand for marine engineering services has been limited and work needs have been met with existing staff and consultant contracts.

As WETA takes on additional ownership and operations responsibilities in the coming months, the Authority work program will increase to include management and oversight of maintenance and repair activities for several new facilities, vessels and waterside assets, requiring increased marine engineering expertise and resources. With the arrival of *Taurus* scheduled for mid-April, WETA will have four boats in its fleet. Construction of new berthing and terminal facilities will also begin this year. Additionally, as the transition of City of Alameda and Vallejo ferry services moves forward in FY 2010/11, WETA will have increased direct or indirect management responsibilities for those fleets and fixed facilities.

Due to the increased need for marine engineering services and expertise, the wide range of services required to support WETA's changing work program and the anticipated intermittent need for such services, staff believes that the most cost effective and efficient way to cover all potential engineering needs is to establish a list of qualified "on call" consultants who specialize in a variety of marine engineering services. These consultants would be secured up front through a Request for Qualifications procurement process and would be used on a controlled task order basis to perform work as needed. By beginning the RFQ process now, WETA can have contacts in place to support increased activities anticipated in the coming months and new fiscal year.

Staff anticipates that the selected consultant(s) would provide specialized technical support to WETA in such areas as:

- Vessel and facility configurations
- Vessel and facility inspection services
- Related systems and equipment
- Preventative maintenance and repairs
- Vendor maintenance and repair oversight

- Warranty claims
- Environmental and regulatory compliance
- Life-cycle costing and value engineering
- Facility maintenance and repair protocols and procedures
- Other items as directed by WETA staff

Potential consultants will need to possess a thorough knowledge of marine engineering as it applies to the design, maintenance and repair of ferry vessels and facilities.

Consultant proposals will be reviewed by an evaluation committee and a recommendation for contract award(s) will be developed based upon the following selection criteria:

- Experience with similar projects
- References
- Qualifications

Staff anticipates returning to the Board with a recommendation for contract award(s) in May 2010.

**Fiscal Impact**

There is no fiscal impact associated with this item.

MEMORANDUM

---

**TO:** Board Members

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

**SUBJECT:** Oakland Waterfront-Uptown Shuttle Bus Project Update

**Recommendation**

There is no recommendation associated with this informational item.

**Background**

On February 4, 2010, staff from the City of Oakland made a presentation to the Board on behalf of Councilmember Rebecca Kaplan regarding a new free Oakland Waterfront-Uptown shuttle that is scheduled begin service in June 2010 along the Broadway corridor between the Uptown District and Jack London Square. Councilmember Kaplan has requested that WETA make a \$300,000 annual funding commitment to the project, based on the assumption that the shuttle bus would improve customer access to the Oakland ferry terminal and provide new marketing opportunities for WETA. The Board directed staff to meet with representatives from Councilmember Kaplan's office and bring a recommendation concerning the City's request to the Board in April.

**Discussion**

After meeting with Councilmember Kaplan and city staff and considering the project proposal in the context of current operating conditions, staff has determined that the proposed project will provide limited benefits to riders accessing the Oakland ferry terminal. Staff's analysis of the route configuration and operating hours for the shuttle bus service indicate that the project does not independently justify a funding contribution from WETA at this time. Financial support for the project on the basis of improving customer access may be justified in the future once ferry service from Oakland to South San Francisco is implemented or it is demonstrated that the shuttle bus significantly improves access to the Oakland terminal for a substantial number of riders.

While the projected benefits of the shuttle service to ferry riders do not currently justify a subsidy, the project offers a viable marketing opportunity that could warrant a funding contribution from WETA. On March 11, 2010, staff met with Zach Seal from the City of Oakland to discuss the possibility of making a funding contribution to the project based on its potential to raise public awareness of ferry service from Oakland and WETA in general. Mr. Seal indicated that the City would be interested in such a partnership and has identified a number of marketing opportunities that the City will be offering partners for various levels of financial support.

Should WETA decide to financially contribute to the shuttle bus project as part of its strategic marketing plan, staff recommends a funding commitment limited to \$10,000 based on the value of marketing options offered by the City of Oakland. In exchange for this level of funding commitment, the City would likely agree to include the WETA logo on brochures, maps, the shuttle website, and collateral materials associated with the project (for example, the kiosk sign at Jack London Square).

**Fiscal Impact**

There is no fiscal impact associated with this informational item.

\*\*\*End\*\*\*

MEMORANDUM

**TO: Board of Directors**

**FROM: Nina Rannells, Executive Director  
Melanie Jann, Manager, Administration & Business Services**

**SUBJECT: Overview of WETA Employee Benefits**

**Recommendation**

There is no recommendation associated with this informational item.

**Background**

At the January 7, 2010 meeting, the Board of Directors requested that staff provide a summary of WETA employee benefits at a future meeting. This report provides information in response to this request.

**Discussion**

The current program of benefits offered to WETA employees was initially established for employees under the Water Transit Authority (first through contract with Local Government Services, the initial contract provider of WTA employees, and, later, through direct agreement with WTA employees) and was carried over to WETA employees as a part of the agency transition. A brief description of each benefit is provided below, followed by a Benefit Coverage Summary provided as **Attachment 1** to this report.

**Benefit Summary**

<b>Benefit Provider</b>	<b>Description</b>
<b>Medical</b> CalPERS Health Plan	Provides medical coverage for employees and their dependents through access to 3 HMO and 3 PPO plan choices in 2010. The employer pays single, couple or family coverage up to a maximum amount (based upon the PERSCare rate for an individual or PERS Choice rate for an individual with family members) through a cafeteria plan or allows employee to cash out at the PERSCare single rate with proof of alternative coverage.
<b>Dental</b> Delta Dental	Provides preventive and procedural dental coverage for employees and their dependents. Employer pays premium.
<b>Vision</b> Vision Service Plan	Provides coverage for eye examinations and vision correction (glasses and/or contacts) for employees and their dependents. Employer pays premium.
<b>Life</b> Principal Insurance	Provides basic term life insurance coverage for employees through employer paid premium.
<b>Disability</b> Principal Insurance	Provides short and long term disabilities coverage for employees unable to work due to a qualifying disability. Employer pays premium.

**Benefit Summary (Continued)**

<b>Benefit Provider</b>	<b>Description</b>
<b>Employee Assistance</b> Claremont EAP	Provides health and welfare services for WETA as an employer and directly for employees and their family members such as access to counselors to assist with health, legal and financial issues. Employer pays premium.
<b>Deferred Compensation</b> CalPERS 457 Program	Allows employees to contribute a portion of their pay into a 457 Deferred Compensation savings program. Payments are made into the program through a pre-tax payroll deduction.
<b>Retirement Pension</b> CalPERS Retirement	Provides employee retirement pension through employer funded participation in the California PERS pooled program for employers with <100 employees. Includes 2.5% at 55 Formula, One-Year Final Compensation and 4th Level 1959 Benefits options.
<b>Retirement Medical</b> CalPERS Health Plan	Provides a mechanism for employee and qualifying family members to participate in CalPERS Health plan upon retirement from WETA/PERS and receive employer financial participation as follows: <u>Up to 10 Years of WTA/WETA Service</u> - Employer provides minimum PERS/State-required contribution (\$105 monthly in 2010) towards CalPERS Health Plan premium. <u>10 or More Years of WTA/WETA Service</u> - Increased employer subsidy towards medical costs, set at monthly PERSCare single premium rate (\$868 monthly in 2010).
<b>Retirement Dental/Vision</b>	Allows employees to continue employee-only coverage in Dental and Vision plans upon retirement, at their own expense.

The cost of these benefits in FY 2009/10 is anticipated to be \$359,000, or 24% of employee salaries and benefits.

**Fiscal Impact**

There is no fiscal impact associated with this informational item.

\*\*\*END\*\*\*