



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, September 3, 2009 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.

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 COMMENT The Water Emergency Transportation Authority welcomes comments from the public. Speakers' cards and a sign-up sheet are available. Please forward completed speaker cards 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
September 3, 2009 Meeting of the Board of Directors

6. CONSENT CALENDAR **Action**
 - a. Minutes of August 6, 2009

7. AWARD OF DEMOLITION AND DREDGING CONTRACT FOR THE SOUTH SAN FRANCISCO FERRY TERMINAL CONSTRUCTION PROJECT **Resolution**

8. PRESENTATION OF SIX MONTH EMISSIONS TESTING RESULTS FOR THE VESSEL GEMINI **Information**

9. INFORMATIONAL PRESENTATION BY ADVENTURE CAT SAILING CHARTERS & APPROVE LETTER OF INTEREST FOR ADVENTURE CAT SAILING CHARTERS **Information/Action**

10. RECESS INTO CLOSED SESSION
 - a. CONFERENCE WITH REAL PROPERTY NEGOTIATORS **Action**

Property: San Mateo County Harbor District, South San Francisco Small Boat Harbor
Agency Negotiators: Nina Rannells and John Sindzinski, San Francisco Bay Area Water Emergency Transportation Authority
Negotiating Parties: San Mateo County Harbor District, City of South San Francisco and State Department of Boating and Waterways
Under Negotiation: Terms and conditions to the cooperative agreement/lease with the San Mateo County Harbor District for the South San Francisco service

To Be Determined

 - b. 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

 - c. 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

 - d. 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

Water Emergency Transportation Authority
September 3, 2009 Meeting of the Board of Directors

11. 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***

12. OPEN TIME FOR PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA

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.

M E M O R A N D U M

TO: WETA Board Members
FROM: Nina Rannells, Executive Director
DATE: September 3, 2009
RE: Executive Director's Report

PROJECT UPDATES

Service Transition Implementation – This plan will guide 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 the requirements of Senate Bills 976 and 1093.

As planned, the Alameda-Oakland and Harbor Bay Ferry Services will transition to WETA on January 1, 2010, while Vallejo service will transfer on July 1, 2010. WETA staff continues to meet with staff from the City of Alameda and the Port of Oakland to discuss transition details and secure relevant contracts and documents required for the transition. Staff is working to develop a schedule of actions required by each party to support transition on January 1, 2010, and is working with the attorney to identify and develop appropriate transition documents.

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.

URS just completed the final version of a companion document to the EWTSMMP, the Emergency Operations Plan, which will guide the activation of the Emergency Operations Center if required. WETA is now gearing up to train staff in activating the EOC and preparing to participate in a regional transportation table top exercise on October 13 which will simulate a major disaster requiring regional response. Staff met with Vicky Hennessy and Rob Dudgeon of the S.F. Department of Emergency Management, reviewing the EWTSMMP, communications and exercise participation.

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.

On August 11, Keith Stahnke attended the Selective Catalytic Reduction (SCR) emissions testing on the Gemini, the results of which were very positive. Keith will be giving a brief presentation at today's meeting providing an overview test results.

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 is currently underway by Kvichak Marine Industries and Nichols Brothers Boat Builders, Ice Floe DBA. Vessels are expected for delivery in late 2009 and early 2010. On the terminal side, the demolition and dredging invitations for bids were released on June 22, 2009 and 3 bids were received on Wednesday July 22, 2009. Staff will be presenting an item to award the dredging contract during a different item on today's agenda. The lease agreement for use of the terminal site has been signed by all parties however WETA cannot enter the premises to start construction work until an initial payment has been made by CalEMA. Staff is still working with CalEMA to secure this project payment so that the first construction phase of the SSF project (demolition and dredging) can move forward in September. We hope to have an update on the status of this payment at the meeting.

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

WETA completed a draft Environmental Impact Report/Statement (EIR/EIS), which evaluated the impacts of a proposed Berkeley Ferry Terminal at four potential sites. WETA received approximately 60 public comments on the Draft EIR. At the April 2, 2009 WETA Board of Directors meeting, the Board selected the "Berkeley Fishing Pier" as the locally preferred site for Berkeley-to-San Francisco service. URS is currently working on the Final EIR/EIS which is expected to be released for public comment in September 2009. Staff continues to work with the City of Berkeley, with members of the Berkeley City Council and the concerned public about the potential impact of the terminal site on windsurfers and other recreational users of the marina in the area to better understand and address their specific concerns, as possible.

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.

The City of San Francisco is currently conducting the environmental assessment of the TI development and related new ferry services. A draft document is expected late this year. WETA is the lead agency for the design work of the ferry terminal and awarded a contract to Skidmore Owens & Merrill, LLP in January 2009. Consultants are currently finishing up the conceptual design, which should be complete in September 2009.

Downtown San Francisco Ferry Berthing Expansion - This project will expand ferry berthing capacity at the SF Ferry Terminal in order to accommodate expanded regular and emergency response ferry services.

WETA and staff from the Port of San Francisco are developing a cooperative MOU to define the scope and shared responsibilities related to the development of this project.

This agreement will need to be developed prior to establishing a project scope for the environmental review component of the project.

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 has since worked to secure required permits and finalize project design.

At the August Board Meeting, the Board of Directors approved the license to use property agreement which detailed the WETA's requirements regarding the purchase and installation of public access improvements, which will be completed in conjunction with this project. Staff will release an RFP for this project shortly, per the Board's authorization in November 2008.

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.

Pursuant to direction given at last month's Board meeting, staff is initiating the environmental review and selection of a design firm for this project. An action item on the selection of a design firm will be brought to the Board later this year.

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.

Impact Sciences has completed the Administrative draft environmental assessment. FTA is now requiring the document be a complete EIS and that will add significant time to complete, including the federally mandated review processes for this level of an environmental document. Therefore the analysis will not be complete until 2010.

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 secure payment for prior work completed before the December 2008 funding freeze, and to discuss options for ensuring that once work is resumed, expense reimbursements will flow within a reasonable timeframe. Once funding cashflow issues are resolved with the State and consultants are staffed to resume work, each assessment should take approximately 18 months to complete. WETA will need to hire design firms for each project to support the EIRs.

OUTREACH, PUBLIC INFORMATION, AND MARKETING EFFORTS

On August 13, Keith Stahnke participated in the MTC Transportation Response Plan (TRP) Steering Committee meeting.

On August 19, the Women's Transportation Seminar (WTS) held their August program onboard the Gemini. The ferry tour featured a presentation by Nina Rannells on WETA's plans and priorities.

On August 26, Keith Stahnke participated in the S.F. Vessel Mutual Assistance Plan (SF-VMAP) Table Top Exercise. This regional multi-agency exercise simulated a downed airliner in the San Francisco Bay utilizing ferry vessels as response and rescue platforms.

On September 10, WTS will host a reception at the San Francisco Ferry Building in honor of Nina Rannells.

WETA continued meetings with the City of Vallejo regarding Vallejo Baylink Marketing strategies. A Passenger Appreciation Day is scheduled for September 10.

Nina Rannells will provide a presentation on WETA's new environmentally friendly ferries at the annual Fast Ferry Information conference in London on September 23 & 24.

OTHER ACTIVITIES / ITEMS

Proposition 1B Funds – On May 18, 2009, WETA received a letter from California Emergency Management Agency (CalEMA) indicating that our Proposition 1B funds are re-instated as of May 15, 2009. Since then, staff has been in communication with CalEMA regarding funding details specific to WETA projects and needs, including payment terms, timelines and cashflow issues that could arise if Proposition 1B funds are not reimbursed in a reasonable timeframe. Staff continues to work with CalEMA to ensure that funds are available as WETA re-starts projects and begins to incur project expenses.

AB 1203 – This bill would direct the State to provide Proposition 1B waterborne funds to WETA on an up-front, vs. reimbursement, basis similar to the way in which the majority of Proposition 1B safety/security funds are managed to other organizations throughout the state. AB 1203 passed the Assembly Floor on May 28, 2009, passed the Senate on August 24, 2009, and is on its way to the Governor's desk for signature. Staff is in the process of seeking letters of support from a variety of partner agencies for this bill.

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. Regardless, DIR has indicated that they will consider issuing a special prevailing wage rate determination for regular passenger ferry operations workers. WETA has provided DIR with all requested information in order to complete this analysis and will bring this subject back to the Board for discussion once their work is completed.

ADMINISTRATION

Recruitment activities related to filling the Community and Governmental Relations Manager position that will be left vacant with the retirement of Shirley Douglas were conducted during the month of August. Additionally, the effort to fill the new planner position authorized through the FY 2009/10 budget is currently underway.

July Financial Statements - Attached are the monthly financial statements for July 2009, 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
July 2009

% of Year
Elapsed
8%

	Current Month	Prior Year Actual	FY 2009/10 Budget	FY 2009/10 Actual	% of Budget
Operating Revenues					
Operating Assistance					
RM 2 Planning	160,852	3,656,290	4,500,000	160,852	3.6%
SUASI	-	173,802	-	-	0.0%
Total Operating Assistance	160,852	3,830,092	4,500,000	160,852	3.6%
Other Revenues					
Interest Income	-	34,643	30,000	0	0.0%
Other	-	51,500	-	-	0.0%
Total Other Revenues	-	86,143	30,000	0	0.0%
Total Operating Revenues	160,852	3,916,235	4,530,000	160,853	3.6%
Total Capital Revenues	9,886	17,675,940	35,816,070	9,886	0.0%
Total Revenues	170,738	21,592,175	40,346,070	170,739	0.4%
Operating Expenses					
Operations					
Wages and Fringe Benefits	110,826	1,294,230	1,590,000	110,826	7.0%
Services	21,932	2,164,056	2,370,000	21,932	0.9%
Materials and Supplies	104	29,045	92,500	104	0.1%
Utilities	403	12,847	17,000	403	2.4%
Insurance	-	30,352	35,000	-	0.0%
Miscellaneous	5,026	41,170	95,500	5,026	5.3%
Leases and Rentals	22,561	295,942	300,000	22,561	7.5%
Total Operations	160,852	3,867,643	4,500,000	160,852	3.6%
Total Operating Expenses	160,852	3,867,643	4,500,000	160,852	3.6%
Total Capital Expenses	9,886	17,675,940	35,816,070	9,886	0.0%
Total Expenses	170,738	21,543,583	40,316,070	170,738	0.4%
Excess Revenues (Loss)	-	48,592	30,000	0	

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

Project Description	Current Month	Project Budget	Prior Year Actual	2009/10 Budget	2009/10 Actual	Future Year	% of Project
Expenses							
2 Spare Vessels	-	17,000,000	16,758,493	241,507	-	-	99%
SSF Vessels	-	20,500,000	11,441,898	7,000,000	-	2,058,102	56%
SSF Terminal Design	-	3,000,000	2,794,926	205,074	-	-	93%
SSF Mitigation Study	-	275,000	35,581	100,000	-	139,419	13%
SSF Terminal Construction	-	26,000,000		15,000,000	-	11,000,000	0%
Berkeley Environ/Conceptual Design	-	1,782,700	1,490,239	292,461	-	-	84%
Berkeley Terminal Design	-	3,200,000		1,500,000	-	1,700,000	0%
Hercules Environ/Conceptual Design	9,886	1,080,000	908,016	171,984	9,886	-	85%
Pier 9 Mooring/Floats	-	2,750,000	237,562	2,512,438	-	-	9%
Environmental Studies/Conceptual Design	-	3,000,000	56,000	1,500,000	-	1,444,000	2%
Central Bay Ops/Maintenance Facility	-	2,600,000	7,394	2,592,606	-	-	0%
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%
Total Capital Expenses	9,886	88,687,700	33,730,110	35,816,070	9,886	19,141,520	
Revenues							
RM 2	9,886	37,887,699	30,960,852	5,996,429	9,886	930,418	82%
San Mateo Sales Tax	-	15,000,000	-	8,653,950	-	6,346,050	0%
Federal	-	9,480,002	2,705,864	4,174,100	-	2,600,038	29%
Proposition 1B	-	26,319,999	63,395	16,991,590	-	9,265,014	0%
Total Capital Revenues	9,886	88,687,700	33,730,110	35,816,070	9,886	19,141,520	

SAN FRANCISCO BAY AREA WATER EMERGENCY TRANSPORTATION AUTHORITY

MINUTES OF THE BOARD OF DIRECTORS MEETING

(August 6, 2009)

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 1:05 p.m. Directors present were Chair Johnson, Vice Chair Anthony Intintoli and Director Gerald Bellows. Director Beverly Johnson arrived at 1:30 p.m. Director Bellows led the Pledge of Allegiance.

2. REPORT OF BOARD CHAIR

Chair Johnson reported that due to a scheduling concern, Agenda Item 8 would be pulled and likely brought back to the Board at the September 3 meeting.

3. REPORT OF DIRECTORS

None.

4. REPORTS OF STAFF

Executive Director Nina Rannells highlighted several items from the Executive Director's report. Ms. Rannells noted that she would be representing WETA and offering brief comments at a WTS event to be held aboard Gemini on August 19. Chair Johnson asked if this was the same WTS dinner being held to honor Ms. Rannells, and Ms. Rannells replied that that was an unrelated event that would take place on September 10.

Ms. Rannells then reported on the prevailing wage issue. She said that the Department of Industrial Relations (DIR) had responded to an earlier request from WETA that WETA would not be required by state law to pay prevailing wages. She added that the DIR had indicated they would consider issuing a special prevailing wage rate determination and that WETA staff was now working to provide DIR with the information they had requested to assist in this task.

In an administrative update, Ms. Rannells welcomed new WETA staffers Lynne Yu and Lauren Duran to their roles of Finance and Grants Manager and Administrative/Policy Analyst respectively. She also announced the retirement of Community Relations Manager Shirley Douglas effective September 15 and noted that interviews for potential replacements were scheduled over the coming week.

Ms. Rannells also noted the presence of CalEMA staff Robert Nelson and Jason Peery and thanked them for their ongoing assistance to WETA in ensuring that payment for the South San Francisco lease would be secured, allowing the construction phase of the project to move forward.

5. CONSENT CALENDAR

Director Bellows made a motion to approve the minutes from the June 18, 2009 Board of Directors meeting. Vice Chair Intintoli seconded the motion and the item carried unanimously.

6. STATUS REPORT ON SOUTH SAN FRANCISCO TERMINAL CONSTRUCTION PROJECT

Manager of Planning and Development John Sindzinski presented an update regarding the status of the construction of the South San Francisco ferry terminal. He noted that all parties had approved the lease but that no construction work could proceed until funding was in place to make the initial lease payment. Mr. Sindzinski also stated that all regional and federal permits were now in place with the exception of the City Building Permit which the terminal construction contractor would be required to obtain, and that once the lease was funded construction could begin.

Mr. Sindzinski said that the next two contracts to award would be for the terminal itself and for the float and gangway portion of the terminal. Ms. Rannells noted the cash flow issues involved with the project were twofold, one regarding the capitalized lease payments which WETA was currently working on with CalEMA, and another being the issue of the lag time between paying capital invoices and receiving reimbursements. Ms. Rannells continues to explore options for addressing this agency issue through discussions with various agencies including MTC. She indicated that this is a key issue that needs to be resolved in order to move forward with the terminal and float contracts.

Public Comment:

Councilmember Pedro Gonzalez of South San Francisco asked when construction would start and expressed his ongoing interest in seeing the project move ahead.

Ms. Rannells replied that demolition and dredging work could begin as soon as next month if the lease funding issue was resolved. Ms. Douglas added that the groundbreaking event would not be scheduled until such time as a start date for construction was in place.

7. AUTHORIZE PROCEEDING WITH ENVIRONMENTAL ASSESSMENT WORK AND ISSUING A REQUEST FOR QUALIFICATIONS FOR DESIGN SERVICES FOR THE CENTRAL BAY OPERATIONS AND MAINTENANCE FACILITY

Mr. Sindzinski presented this item to authorize proceeding with environmental assessment work and issuing an RFQ for design services for the Central Bay Operations and Maintenance Facility project. He detailed the need for the facility and gave an overview of the sites that had been considered for this purpose. Mr. Sindzinski noted that due the availability, location and viability that the site at Alameda Point had emerged as the most practical site for further consideration. He asked the Board to approve environmental study of the site as well as to issue an RFQ for design services.

Director Bellows asked how much dredging would be required at the site. Mr. Sindzinski replied that he believed substantial dredging would only be required near the shore. Director Bellows said that he thought it would be a great site except for any dredging issues. Director Johnson added that she believed dredging work may have been done recently near the area. Operations Manager Keith Stahnke stated that WETA would be looking closely at the amount of dredging work required and that otherwise he agreed that it was a great location and would be cost effective for supporting Alameda-Oakland ferry service.

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

8. AUTHORIZE RELEASE OF REQUEST FOR QUALIFICATIONS (RFQ) FOR MARKETING SERVICES

Ms. Douglas presented this item requesting authorization to release an RFQ for consultant services to develop a multi-year Marketing Plan to assist WETA in implementing a creative and comprehensive system identity or branding strategy. She noted that as WETA would be absorbing city run services beginning with Alameda/Oakland ferry service in January 2010 and that it would be important for WETA have a marketing strategy in place.

Public Comment:

Veronica Sanchez asked what the budget was for this work.

Ms. Rannells answered that the marketing budget was approximately \$100,000 but that it was not all intended for creation of the Marketing Plan. Ms. Douglas further elaborated that the RFQ was to develop a plan for WETA, not to implement it.

Director Johnson asked if WETA would be implementing TransLink. Ms. Rannells replied that TransLink was currently focusing on larger providers but that WETA would at some point renew engagement with the program and would ultimately implement TransLink on ferries.

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

9. APPROVE PIER 9 MARGINAL WHARF LICENSE TO USE PROPERTY AGREEMENT WITH THE SAN FRANCISCO PORT COMMISSION

Operations Manager Keith Stahnke presented this item requesting approval for a License to Use Property agreement with the San Francisco Port Commission for the Pier 9 Marginal Wharf area and to authorize the Executive Director to execute this agreement. He reviewed the background of the permitting process for the berthing facility at WETA's Pier 9 offices as well as the improvements BCDC would require along the public access areas on the marginal wharf near Pier 9.

Director Johnson congratulated Mr. Stahnke on his navigation of the process. Mr. Stahnke noted the assistance of Mr. Sindzinski throughout. Mr. Stahnke also noted that a construction permit would also be needed but that that process would need to wait until a construction contract had been issued.

Director Johnson made a motion to approve the item. Director Bellows seconded the motion and the item carried unanimously.

10. RECESS INTO CLOSED SESSION AND REPORT ON CLOSED SESSION

Chair Johnson called the meeting into closed session at 1:40 p.m. Upon reopening of the meeting at 2:55 p.m. she reported that no action had been taken.

11. ADJOURNMENT

All business having concluded, the meeting was adjourned at 2:55 p.m.

Respectfully Submitted,

Board Secretary

MEMORANDUM

TO: Board Members

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

SUBJECT: Award of Demolition and Dredging Contract for the South San Francisco Ferry Terminal Construction Project

Recommendation

Approve the award of a contract to complete demolition and dredging work for the South San Francisco ferry terminal to the firm of Salt River Construction in an amount of \$1,197,965 and authorize the Executive Director to negotiate and execute the contract, with contract execution subject to availability of grant funds to support the project.

Background

This is the first of three separate construction projects required to build the South San Francisco Ferry Terminal. This work constitutes the entirety of the site preparation work. Moffat & Nichol, our marine engineer, prepared the plans and specifications for this work which includes the removal of Docks 9 and 10 where the terminal will be constructed, and the shortening of Docks 11, 12 and 13 to make the channel to the terminal wide enough for the ferry vessels. As part of the scope of work, the awarded contractor is responsible for preparing pre-dredge and post-dredge hydrographic surveys (a condition of the United States Army Corps of Engineers permit) and to provide technical support services during the construction. The dredging of the channel and the location for the float can begin once the docks are removed. The dredging involves deepening the entrance channel to minus 8 feet and the area under the float to 10 feet below low tide. Altogether the dredging will remove slightly more than 45,000 cubic yards of Bay fill that will be disposed of at Alcatraz Island.

All regional and federal permits from Bay Conservation & Development Commission (BCDC), the Regional Water Quality Control Board and United States Army Corps of Engineers (USACE) have been received. Additionally, the City of South San Francisco has approved an amendment to its general plan that allows the terminal to be built at the site. The remaining permit, the City Building Permit, applies only to the terminal construction portion of the project and will be the responsibility of the terminal construction contractor to obtain once one has been selected.

A three-party lease was signed by WETA, the Harbor District and the City of South San Francisco in June for the use of the Oyster Point Marina site for the SSF terminal construction. Per the terms of this lease agreement, WETA cannot access the terminal site to commence the work until the lease payment has been made. Staff is currently working with CalEMA to secure the lease payment, funded by Proposition 1B funds, prior to the planned project construction start date in September.

Discussion

Ghirardelli Associates, Inc., our construction manager, worked with Moffat & Nichols and legal counsel to prepare the Invitation for Bids (IFB) package for the demolition and dredging work for the South San Francisco ferry terminal project. Pursuant to WETA Board of Directors action,

the IFB was issued on June 22, 2009 and seeks to select, on the basis of the lowest cost bid that is responsive to WETA's standards, a contractor to perform the above mentioned work at the Oyster Point Marina in South San Francisco. The proposed date of the "Notice to Proceed" with this work is on or about September 8, 2009 and that all work must be completed by November 30, 2009 to comply with the restriction for "in the bay" construction as set forth by regulatory agencies and the permits WETA has secured for this work. The schedule below assumes the lease payment and project cash flow needs have been met.

Demolition and Dredging Schedule:

Release IFB	June 22, 2009
Contract Award	September 3, 2009
Notice to Proceed	On or about September 8, 2009
Work completed	On or about November 15, 2009, but no later than November 30, 2009

WETA staff conducted a prebid meeting at the Oyster Point Marina Yacht Club on July 1, 2009 which was attended by five contractors with strong indications that most, but not all, would bid on the project. Following the pre-bid conference, two addenda to the original IFB were posted on the website and sent to attendees, clarifying the specifications set forth in the IFB and containing the engineer's estimate and responses to questions asked at the pre-bid conference.

The bid opening was held at 2:00PM on Wednesday July 22, 2009, in accordance with the schedule set forth in the IFB. The Manager of Planning & Development and the DBE Program Administrator opened and publicly read the following three bids:

<u>Company</u>	<u>Bid Price</u>
Salt River Construction, Tiburon, CA:	\$1,197,965
Dutra Construction Inc., San Rafael, CA:	\$1,351,285
AIS Construction Co., Carpinteria, CA:	\$2,298,920

The bid from Salt River Construction of Tiburon, CA was judged to be the lowest responsive submittal. The amount of this contractor's bid is \$1,197,965 which is approximately \$600,000 less than the engineer's estimate, based upon costs from past projects of similar size and nature, professional judgment, and experience, and includes approximately \$12,000 in work using DBE firms. The IFB did not specify contract specific goals for DBE participation, as WETA's DBE program is race neutral, however 2 out of 4 subcontractors to Salt River are DBE firms.

The requisite Notice of Intent to Award was sent out on August 14, formally advising all bidders that Salt River is the apparent lowest responsive bidder.

Subsequent to the bid opening, WETA staff and its construction manager, Bill Davis of Ghirardelli Associates, Inc., examined the apparent low bidder for both responsiveness to the IFB and responsibility to perform the work. Based on review of the bid documents, including the DBE forms and certification, as well as other information, WETA staff determined that the bid was responsive to the IFB requirements. Based on review of Salt River Construction's references, which revealed positive reviews for quality work, professionalism and competency, and as well as other information, including the bid guarantee bond in effect, WETA staff determined the bidder to be responsible. A letter from our construction manager summarizing these findings is provided with this memorandum.

Provided that required submittals meet the conditions of the IFB and WETA can issue a Notice to Proceed on or about September 8, 2009, Salt River Construction has assured WETA staff that it can complete the proposed work by the November 30, 2009 deadline to comply with the restriction for "in the bay" construction work. Accordingly, and subject to the foregoing, staff recommends that the contract for the demolition and dredging work for the South San Francisco ferry terminal project be awarded to Salt River Construction for a total price of \$1,197,965, with contract execution dependent upon the availability of Proposition 1B funds and the making of the lease payment.

Fiscal Impact

This project is included in the South San Francisco Terminal Construction project in the FY 2009/10 Capital Budget, and will be funded with a mix of federal, state and local grant sources.



July 28, 2009

John Sindzinski
 Manager, Planning and Development
 Water Transit Authority
 Pier 9, Suite 111
 San Francisco, CA 94111

Ref: Review of Salt River Construction Bid Package

Dear Mr. Sindzinski:

I have reviewed the bid package for Salt River Construction (SRC), the apparent low bidder in the Demolition and Dredging project Invitation for Bid. Their bid contained the required documents and my review of those documents including verification of references and surety discovered no inaccuracies or inconsistencies.

SRC listed references for four projects ranging in value from \$230,000 to \$2,100,000. All of the references provided positive reviews of SRC's work quality, professionalism and competency. Each reference indicated that they would hire SRC for similar projects if given the opportunity. There were no negative comments from the references. The references were:

Robert Johnson	Oyster Point Marina
Jeff Mosley	Paradise Cay Marina
Don Gussler	Emeryville City Marina
Darryl Spears	City of Vallejo Public Works

I called American Safety Casualty Insurance Company regarding the SRC bid guarantee bond. I was directed to John Daily who confirmed that the Bid Guarantee Bond in the bid package is in effect as stated.

I discussed the various Equal Opportunity, Subcontractor and DBE forms and certifications in the bid package with Shirley Douglas of the WETA staff. We concluded that the submitted documents meet the IFB requirements.

All other forms and certifications appeared to be properly filled in, signed and notarized.

Sincerely,

W. T. Davis
 Construction Manager

Ghirardelli Associates, Inc

1067 Market Street
 Suite 1024
 San Francisco, CA 94103
 (415) 864-4180
 Fax (415) 864-4182

1970 Broadway
 Suite 920
 Oakland, CA 94612
 (510) 451-4180
 Fax (510) 451-4182

2375 Zanker Road
 Suite 235
 San Jose, CA 95131
 (408) 435-5503
 Fax (408) 435-5505

400 Vernon Street
 Suite A
 Roseville, CA 95678
 (916) 781-0800
 Fax (916) 781-0803

GEMINI EMISSIONS TEST

August 11, 2009



WATER EMERGENCY TRANSPORTATION AUTHORITY

WETA

Main Engines

The engines installed in M.V. *Gemini* are MTU 16V2000 M70 engine, 16-cylinder high-speed marine diesel engines.

- 2007 models, certified to meet U.S. EPA Tier 2 emission standards
- 31.84 liters displacement
- 1050 kW output at 2100 RPM

Emission Control System

Selective Catalyst Reduction (SCR)

The Compact SCR™ system used for these tests comprised 12 catalyst monoliths totaling 179 liters, arranged in two rows of six along a central plenum. The catalysts used were of conventional vanadia-titania-tungsten oxide chemistry. The last two inches of each catalyst were also given a platinum wash coat to improve its performance oxidation performance and to help control ammonia slip.

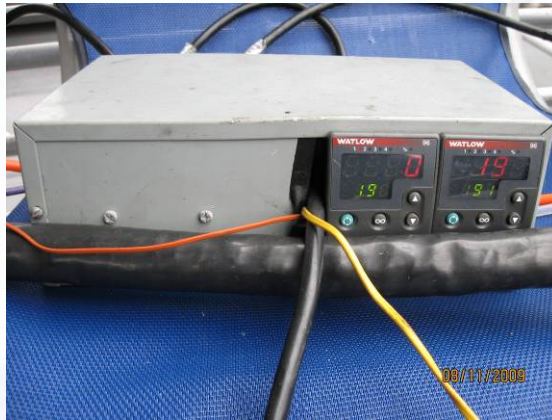
The reductant used with this SCR system was 32.5% urea solution, supplied through a single air assisted injection nozzle. The urea injection rate was determined by a metering pump, controlled by an open-loop control system based on engine speed and exhausts temperature. At the 85% load test point, the programmed urea injection rate was 13.2 liters per hour.

Emissions Control System

Initial acceptance testing showed 96% below Tier 2, and within Tier 4 emission limits

	Emissions (g/kWh)	
	Port	Starboard
NO _x	0.01	0.18
PM	0.048	0.021
CO	0.04	0.10
HC est.	0.02	0.02
NO _x +PM+HC	0.08	0.22
Contract Limit	1.11	1.11

Follow-Up Emissions Test



Underway Testing

Engine Speed Ranges

- Idle, 575 RPM
- 10% Engine Load 821 RPM
- 85% Engine Load 2015 RPM
(894 brake kW output,
normal service range)
- The engine was run and allowed stabilize prior to initiating the emission test, 15 minutes of data was logged at each speed range

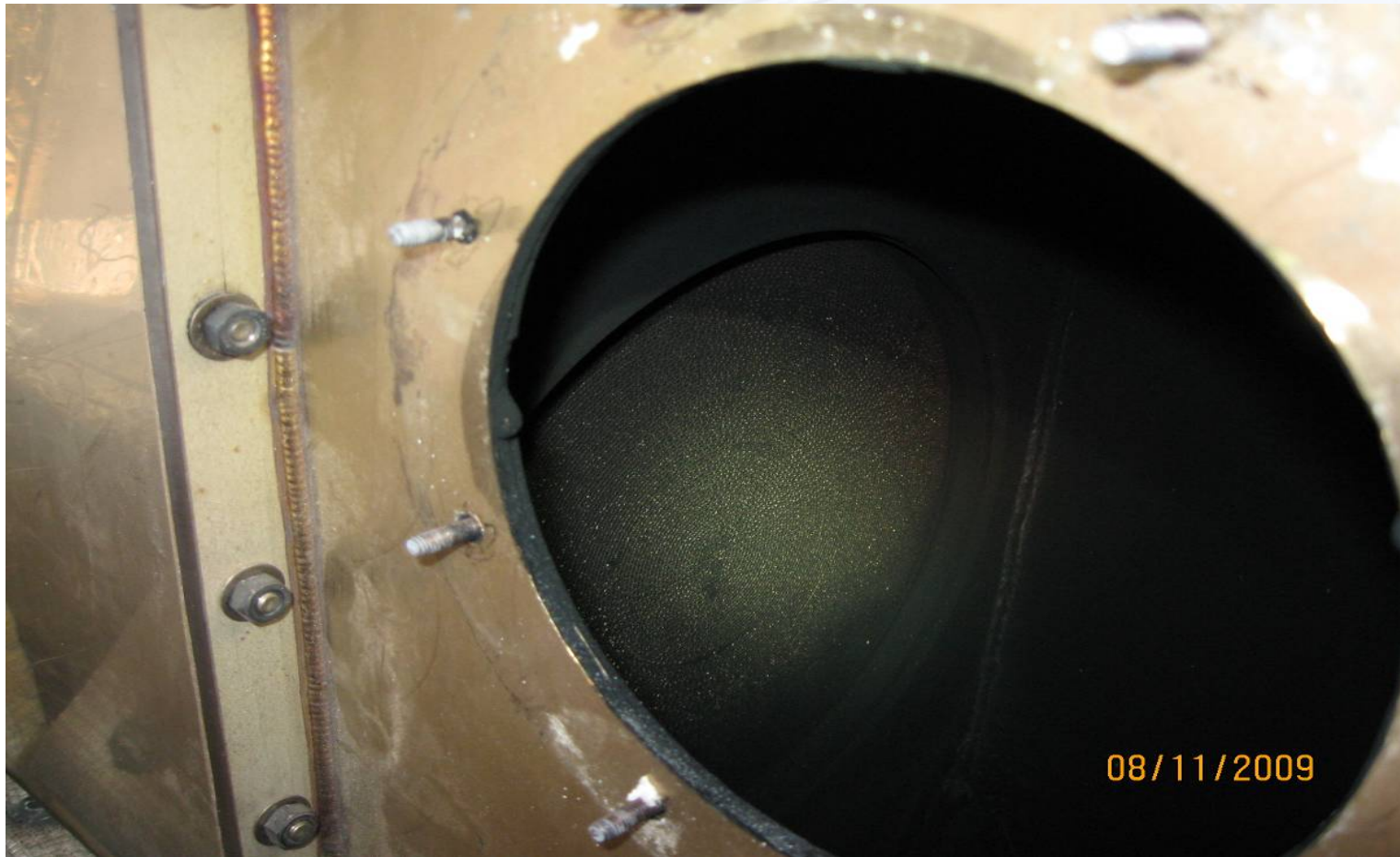


Selective Catalyst Reduction (SCR)



Inspection Ports Located on Second Deck

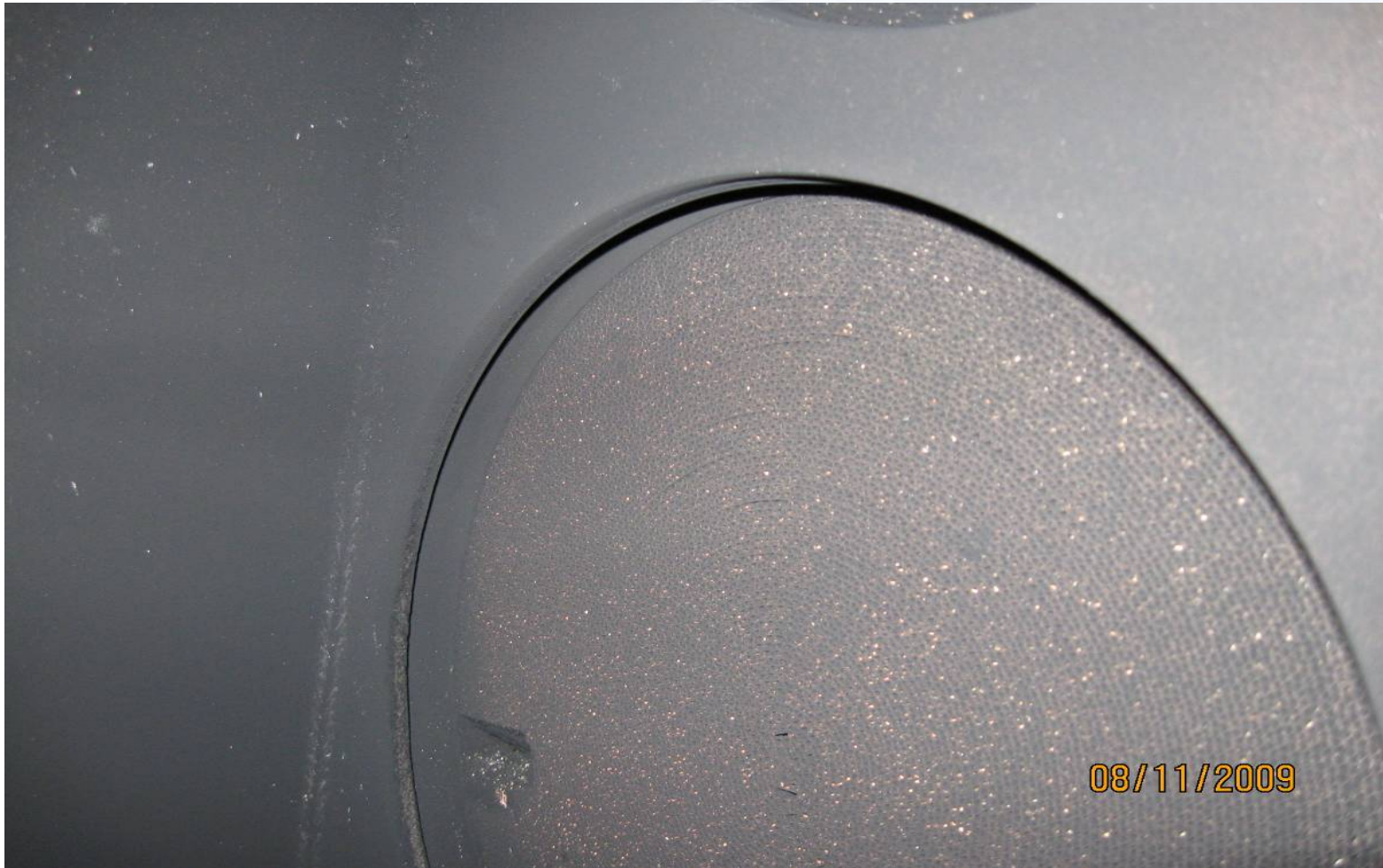
First Look at the Starboard Side



Lower Forward



Lower Aft



Follow-Up Test Results

9 Months, 746 Hours of Vessel Operation

Estimated 2.2 tons of NOx removed by the Emissions Control System

- 90-95% better than Tier 2

Compared to initial test data

- Engine back pressure, no significant change
- NOx less than 7% change

Inspection

- Starboard catalysts found to be in good physical condition.

watertransit.org



WATER EMERGENCY TRANSPORTATION AUTHORITY

MEMORANDUM

TO: Board Members

FROM: Nina Rannells, Executive Director

SUBJECT: Informational Presentation by Adventure Cat Sailing Charters & Approve Letter of Interest for Adventure Cat Sailing Charters

Recommendation

Following informational presentation by Adventure Cat Sailing Charters (Adventure Cat), approve and authorize the Executive Director to issue a Letter of Interest supporting Adventure Cat's solicitation of funds to assist in the development of a wind assisted passenger ferry.

Background

At the February 5 WETA Board Meeting, Jay Gardener of Adventure Cat gave a brief presentation on ZOE, a "Zero Onboard Emissions" ferry design. ZOE would have a wing mast rather than soft sails and utilize the wind power available in the San Francisco Bay. Mr. Gardener said that such a design was ideal for Berkeley and Treasure Island service. For the past eighteen years Adventure Cat has operated excursion vessels that use traditional sail technology.

Staff has met and communicated over the past nine months with Jay Gardener and James Schaefer of Adventure Cat, discussing wind propulsion systems and concept vessels suitable for ferry service. Keith Stahnke, WETA's Manger of Operations has been onboard their 65', 99 passenger catamaran sailing vessel to see the concept in action.

Jay Gardener has provided additional information to the Board about the wind assisted hybrid electric ferry design and shared wind chart information on how to take advantage of the wind resources entering the Golden Gate.

A follow-up presentation from Jay Gardener of Adventure Cat was requested by the Board at the April 2, 2009 meeting.

Discussion

WETA's predecessor agency, WTA, invested significant resources in exploring alternative propulsion technology and designs that offered the potential to:

- Reduce fuel consumption and greenhouse gas emissions;
- Successfully translate to passenger ferry applications and emergency response services; and
- Provide demonstrated reliability and operational cost savings.

In keeping with this policy direction, staff is interested in observing the development of the Adventure Cat project, with no staff or financial commitment.

Adventure Cat is seeking federal demonstration funds in order to explore wind-assist opportunities in ferry design, and has asked WETA to provide a letter of interest, as an observer. A draft of the proposed letter in support of Adventure Cat's solicitation of demonstration funds is attached, along with similar letter of support already provided by Jim Swindler, Deputy General Manager, Ferry Division, Golden Gate Bridge Highway and Transportation District.

Fiscal Impact

There is no financial impact associated with approving a Letter of Interest.

September 3, 2009

Subject: Letter of interest in support of Adventure Cat Sailing Charters (Adventure Cat) proposal for wind assisted commercial passenger ferry service

Dear Sir or Madam:

The San Francisco Bay Area Water Emergency Transportation Authority (WETA) is a regional agency responsible for coordinating waterborne emergency response coordination in the Bay area, consolidating existing ferry services operated by the City of Alameda and the City of Vallejo under WETA, and planning and implementing new ferry bay area ferry routes. Adventure Cat has made presentations at recent meetings of our Board of Directors and has met with WETA staff over the past nine months to discuss the merits of a wind-assisted commercial passenger ferry service to WETA's operations. In addition WETA staff recently accompanied Adventure Cat on one of their existing vessels to better understand how wind-assisted vessel technology might apply to new ferry vessels.

Their next step is to develop a demonstration vessel that would ideally lead to the development of a full –size ferry for daily operation on the bay. We understand that Adventure Cat is pursuing grant funding to assist in these development activities and WETA offers this Letter of Interest in support of their request for funding.

WETA is proud of our track record in developing the nation's most environmentally friendly ferries as our current ferries meet the most stringent emission standards for ferry boats in the world. Therefore, Adventure Cat's proposal for using a wing mast, instead of a fabric sail to provide wind-assistance to a conventional-powered diesel or hybrid-electric ferry is of interest as it may have the potential to reduce fuel consumption and greenhouse gas emissions, resulting in additional environmental benefits for bay area ferry operations. However, the issues of concern to us include operational and maintenance costs, vessel maneuverability, and suitability of the wind-assisted commercial ferry for WETA's existing and planned terminal expansion projects.

Because the development of a demonstration vessel could provide more insight into the viability of this project, WETA offers this letter of interest in support of Adventure Cat's solicitation of funds. This letter is not intended to serve as an endorsement of the merits of Adventure Cat's proposal nor a commitment to purchase Adventure Cat's vessel or contribute financially to its development.

Sincerely,

Nina Rannells
Executive Director

July 31, 2009



Dear Sir or Madam:

We are writing to let you know that the Golden Gate Bridge, Highway, and Transportation District has been in communication for more than a year with Adventure Cat Charters regarding their proposed development of a wind-assisted commercial passenger ferry service on San Francisco Bay.

They have reviewed the project with us and we feel there is a solid basis for the concept of such a vessel. We understand they are pursuing grant funding to assist in their development activities and would like to offer this Letter of Interest in support of their proposal.

Adventure Cat's proposal calls for using a wing, instead of a fabric sail, to provide wind-assistance to a conventional-powered Diesel ferry on an efficient catamaran hull. They intend to develop a demonstration vessel that will ideally lead to provision of a full-size ferry for daily operation in the Bay.

Adventure Cat has been in on-going communication with the Bridge District's Ferry Division for more than a year on this project. Part of this communication included a trip on one of their existing vessels to see first-hand how a vessel of this nature might work. The District staff were very impressed with their commitment and technological approach to development of a winged wind-assisted vessel. At the same time, we have concerns that we believe need to be addressed and could be through further development of their concept.

The issues of concern for us are the normal ones for any ferry operation: mechanical reliability, meeting the schedule, maneuverability at the dock, and questions we would have about the new technology, especially how the wing would respond in heavy weather. The proposed demonstration vessel would allow Golden Gate Ferry to evaluate the vessel and wing operations more thoroughly. A demonstration vessel would also provide an opportunity for the United States Coast Guard to review this vessel as it relates to a commercial passenger ferry operation on the bay.

Adventure Cat has provided a presentation to us and we are interested in seeing how this project progresses, as there is a considerable savings potential for both fuel and emissions. Because we feel the project is worthy of further evaluation, and because a demonstration vessel would give us and others the opportunity to see the wing operation more closely, we are offering this letter of interest in support of Adventure Cat's solicitation of funds. This letter is not a specific

July 31 2009

Page Two

commitment to purchase their vessel or to contribute financially to its development, but we are very interested observers in their project.

We encourage you to make your own evaluation of the merits of their proposal, and we are pleased to offer this Letter of Interest from the Golden Gate Bridge, Highway, and Transportation District.

Sincerely,

James P. Swindler
Deputy General Manager
Ferry Division