

Members of the Board

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

BOARD OF DIRECTORS' MEETING
Thursday, April 2, 2015 at 1:00 p.m.
San Francisco Bay Area
Water Emergency Transportation Authority
9 Pier, Suite 111; San Francisco

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

AGENDA

1. CALL TO ORDER – BOARD CHAIR
2. PLEDGE OF ALLEGIANCE/ROLL CALL
3. REPORT OF BOARD CHAIR *Information*
4. REPORTS OF DIRECTORS *Information*
5. REPORTS OF STAFF *Information*
 - a. Executive Director's Report
 - b. Monthly Review of Financial Statements
 - c. Legislative Update
6. CONSENT CALENDAR *Action*
 - a. Board Meeting Minutes - March 5, 2015
 - b. Approve Amendment to Agreement with Lindsay Hart, LLP for Federal Legislative Representation
 - c. Approve Amendment to Agreement with Broad & Gusman, LLP for State Legislative Representation
 - d. Approve Amendment to Agreement with Perata Consulting, LLC For Strategic Consulting Services
7. APPROVE CONTRACT AWARD FOR ENCINAL AND HARBOR BAY EXPRESS II VESSEL REPLACEMENT PROJECT *Action*
8. APPROVE AMENDMENT TO AGREEMENT WITH MARCY WONG DONN LOGAN ARCHITECTS FOR DESIGN AND ENGINEERING SERVICES FOR THE RICHMOND FERRY TERMINAL EXPANSION PROJECT *Action*
9. AUTHORIZE RELEASE OF A REQUEST FOR QUALIFICATIONS (RFQ) FOR ON-CALL PLANNING, MARINE ENGINEERING AND PROFESSIONAL SERVICES *Action*
10. OVERVIEW OF DISADVANTAGED BUSINESS ENTERPRISE (DBE) AND SMALL BUSINESS ENTERPRISE (SBE) PROGRAMS AND GOAL ACHIEVEMENT *Information*
11. STATUS REPORT ON SOUTH SAN FRANCISCO FERRY SERVICE *Information*
12. STATUS REPORT ON EFFORTS TO UPDATE EMERGENCY RESPONSE *Action*

Water Emergency Transportation Authority
April 2, 2015 Meeting of the Board of Directors

PLANS

13. RECESS INTO CLOSED SESSION

a. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: (One case.)

**Action
To Be Determined**

14. 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**

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

ADJOURNMENT

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.

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.

Participation in a meeting may be available at one or more locations remote from the primary location of the meeting. See the header of this Agenda for possible teleconference locations. In such event, the teleconference location or locations will be fully accessible to members of the public. Members of the public who attend the meeting at a teleconference location will be able to hear the meeting and testify in accordance with applicable law and WETA policies.

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 Government Code section 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 2, 2015

RE: Executive Director's Report

CAPITAL PROJECT IMPLEMENTATION UPDATE

Vessel Replacement –The *Encinal* and *Harbor Bay Express II* are included in the FY 2013/14 Capital Budget for replacement as they have reached the end of their useful lives (generally 25 years) and staff has secured funding commitments for replacement vessels. In December 2013, the Board of Directors approved the contract award to Aurora Marine Design (AMD) for vessel construction management services. The Request for Proposal to construct two new passenger-only vessels was released on September 26, 2014. A Pre-Proposal bidder's conference was held on October 13, 2014. Step 1 Technical Proposals were due in November and interviews were held in December. Bidders that were found to be in the competitive range were invited to submit Step 2 Complete Technical and Price Proposals, which were due in January 2015. A recommendation for contract award is included as an item on the April 2 Board of Director's Board meeting agenda.

Peralta Mid-Life Refurbishment - The ferry vessel *Peralta* was acquired by WETA from the City of Alameda in April 2011 through the transition of the Alameda Oakland Ferry Service to WETA. Built in 2001 by Nichols Brothers Boat Builders, the *Peralta* has been in service for 13 years and has reached its economic mid-life. This refurbishment project consists of replacing or overhauling the main engines, refurbishment of the passenger cabin, hull work, major system renovation, and replacement of control systems and navigation electronics and will extend the useful life of the vessel to the expected full 25 years.

The refurbishment project is separated into two phases with Phase 1 scheduled for completion by May 1, 2015, in order to make the vessel available for summer season operations. The Phase 1 scope of work includes refurbishment of main engines, generators and gear boxes, installation of new steering hydraulic pumps and rams, passenger cabin renewal including refurbishment of the restrooms, new carpets, and passenger seats, vessel drydock and exterior vessel paint and branding and provision of spare gearbox, propellers and shafts. The Board approved a contract with Bay Ship and Yacht for Phase 1 work in February 2015.

Staff will issue an RFP for Phase 2 of the project in Fall 2015. Phase 2 will include replacement of all control systems and navigation electronics, snackbar renewal, and interior cabin paint.

Ferry Terminal Refurbishment Projects – This effort includes gangway rehabilitation and minor terminal facility improvement projects that support the continued safe operation of East Bay ferry terminals (Alameda Main Street, Harbor Bay, and Oakland Clay Street Jack London Square) and includes a variety of work ranging from pier piling replacement to repairing and replacing walkways and awnings.

The Board awarded a contract to Ben C. Gerwick, Inc. on May 23, 2013 to assist staff with technical specifications, regulatory permitting and construction management services. The Board awarded a contract to Manson Construction Co. on March 31, 2014 to undertake the majority of the project work, including construction improvements at Harbor Bay and Clay Street. The Clay Street Project was completed the

weekend of November 15 and 16, 2014. A final walk-through with our Engineers was completed December 17, 2014. A final walk-through for The Harbor Bay Project was completed on March 2, 2015.

The Board awarded contracts to CS Marine Constructors, Inc. and Topper Industries, Inc. on August 20, 2014 and approved an agreement with Bay Ship & Yacht to relocate the passenger float 100 feet west of the current location. The Main Street project took place December 13 and 14, 2014. The project went very smoothly and normal operations resumed on schedule for the Monday morning commute. A final walk-through with our Engineers was completed on December 17, 2014.

North Bay Operations and Maintenance Facility – This project will construct a new ferry maintenance facility located at Building 165 on Mare Island in Vallejo in two phases. The landside phase includes site preparation and construction of a new fuel storage and delivery system along with warehouse and maintenance space. The Board of Directors awarded a design-build contract for the landside phase to West Bay Builders in August 2013 and work is anticipated to be complete in Spring 2015. The waterside phase will construct a system of modular floats and piers, gangways, and over-the-water utilities. The Board of Directors awarded a design-build contract for the waterside construction phase to Dutra Construction in July 2014. The existing ferry maintenance facility (Building 477) will be cleaned up as required prior to surrender to Lennar Mare Island, the property owner of the land portion of the project site. Landside construction is anticipated to be complete in May 2015.

The Navy NEPA environmental review work for the waterside portion of the project is complete. Completion of this documentation by the Navy was required prior to entering into a submerged lands lease with WETA. Staff has received a draft lease from the Navy. Staff has reviewed the draft and is coordinating with the Navy to finish the lease document. The lease is anticipated to be finalized in Spring 2015. All required permits for the waterside construction phase of the project have been received.

Regional Passenger Float Construction – This project will construct a new regional spare float that can be utilized as a backup for the Vallejo terminal float as well as other terminal sites such as downtown San Francisco when the permanent terminal floats must undergo periodic dry-dock, inspection, and repair. This spare would support ongoing daily services and would be a valuable asset to have available for use in unplanned or emergency conditions. Ghirardelli Associates Inc. was selected as the project construction manager. Procurement of the passenger float construction contract was combined with the North Bay Operations and Maintenance Facility Project construction contract. The Request for Proposals for the project was released on February 28 and the construction contract was awarded to Dutra Construction on July 10, 2014. The contract was executed in July 2014. Float design is 85% designed. Final design was completed in December 2014 and float construction is anticipated to commence in Spring 2015.

Central Bay Operations and Maintenance Facility – This project will develop an operations and maintenance facility at Alameda Point to serve as the base for WETA's existing and future central bay ferry fleet. The proposed project would provide running maintenance services such as fueling, engine oil changes, concession supply, and light repair work for WETA vessels. The new facility will also serve as WETA's Operations Control Center for day-to-day management and oversight of service, crew, and facilities. In the event of a regional emergency, the facility would function as an Emergency Operations Center, serving passengers and sustaining water transit service for emergency response and recovery.

At its February meeting, the Board authorized staff to execute a lease agreement and right of entry permit with the City of Alameda and take other related actions, including entering into an agreement with the City of Alameda for a seal-haul-out project, to support the project. On March 17, the Alameda City Council approved final passage of an ordinance authorizing the City to execute a 60-year lease agreement and temporary right of entry permit with WETA for the project. Additionally, the City Council also voted to authorize the execution of a Memorandum of Understanding with WETA regarding construction of a replacement seal haul at Alameda Point. On March 18th, staff initiated work with the City and interested stakeholders to identify a location and preferred design for a replacement seal haul out. On March 23, the

Alameda Planning Board reviewed design of the proposed maintenance and operations facility project and approved a Use Permit for the future facility and fuel storage area. Staff will proceed with securing the remaining permits required for the project from the Bay Conservation and Development Commission (BCDC) and the U.S. Army Corp of Engineers (USACOE) in May prior to requesting authorization from the WETA Board to release construction bid documents for the project this summer. Additionally, staff has reached out to the Building Trades Council of Alameda County to initiate discussions regarding developing a Project Labor Agreement for this project utilizing the Model Agreement adopted by the Board in December 2013.

Downtown San Francisco Ferry Terminal Expansion Project – This project will expand berthing capacity at the Downtown San Francisco Ferry Terminal in order to support new and existing ferry services to San Francisco as set forth in WETA's Implementation and Operations Plan. The proposed project would also include landside improvements needed to accommodate expected increases in ridership and to support emergency response capabilities.

A Notice of Availability for the Final EIS/EIR and FTA's Record of Decision were published in the Federal Register in September 2014. The WETA Board certified the Final EIR in October 2014. Staff is continuing discussions with the Port of San Francisco concerning a Memorandum of Understanding (MOU) to implement the South Basin improvement phase of this project. The finalization and execution of an MOU with the Port of San Francisco would be subject to future consideration by the WETA Board. Staff has held permitting kick-off meetings with BCDC and the USACOE, and is working with other stakeholders to advance development of the project.

SERVICE DEVELOPMENT UPDATE

Richmond Ferry Service – This service will provide an alternative transportation link between Richmond and downtown San Francisco. The conceptual design includes plans for replacement of an existing facility (float and gangway) and a phased parking plan.

The CEQA Initial Study/Mitigated Negative Declaration (IS/MND) was released on May 6, 2014. The Initial Study identified potentially significant effects; however, the implementation of mitigation measures identified in the IS/MND would reduce potentially significant effects to less-than-significant levels. In accordance with CEQA and the CEQA Guidelines, a 30-day public and agency review period for the IS/MND commenced on May 6 and concluded on June 4, 2014. The WETA Board of Directors adopted the MND and Mitigation Monitoring and Reporting Program at the September 2014 Board meeting. Staff is working with the FTA on resource agency consultation and preparation of the NEPA environmental review. Staff has also been working with City of Richmond, West Contra Costa County Transportation Advisory Committee (WCCTAC) and Contra Costa Transportation Authority (CCTA) staff to develop a Memorandum of Understanding (MOU) and Funding Agreement that defines project service levels and identifies capital and operating funding through a project funding plan. The Richmond MOU was presented to WCCTAC on January 23 and a resolution was adopted recommending adoption by the full CCTA Commission. The CCTA Commission approved the Funding Agreement at its February 18 meeting and the WETA Board approved the agreement on March 5.

Treasure Island Service – This project, which will be implemented by the Treasure Island Development Authority (TIDA), the San Francisco County Transportation Authority (acting in its capacity as the Treasure Island Mobility Management Authority) and the prospective developer, will institute new ferry service to be operated by WETA between Treasure Island and downtown San Francisco in connection with the planned Treasure Island Development Project. The development agreement states that ferry operations would commence with the completion of the 50th residential unit.

WETA staff is working cooperatively with City staff on this City-led project and participating in regular meetings of the Technical Advisory Committee convened to update and further develop the Treasure Island Mobility Management Program. Staff expects to begin negotiation of a Memorandum of

Understanding (MOU) with the City that would set forth the terms and conditions under which WETA would operate the future Treasure Island ferry service. The finalization and execution of an MOU for the Treasure Island service would be subject to future consideration by the WETA Board.

Berkeley Environmental Studies – This service will provide an alternative transportation link between Berkeley and downtown San Francisco. The environmental and conceptual design work includes plans for shared use of an existing City owned parking lot at the terminal site between ferry and local restaurant (H^s Lordships) patrons. City participation is required in order to move the project forward and reach agreement on a shared use concept. The project will require a conditional use permit reviewed by the City's Planning Commission, Zoning Adjustment Board, and City Council. Similar to Richmond, a Project Memorandum of Understanding defining the project and identifying funding sources will need to be developed for adoption by the City Council and WETA Board.

The Final EIS/EIR was submitted to FTA review in early October 2012. The remaining activities include resolution of Section 7 consultation and Essential Fish Habitat Assessment with NOAA and NMFS. NOAA and NMFS will issue a Biological Opinion (BiOp) on the project. The BiOp is required prior to completion of the Final EIS/EIR. During the NMFS consultation process an issue was identified with the proposed 42-acre dredging footprint. This dredging footprint was developed in order to accommodate the standard draft vessels in the WETA fleet during all tidal conditions and included a 5,000 foot long channel. During the consultation process, NMFS identified a mitigation ratio of 3:1 to offset the dredging impacts. This mitigation ratio presents significant scope and cost challenges for the project. After this issue was identified, WETA staff explored options to reduce the dredging footprint in order to reduce the mitigation requirements. It was determined that construction and operation of shallow draft vessels for the Berkeley service would substantially reduce the required dredging footprint and mitigation requirements.

Staff has coordinated with FTA staff to discuss the process for completion of the Final EIS/EIR. FTA has recently expressed that it will not be able to complete the NEPA process and issue a Record of Decision because a long-term operational funding source is not available for the service. Regional Measure 2 (RM2) funds were identified as an operating source when the environmental review process commenced in 2006. The funding picture changed since that time and the RM2 source is no longer available. Staff is evaluating a process to complete the CEQA process in the near term. The NEPA process could be completed at a later date if an operational funding source is identified.

SYSTEM STUDIES

Alameda Terminals Access Study – Both ferry terminals in Alameda have experienced a surge in ridership beginning with the first BART strike in July 2013. As a result, parking at both terminals typically spills onto adjacent streets and informal parking lots. WETA is partnering with City of Alameda staff to prepare plans to address the immediate issue and identify mid- to long-term solutions. Staff has secured the consultant services of Nelson Nygaard through its on-call planning agreement with KPFF, Inc. to support the project.

Staff has concluded its initial public outreach efforts, including a series of public workshops, coordination with AC Transit, and an informational presentation to the City of Alameda's Transportation Commission. A subcommittee of Transportation Commission members, AC Transit staff, nearby non-profit organizations, and local transportation advocates was formed by the City of Alameda to review and advocate for future access improvements at both the Main Street and Harbor Bay terminals. Recommendations for parking improvements at both Harbor Bay and Main Street are scheduled to go before the Alameda Transportation Commission this spring and then to the Alameda City Council for final approval. A draft study including an action plan will be released by May 2015 for public comment. The study will include preliminary access improvement recommendations and funding strategies for each terminal. Pending public comments received on the draft study, a final draft will be prepared and presented to the Board at a future meeting.

Alameda Seaplane Lagoon Study - The City of Alameda has proposed a new ferry terminal located along Seaplane Lagoon at Alameda Point. Consistent with terms of the 2014 Transition Agreement executed between WETA and the City of Alameda, both parties are working together to explore the viability of a new ferry service connecting Seaplane Lagoon and San Francisco. WETA staff has met regularly with staff from the cities of Alameda and Oakland along with the Port of Oakland to prepare an operational evaluation of a Seaplane Lagoon ferry service. The goal of the evaluation is to identify the range of alternatives for ferry service in the central bay considering terminals at Seaplane Lagoon, Main Street and/or Clay Street in Oakland. The costs, service quality and ridership implications of each service scenario will be estimated. The results of the evaluation will ultimately feed into a concept engineering analysis that will estimate capital costs and permitting requirements for a new facility.

Staff is working with the City of Alameda to draft a Memorandum of Understanding (MOU) that would set forth the terms and conditions under which a Seaplane Lagoon Ferry Service would be implemented, including construction of new facilities and service operations. The finalization and execution of an MOU for the Seaplane Lagoon service would be subject to future consideration by the WETA Board and the City of Alameda.

Mission Bay Ferry Terminal – The Golden State Warriors basketball team has identified a preferred arena site at the foot of 16th Street in the Mission Bay neighborhood of San Francisco. A Mission Bay ferry terminal has been identified in both WETA and City of San Francisco planning documents as a potential future infrastructure investment but no significant planning or development work has been conducted to date and no funding exists to develop this as a terminal site. Staff will continue to coordinate with the Port of San Francisco, and the City of San Francisco along with other relevant stakeholders, including the Warriors, to consider how the agency may play a role in integrating the development of this project with existing and/or future WETA ferry services to San Francisco as opportunities present themselves.

Site Feasibility Studies – Site feasibility reports have been prepared in cooperation with the cities of Hercules, Martinez, Antioch and Redwood City in an effort to identify site constraints and design requirements and better understand project feasibility and costs associated with development of terminals and services to these cities. The Contra Costa County Transportation Authority, as the county transportation planning and funding authority, has utilized this information to develop a Financial Feasibility of Contra Costa Ferry Service Report (completed June 2014) to assess the feasibility of implementing ferry services in the county. The report concludes that of the candidate ferry terminals in Contra Costa County, only the Richmond project is financially feasible at this time.

OTHER

Emergency Response Plan – WETA's enabling legislation, SB 976 as amended by SB 1093, directed the agency to provide comprehensive water transportation and emergency coordination services for the Bay Area region. WETA's Emergency Water Transportation System Management Plan (EWTSMMP) was published and approved in 2009. Since this time, WETA has taken on new roles and responsibilities including assuming ownership of three existing ferry routes and starting the new East Bay to South San Francisco service. Utilizing the services of Lee Rosenberg with Navigating Preparedness Associates, staff has embarked on a process of evaluating existing plans and capabilities in order to identify an approach to updating WETA's internal and external emergency response plans. As a part of this effort, staff has conducted an initial set of stakeholder meetings with the U.S. Coast Guard Sector San Francisco, the Metropolitan Transportation Commission, Blue & Gold Fleet, California Office of Emergency Services, and San Francisco Department of Emergency Management. The results of these meetings will be utilized in developing a path for updating agency plans for Board consideration and discussion in the coming months.

Coast Guard Manning Requirements

Blue and Gold Fleet, our contract operator, was recently informed by the U.S. Coast Guard of a proposed change to the manning requirements of small passenger vessels operating in the San Francisco Bay including WETA vessels operated by Blue and Gold Fleet. Changes proposed would increase the

deckhand requirement for WETA's vessels over 149 passengers and would result in an estimated \$1.7 million annual cost increase to WETA's operation. The bulk of this increase would impact the Vallejo service, which would be required to man vessels with twice as many deckhands as is required today. Staff is participating in discussions with the Coast Guard, other Bay Area ferry operators and the Passenger Vessel Association regarding the proposed changes to better understand what has precipitated this change and will keep the Board informed as this conversation proceeds.

Removal of Historic Shipyard Crane next to Main St Ferry Terminal – As a condition of the Agreement with the City of Alameda to transfer the Alameda/Oakland and Harbor Bay Ferry Services to WETA, the City is responsible for removing or refurbishing the historic shipyard crane that is located directly adjacent to the Main St ferry terminal. Because the crane is a contributing element of the Historic Todd Shipyard District, the Historical Advisory Board was required to develop an Environmental Impact Report prior to entering into a contract to remove the crane. As a result, this process has taken longer than expected. At the February 17 Council meeting, the City of Alameda approved a contract with Power Engineering for a not-to-exceed amount of \$290,000 to remove the crane. Removal of the crane represents the last step to complete the closing obligations of the Ferry Service Operations Transfer Agreement between WETA and the City of Alameda. This project is expected to be complete by mid-April.

MEETINGS AND OUTREACH

On March 2, Lauren Gularte and Kevin Donnelly attended a strategy development workshop on improving air and seaport intermodal recovery coordination following a catastrophic earthquake in the Bay Area as part of the process to revise the Bay Area Earthquake Plan, a joint plan by the California Office of Emergency Services (CalOES) and Federal Emergency Management Agency (FEMA).

On March 2, Kevin Connolly and Michael Gougherty attended the City of Alameda Planning Board meeting where the Board reviewed design of the project and approved a Use Permit for the facility and fuel storage area.

On March 3, Kevin Connolly and Michael Gougherty attended the Alameda City Council meeting where the Council approved the first reading of the Central Bay Operations and Maintenance Facility lease.

On March 12, Lauren Gularte and Kevin Donnelly attended a strategy development workshop at CalOES headquarters in Mather CA on Mass Care Services (Survivor Movement) following a catastrophic earthquake in the Bay Area as part of the process to revise the CalOES/FEMA Bay Area Earthquake Plan.

On March 17, Nina Rannells, Kevin Connolly and Michael Gougherty attended the Alameda City Council meeting where the Council approved the second and final reading of Central Bay Maintenance and Operations Facility lease.

On March 18, Lauren Gularte and Kevin Donnelly attended an oil spill drill with Blue & Gold Fleet and Office of Spill Prevention and Response (OSPR) at the Vallejo Maintenance Facility, which provided staff a unique opportunity to exercise the elements of the National Incident Management System (NIMS) Incident Command System (ICS).

On March 23, Nina Rannells attended the monthly General Manager's meeting and Executive Committee discussion on Clipper 2.0 development.

On March 23, Lauren Gularte attended an Information Analysis Brief (IAB) at the Solano County Events Center which provided an overview of the results of research and analysis for the revision of the CalOES/FEMA Bay Area Earthquake Plan.

On March 25, Lauren Gularte attended the regional Business Outreach Committee (BOC) monthly meeting.

On March 25, Lauren Gularte represented WETA at a "Meet the Buyers" event hosted by the BOC, providing an opportunity for small, local and disadvantaged businesses to introduce their products and services and receive information from BOC member transit agencies and participating prime contractors.

On March 26, Michael Gougherty and Lauren Gularte hosted an open house forum at the Port of San Francisco to receive public comments on the proposed fare changes proposed for WETA ballpark ferry services.

OPERATIONS REPORT

The Monthly Operating Statistics Report for February 2015 is provided as Attachment A.

Attachment A

Monthly Operating Statistics Report February 2015

			Alameda/ Oakland	Harbor Bay	South San Francisco	Vallejo*	Systemwide
Ridership	vs. last month	Total Passengers February 2015	57,198	21,439	8,479	54,755	141,871
		Total Passengers January 2015	58,263	21,937	8,898	56,314	145,412
		Percent change	-1.83%	-2.27%	-4.71%	-2.77%	-2.44%
	vs. same month last year	Total Passengers February 2015	57,198	21,439	8,479	54,755	141,871
		Total Passengers February 2014	31,601	17,899	6,376	50,511	106,387
		Percent change	81.00%	19.78%	32.98%	8.40%	33.35%
	vs. prior FY to date	Total Passengers Current FY To Date	581,054	167,216	67,076	549,280	1,364,626
		Total Passengers Last FY To Date **	539,836	164,734	54,463	538,194	1,297,227
		Percent change	7.64%	1.51%	23.16%	2.06%	5.20%
			Avg Weekday Ridership February 2015	2,256	1,128	446	2,411
Ops Stats		Passengers Per Hour	146	188	58	141	136
		Revenue Hours	392	114	147	389	1,042
		Revenue Miles	4,677	2,570	2,347	10,668	20,262
Fuel		Fuel Used (gallons)	27,425	9,152	10,936	88,083	135,596
		Avg Cost per gallon	\$2.48	\$2.48	\$2.48	\$2.41	\$2.46

* Vallejo ridership includes ferry + 4536 Route 200 bus passengers.

** Includes ridership during July and October 2013 BART strikes and Sept 2013 Bay Bridge closure.

MEMORANDUM

TO: Board Members

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

**SUBJECT: Monthly Review of FY 2014/15 Financial Statements for Eight Months
Ending February 28, 2015**

Recommendation

There is no recommendation associated with this informational item.

Summary

This report provides the attached FY 2014/15 Financial Statements for eight months ending February 28, 2015.

Operating Budget vs. Actual

	Prior Actual	Current Budget	Current Actual
Revenues - Year To Date:			
Fare Revenue	8,589,109	9,657,219	8,881,134
Local Bridge Toll Revenue	9,424,931	12,408,978	10,230,460
Other Revenue	3,597	-	500
Total Operating Revenues	18,017,637	22,066,197	19,112,093
Expenses - Year To Date:			
Planning & Administration	1,351,707	1,997,260	1,340,317
Ferry Services	16,665,930	20,068,937	17,771,777
Total Operatings Expenses	18,017,637	22,066,197	19,112,093
System-Wide Farebox Recovery %	52%	48%	50%

Capital Actual and % of Total Budget

	YTD Actual	% of FY 2014/15 Budget
Revenues:		
Federal Funds	4,775,991	27.27%
State Funds	7,717,124	35.20%
Bridge Toll Revenues	485,803	8.44%
Other Local Funds	680,281	18.34%
Total Capital Revenues	13,659,199	27.93%
Expenses:		
Total Capital Expenses	13,659,199	27.93%

Fiscal Impact

There is no fiscal impact associated with this informational item.

END

San Francisco Bay Area Water Emergency Transportation Authority
FY 2014/15 Statement of Revenues and Expenses
For Eight Months Ending 02/28/2015

% of Year Elapsed 66.6%

	Current Month	Year - To - Date			Budget	
		FY2013/14 Actual	FY 2014/15 Budget	FY 2014/15 Actual	FY 2014/15 Total	% of Total
OPERATING EXPENSES						
PLANNING & GENERAL ADMIN:						
Wages and Fringe Benefits	104,694	769,355	959,351	831,396	1,441,000	57.7%
Services	93,345	434,069	1,078,521	471,307	1,620,000	29.1%
Materials and Supplies	919	19,790	24,633	5,216	37,000	14.1%
Utilities	1,272	8,116	13,981	7,293	21,000	34.7%
Insurance	-	16,370	12,649	18,335	19,000	96.5%
Miscellaneous	4,422	57,346	73,233	50,879	110,000	46.3%
Leases and Rentals	23,686	180,352	190,405	186,762	286,000	65.3%
Admin Overhead Expense Transfer	(38,438)	(133,691)	(355,512)	(230,871)	(534,000)	43.2%
Sub-Total Planning & Gen Admin	189,899	1,351,707	1,997,260	1,340,317	3,000,000	44.7%
FERRY OPERATIONS:						
Harbor Bay FerryService						
Purchased Transportation	161,615	994,656	1,166,733	976,150	1,752,500	55.7%
Fuel - Diesel & Urea	22,683	328,530	393,860	254,158	591,600	43.0%
Other Direct Operating Expenses	51,363	216,027	421,888	257,172	633,700	40.6%
Admin Overhead Expense Transfer	7,756	30,091	77,893	45,565	117,000	38.9%
Sub-Total Harbor Bay	243,417	1,569,304	2,060,374	1,533,044	3,094,800	49.5%
<i>Farebox Recovery</i>	<i>39%</i>	<i>48%</i>	<i>40%</i>	<i>48%</i>	<i>40%</i>	
Alameda/Oakland Ferry Service						
Purchased Transportation	374,697	2,893,034	2,949,621	3,538,262	4,430,500	79.9%
Fuel - Diesel & Urea	67,969	876,319	1,229,713	805,826	1,847,100	43.6%
Other Direct Operating Expenses	52,274	497,484	823,537	455,152	1,237,000	36.8%
Admin Overhead Expense Transfer	15,010	49,465	139,142	89,094	209,000	42.6%
Sub-Total Alameda/Oakland	509,950	4,316,302	5,142,013	4,888,334	7,723,600	63.3%
<i>Farebox Recovery</i>	<i>52%</i>	<i>58%</i>	<i>56%</i>	<i>54%</i>	<i>56%</i>	
Vallejo FerryService						
Purchased Transportation	724,247	4,688,864	4,981,101	5,765,381	7,481,900	77.1%
Fuel - Diesel & Urea	212,481	3,240,514	4,244,178	2,668,454	6,375,000	41.9%
Other Direct Operating Expenses	85,069	735,161	1,058,348	653,037	1,589,700	41.1%
Admin Overhead Expense Transfer	6,791	23,968	48,600	41,867	73,000	57.4%
Sub-Total Vallejo	1,028,587	8,688,506	10,332,227	9,128,740	15,519,600	58.8%
<i>Farebox Recovery</i>	<i>47%</i>	<i>57%</i>	<i>54%</i>	<i>56%</i>	<i>54%</i>	
South San Francisco FerryService						
Purchased Transportation	211,026	1,394,140	1,447,215	1,541,794	2,173,800	70.9%
Fuel - Diesel & Urea	27,104	428,669	538,595	351,458	809,000	43.4%
Other Direct Operating Expenses	34,064	238,842	458,638	274,062	688,900	39.8%
Admin Overhead Expense Transfer	8,881	30,167	89,877	54,345	135,000	40.3%
Sub-Total South San Francisco	281,075	2,091,818	2,534,324	2,221,659	3,806,700	58.4%
<i>Farebox Recovery</i>	<i>20%</i>	<i>17%</i>	<i>14%</i>	<i>20%</i>	<i>14%</i>	
Total Operating Expenses	2,252,929	18,017,637	22,066,197	19,112,093	33,144,700	57.7%
OPERATING REVENUES						
Fare Revenue	899,058	8,589,109	9,657,219	8,881,134	14,505,700	61.2%
Local - Bridge Toll	1,353,870	9,424,931	12,408,978	10,230,460	18,639,000	54.9%
Local - Other Revenue	-	3,597	-	500	-	0%
Total Operating Revenues	2,252,929	18,017,637	22,066,197	19,112,093	33,144,700	57.7%

San Francisco Bay Area Water Emergency Transportation Authority
FY 2014/15 Statement of Revenues and Expenses
For Eight Months Ending 2/28/2015

Project Description	Current Month	Project Budget	Prior Years Actual	FY 2014/15 Budget	FY 2014/15 Actual	Future Year	% of Total Project Budget
CAPITAL EXPENSES							
FACILITIES:							
Maintenance and Operations Facilities							
North Bay Operations & Maintenance Facility	1,474,992	30,232,000	5,132,061	19,130,939	7,714,855	5,969,000	42%
Central Bay Operations & Maintenance Facility	13,993	38,000,000	1,228,371	5,750,629	325,745	31,021,000	4%
Float Rehabilitation							
Regional Spare Float Replacement	495,297	3,862,000	58,976	2,965,024	1,600,070	838,000	43%
Gangway, Pier & Terminal Improvement							
Clipper Site preparation - Vallejo	6,000	300,000	148,695	151,305	19,721	-	56%
East Bay Ferry Terminal Refurbishment	604,407	2,595,400	341,509	2,253,891	1,936,507	-	88%
Electronic Bicycle Lockers	-	79,500	-	79,500	-	-	0%
Channel Dredging - Vallejo	-	1,200,000	-	75,000	4,444	1,125,000	0%
FERRY VESSELS:							
Major Component Rehabilitation / Replacement							
Vessel Engine Overhaul - Gemini Class Vessels	270,863	1,320,000	-	1,320,000	521,986	-	40%
Vessel Engine Overhaul - Solano	-	2,000,000	699,042	1,240,958	567,866	60,000	63%
Major Component Rehab - Pisces	-	200,000	-	200,000	-	-	0%
Vessel Mid-Life Repower/Refurbishment							
Vessel Mid-Life Refurbishment - Bay Breeze	-	5,015,000	4,738,923	276,077	1,448	-	95%
Vessel Mid-Life Refurbishment - Peralta	540,516	5,260,000	-	1,010,000	577,398	4,250,000	11%
Vessel Expansion/Replacement							
Purchase Replacement Vessel - Express II & Encinal	1,628	33,500,000	50,568	9,949,432	132,218	23,500,000	1%
Purchase Replacement Vessel - Vallejo	-	20,000,000	-	200,000	-	19,800,000	0%
CAPITAL EQUIPMENT / OTHER:							
Purchase 18-Ton Crane Truck	-	175,000	-	175,000	-	-	0%
Purchase Work Skiff	-	100,000	-	100,000	176	-	0%
SERVICE EXPANSION:							
Future Expansion Service Studies							
Berkeley Terminal - Environ/Concept Design	-	2,335,000	2,183,016	151,984	3,783	-	94%
Antioch - Environ/Concept Design	-	812,500	146,198	25,002	218	641,300	18%
Martinez - Environ/Concept Design	-	812,500	164,894	25,006	-	622,600	20%
Downtown Ferry Terminal Expansion - Environ/Concept Design	4,495	3,300,000	2,581,846	718,154	140,028	-	82%
Terminal/Berthing Expansion Construction							
SSF Terminal Oyster Mitigation Study	-	275,000	83,330	191,670	29,854	-	41%
Downtown Ferry Terminal Expansion - Bridging Design	-	3,745,000	-	1,872,500	-	1,872,500	0%
Richmond Ferry Terminal	7,375	1,862,500	559,294	1,040,706	82,882	262,500	34%
Total Capital Expenses	3,419,566	156,981,400	18,116,723	48,902,777	13,659,199	89,961,900	
CAPITAL REVENUES							
Federal Funds	1,869,229	64,124,919	6,622,379	17,515,330	4,775,991	38,421,985	18%
State Funds	1,251,573	50,366,926	8,146,559	21,924,882	7,717,124	39,971,042	31%
Local - Bridge Toll	180,284	36,457,071	2,456,805	5,753,455	485,803	10,268,872	8%
Local - Alameda Sales Tax Measure B	118,480	4,682,484	890,980	3,659,111	680,281	-	34%
Local - San Francisco Sales Tax Prop K	-	1,300,000	-	-	-	1,300,000	0%
Local - Transportation Funds for Clean Air	-	50,000	-	50,000	-	-	0%
Total Capital Revenues	3,419,566	156,981,400	18,116,723	48,902,777	13,659,199	89,961,900	

MEMORANDUM

TO: Board Members

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

SUBJECT: WETA Federal Legislative Board Report – March 25, 2015

With MAP-21 expiring on May 31, 2015, and no sign of a long-term funding source that members of the Senate Finance Committee and House Ways and Means Committee (both with jurisdiction over the financing aspects of MAP-21) can agree to, discussions in Congress have turned to a short-term extension of existing policy. The question is how long current policy will be extended.

MAP-21 gives authority to the Department of Transportation (DOT) to spend money from the Highway Trust Fund (HTF) on highway, bridge and transit programs. Actual funding, however, is not expected to run out until later this summer. Given this reality, it is possible that Congress will simply extend MAP-21 through the end of July, to not only align with funding (and to put pressure on the Finance and Ways and Means Committees to identify a long-term funding source), but also to more broadly put pressure on Congress to come together on a long-term policy bill before adjourning for the five week August recess, which begins on August 1. Even though another short term extension will cause a lot of uncertainty for State departments of transportation and construction companies that depend on federal funding, these extensions will not prevent the Federal Transit Administration (FTA) from distributing at least partial transit funding for FY2015.

FY15 Funding for Transit Grant Programs

We have been told by FTA officials that the agency is preparing a Notice of Funding Availability (NOFA) for the \$19 million (out of \$30 million) the agency currently has authority to distribute for FY2015. This funding represents authority to spend money from October 1, 2014 (the first day of fiscal year 2015) through May 31, 2015 (the day MAP-21 expires). It is not clear when the agency will distribute the remaining \$11 million in FY2015 funding – the agency may wait until it has authority to spend money through the end of FY2015, which is on September 30, 2015. As we did during the last round of FTA grant funding, we will be asking the San Francisco Bay Area delegation members to support WETA's application. During the last round, we were able to gain support letters from Senators Feinstein and Boxer, and nine members of the Bay Area Congressional delegation.

There is no word yet on whether the Federal Highway Administration (FHWA) will similarly release partial-year funds for the formula grant program for FY2015.

Generating Local Support for WETA Priorities in MAP-21

Even though the Committees writing the next surface transportation bill are currently focused on a short-term extension, work on a long-term bill continues. As these discussions go on, we continue to promote WETA's two priorities:

1. To preserve changes made to the Federal Highway Administration (FHWA) ferry formula program by the MAP-21 Reauthorization Act (S.2322), which was marked up by the Senate Environment and Public Works (EPW) Committee on May 15, 2014.

S.2322 made two significant changes to the FHWA ferry formula program first created by MAP-21: 1) the bill increased the annual funding dedicated to this program to \$75 million (from \$67 million); and it changed the formula from one that disadvantages WETA [45% vehicles, 35% route miles, 20% passengers] to one that is more favorable for WETA [35% passengers, 35% vehicles, 30% route miles].

2. Increase the level of funding for the Federal Transit Administration (FTA) ferry grant program from \$30 million per year to \$60 million per year.

As part of these efforts, we are in the process of working with WETA staff to mobilize locally-elected officials and others to support these priorities. This includes seeking letters of support that the Bay Area members of Congress working on our behalf can use to bolster their case with the Committees writing the new bill.

END

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

(March 5, 2015)

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 Jody Breckenridge called the meeting to order at 1:30 p.m. Other directors present were Director Jeff DelBono, Director Timothy Donovan and Director Anthony Intintoli.

2. REPORT OF BOARD CHAIR

No report.

3. REPORT OF DIRECTORS

Director Del Bono reported that he had attended the Alameda City Council meeting on Tuesday, March 3 at which the Council considered the lease for WETA's Central Bay Operations and Maintenance Facility. He said that WETA staff had done an excellent job presenting the information and had secured a 4-to-1 vote in favor of the lease. Director Del Bono added that Vice Mayor Frank Matarrese had been hesitant to move forward in the absence of a guarantee regarding construction of a harbor seal haul-out. Director DelBono encouraged attendance at the March 17 meeting of the City Council in support of the project.

4. REPORTS OF STAFF

Executive Director Nina Rannells invited Manager of Planning and Development Kevin Connolly to comment on the Alameda City Council meeting. Mr. Connolly commended Alameda city staff with whom WETA had worked very closely for four years. He said that WETA had made appeals to the Councilmembers and had received support from three of the five members; however, four votes had been required for passage. He told the Board that given the tight timeframes on water construction, losing the vote would have set the project back by at least a year.

Ms. Rannells noted that at the February Board meeting, the Board authorized WETA staff to take action on the harbor seal haul-out issue and that WETA staff had drafted an MOU and for Alameda city staff. Senior Planner Michael Gougherty said the Alameda City Council had directed city staff to execute the MOU and that city staff had included the executed MOU in their mail-out to the City Council for their March 17 meeting. Director Intintoli asked if this was what the Council had requested. Mr. Gougherty said yes. Director Intintoli asked what would happen in the space of a year that would allow the project to move forward if the vote fails. Mr. Connolly clarified that his estimated year delay assumed that WETA would eventually get the seal haul-out work done and the vote for the project.

Ms. Rannells reminded the Board that what WETA had offered to do in terms of the seal haul-out was not a requirement of any of the permitting agencies. Chair Breckenridge said that WETA would move forward with the haul-out because out of concern for the species and as a matter of good faith. Mr. Connolly noted that WETA was not required to construct the haul-out by the permitting agencies.

Chair Breckenridge asked staff if Board involvement was desirable. WETA legal counsel Stanley Taylor of Nossaman LLP noted that the Board had previously authorized the haul-out agreement and that,

assuming WETA secured a favorable vote on the lease and haul-out project; the MOU would commit \$100,000.

Ms. Rannells then stated that WETA's contract operator, Blue and Gold Fleet, had received a letter from the Coast Guard outlining a proposed change to the manning requirements for small passenger vessels on San Francisco Bay. Director Intintoli asked about the impact of the proposed rule change on WETA's services. Ms. Rannells said WETA's computations showed that its financial impact would be at least \$1.7 million per year and that it would impact all WETA services. She added that the most significant impact would be on the Vallejo service.

Ms. Rannells said that she had reached out to the Coast Guard regarding the matter and hoped to meet with them to learn more about this initiative and the factors utilized in proposing such a significant change from existing and historic manning levels. Chair Breckenridge suggested that Ms. Rannells request that the Coast Guard change their notification process to ensure that WETA staff would be notified directly when there were changes which impacted ferry operations. Ms. Rannells responded that the request had been made.

Director Intintoli asked how many boats WETA would need to eliminate to mitigate the cost impact to the Vallejo service in the event that the Coast Guard is not flexible on the proposal. Ms. Rannells said that staff would look at all options for addressing the financial impact of any increased crewing requirements but that a reduction from a three-boats to two-boat service on the Vallejo service would potentially need to be considered given the magnitude of the impact and limited operating funds.

Director Intintoli asked if WETA should be approaching legislative representatives about this issue. Chair Breckenridge cautioned against premature action before WETA was more fully informed. She noted that these were issues of national safety standards which impacted everyone.

Director Intintoli said he would like to know the reasons behind the Coast Guard proposal, noting that the impact to service would be significant. Ms. Rannells agreed and said this was a priority item for WETA.

Chair Breckenridge said that WETA had some time but needed to move quickly to position itself ahead of any dramatic impacts. Director Donovan agreed. Ms. Rannells added that she would like a clearer understanding of what has caused the Coast Guard to seek a change in existing crewing levels and to see the analysis completed by the Coast Guard to justify the change. She noted that she is concerned that the Coast Guard had not reached out to WETA during the process, given that we are the legal owner of eleven vessels that they regulate.

Ms. Rannells noted that the change could affect Vallejo more than the Central Bay. She said that each Vallejo vessel would require two additional crew members, resulting in 12 additional crewmembers per day in addition to vacation relief.

Chair Breckenridge asked if there were any other questions on the Executive Director's report. Director Donovan asked if the closing of Sinbad's restaurant near the Ferry Building was a result of WETA's Downtown Ferry Terminal Expansion plan. Mr. Gougherty said that the timeline for vacating the space had been set by the Port of San Francisco and BCDC as a condition of the America's Cup project and that it would provide sufficient time to meet WETA's project development and construction timetable.

Director Intintoli noted that he had received complaints regarding Clipper Card sales at the Vallejo Terminal. Ms. Rannells replied that ticket sales personnel had been helping customers register cards, resulting in delays. She said that Vallejo staff instructed ticket office staff to discontinue card registration

within 30 minutes of a boat departure to ensure that everyone needing to purchase tickets could be served. She noted that staff is considering other options for streamlining the Clipper process.

Director Intintoli asked if cards needed to be registered prior to use. Operations Administrator Kevin Donnelly explained that registration was required for auto-load capabilities but that it could be used without registration. Mr. Donnelly said he had talked to sales personnel about ways to improve the process and that a conference call is planned with MTC to discuss improvements and address hardware and software issues.

Chair Breckenridge said it might be helpful to put signage up in the terminal letting people know they can purchase Clipper cards elsewhere. Manager of Public Information and Marketing Ernest Sanchez said that WETA was working on such efforts. Director Intintoli asked whether some terminals have a sales machine next to the ticket area. Ms. Rannells replied that Golden Gate had self-service Clipper machines that vend a single-ride ticket which can be reloaded with cash. She noted that there is a timing issue in installing vending machines at this juncture given that work is currently underway to design and develop the next generation of Clipper cards (Clipper 2.0).

5. CONSENT CALENDAR

Director Intintoli made a motion to approve the consent calendar which included the Board of Directors meeting minutes of February 5, 2015.

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

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

6. AUTHORIZE PUBLIC OUTREACH FOR BALLPARK FERRY SERVICE FARE CHANGES

Mr. Gougherty presented this item requesting that the Board authorize staff to initiate public outreach on proposed ballpark ferry service fare changes. He explained that staff had redrafted the item based on feedback received at the previous Board meeting. Director Intintoli said that the item was responsive to his concerns and suggested the Board proceed directly to a vote. Chair Breckenridge noted that Director DelBono had not been present at the previous meeting and gave him an opportunity to ask questions. Director Del Bono had no questions.

Director Intintoli made a motion to approve the item. Director DelBono seconded the motion and the item carried unanimously.

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

7. AUTHORIZE AGREEMENT WITH CONTRA COSTA TRANSPORTATION AUTHORITY (CCTA) TO PROVIDE AN OPERATIONAL SUBSIDY FOR FERRY SERVICE BETWEEN RICHMOND AND SAN FRANCISCO

Mr. Connolly presented this item requesting that the Board authorize the Executive Director to execute a Cooperative Agreement with Contra Costa Transportation Authority (CCTA) to provide and operational subsidy for ferry service between Richmond and San Francisco.

Mr. Connolly acknowledged the presence of Peter Engel of the Contra Costa Transportation Agency, Chad Smalley of the City of Richmond, and Mr. Alex Knox of Richmond Mayor Butt's office. Mr. Connolly noted that they were all instrumental in working out an MOU/Cooperative Agreement for funding the future Richmond service. He referred the Board to the CCTA Planning Committee's staff report, CCTA's standard funding agreement, and the MOU/Cooperative Agreement included in the

Board packet, noting that it had originated with WETA and had been developed in concert with the WCCTAC and CCTA.

Director Donovan asked if a Cooperative Agreement and an MOU were the same thing. Mr. Connolly confirmed that they were analogous and that the term Project Agreement might be used in some cases as well.

Chair Breckenridge asked whether the annual operating funds needed to be spent annually or if they could be carried over to future years. Mr. Connolly said that the agreement states WETA would be reimbursed for expenses for a minimum of ten years but that any excess funds could be used beyond that period. Chair Breckenridge asked the farebox recovery projections included in the agreement with CCTA were requirements of MTC funding. Mr. Connolly replied that there was no MTC operating revenue included the project.

Director Intintoli noted that fares had already been established and asked if WETA could revise fares in the future if necessary. Mr. Connolly said that the text of the Cooperative Agreement specified that any modification of the fare schedule would require the approval of the WETA Board. Mr. Connolly explained that WETA sought to establish a proposed fare schedule as part of the Cooperative Agreement in order to avoid any future confusion with funding partners. He said that the objective was to establish a proposed schedule of fares consistent with WETA's program up front, providing an annual opportunity to review and validate fares.

Director Intintoli said he was willing to vote to authorize but said he was concerned about adjusting fares once the fares were made public. Ms. Rannells said the concept of an MOU necessitated going through the exercise of estimating fares and calculating expected costs, deficit, and farebox recovery ratio.

Director Intintoli wanted to know if the fare schedule was realistic. Chair Breckenridge affirmed that it was. Ms. Rannells concurred based on current assumptions. Chair Breckenridge noted that it was anticipated that the Board would adopt a new 5-year fare program in Fiscal Year 2020 that would set fare rates for the period FY2021 – FY2026 and added that in light of fuel prices and other factors, she did not believe anyone would have an expectation that there would be no changes.

Public Comment

Mr. Alex Knox of Richmond Mayor Butt's office said the City considers the Richmond Ferry project a high priority. He said the Mayor was open to ways the City could help move the project forward, and expressed the support from the City Council, the residents, and the business sector for the project.

Director Donovan made a motion to approve the item. Director DelBono seconded the motion and the item carried unanimously.

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

Chair Breckenridge closed the item by thanking WETA's partners for their support through the process and for their presence.

8. OVERVIEW OF ONBOARD RIDERSHIP SURVEY

Mr. Connolly presented an informational overview of the onboard ridership survey. He said WETA conducted onboard surveys in 2011 and 2014 and that these surveys had been used for marketing and planning and that they constituted a valuable tool. He said the 2014 survey took place in October, historically WETA's highest-ridership period. Mr. Connolly said that it was a written survey, consisting of

30 questions administered by a professional survey staff and that it had initially targeted 1500 respondents but had ultimately collected over 2,000 surveys.

Chair Breckenridge asked how passengers were accessing the Harbor Bay Terminal with its limited parking. Mr. Connolly said that there was an overall increase in the percentage of riders walking to the terminal.

Director Intintoli asked if the respondents were satisfied with the ferry crews. Mr. Connolly said the crews' interaction with the customers made a big difference in their experience and that they were rated highly in the survey.

Mr. Connolly said that satisfaction was also high in terms of customer access to terminals, noting that it was probably a reflection of the availability of parking when compared to other options such as BART, where parking is considerably more difficult. He said WETA also received high ratings from bicyclists and people with disabilities.

Director Donovan asked if the majority of those bicycling to the terminal brought their bikes onto the ferry. He also inquired whether there were bicycle parking facilities available at the terminals. Mr. Connolly said that the majority of bicyclists get on the boat with their bikes but that there was also high demand for bike parking at Main Street and at Harbor Bay.

Director DelBono asked if there was a program for making the ferry accessible to riders of all income levels. Chair Breckenridge asked if staff was aware of other transit systems with programs to subsidize low-income ridership. Mr. Connolly said this issue has been a topic of activity in the region for the last few years and that some pilot funding programs had occurred. Ms. Rannells said it was her understanding that such programs tended to be managed or administrated at a city or county level.

Mr. Gougherty said that part of the planning for the next version of the Clipper Card, Clipper 2.0, involved looking at a regional fare program for low-income riders. He said the company that built the Clipper system operates the Orca system in Seattle and had recently announced a program which would provide a lifeline discount on a regional basis. Chair Breckenridge expressed a desire to follow up on this issue.

Chair Breckenridge asked Mr. Connolly if he found anything surprising in the survey. Mr. Connolly said the terminal access numbers were surprising, particularly in Alameda. He said Alameda growing its ridership but is also impacted by limited parking.

Director Donovan noted that more people may be walking to the terminal because of the number of residents now living in downtown San Francisco doing a reverse commute. Mr. Connolly said that staff would continue to keep the board informed regarding terminal access.

Public Comment

Veronica Sanchez of Masters, Mates & Pilots said the presentations were very good. She said Masters, Mates & Pilots would be available to provide assistance in moving the Central Bay Project forward. She said that she had concerns about the proposed Coast Guard crewing requirements as well and didn't want to see boats taken out of service.

Chair Breckenridge said she was sure that that was not the desired outcome and that it was important to make sure Coast Guard understood the implications of such requirements.

Director Donovan asked that the information regarding customer satisfaction with the crews be passed along to them, citing the 85 percent satisfaction rate.

Public Comment

Spencer Dill of Orton Development welcomed the important developments in the Richmond service, expressing the desire to help in any way possible.

9. RECESS INTO CLOSED SESSION AND REPORT OF ACTIVITY IN CLOSED SESSION

Chair Breckenridge called the meeting into closed session at 2:21 p.m. Upon reopening of the meeting at 2:44 p.m. she reported that no action had been taken.

10. ADJOURNMENT

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

Respectfully Submitted,

Board Secretary

MEMORANDUM

TO: Board Members

FROM: Nina Rannells, Executive Director

SUBJECT: Approve Amendment to Agreement with Lindsay Hart, LLP for Federal Legislative Representation

Recommendation

Approve Amendment No. 14 to Agreement #05-205 with Lindsay Hart, LLP (LH) in the amount of \$125,000 for the provision of federal legislative representation in FY 2015/16 and authorize the Executive Director to execute the amendment.

Background

The Water Transit Authority (WTA) originally approved an agreement with Lindsay, Hart, Neil & Weigler, LLP, now Lindsay Hart, LLP (LH), on November 29, 2001 after a competitive selection process. This agreement was transferred to the Water Emergency Transportation Authority (WETA) upon its creation on January 1, 2008, and has been amended annually to provide funding to continue this ongoing work.

The Board of Directors authorized staff to negotiate renewal of this contract as a part of the FY 2015/16 Administrative Support Professional Services Contracts Plan approved on January 8, 2015.

Discussion

Over the years, LH has been successful at securing over \$30 million in federal funding commitments toward WETA projects and has worked to increase overall federal transportation funding for ferry programs. During FY 2014/15, Peter Friedmann and his staff, on behalf of LH, continued their congressional outreach efforts on WETA's behalf including efforts to secure FTA and FHWA administered funds for ferry systems, keep our Congressional Delegation apprised of our projects, programs and needs, develop support for a proposals to change the formula for FHWA ferry funds to provide a higher level of funding for passenger-only ferry systems and to increase funds for FTA ferry programs. Staff is satisfied with LH's work and initiative in garnering congressional support and continued funding for WETA's ferry system needs and recommends continuing this contract through FY 2015/16.

Proposed FY 2015/16 work would focus on the following programs and priorities:

- Expand, maintain and coordinate San Francisco Bay Area/California Congressional Delegation advocacy for WETA, and work to ensure continued active support from other Members of Congress;
- Work towards the overall objective of gaining a revenue stream to WETA in any new federal ferry legislation, including the reauthorization of MAP-21;
- Work with Congressional committees, Bay Area Congressional delegation members, other key members of Congress, strategic stakeholders, and similarly situated ferry systems as appropriate, to increase federal grant funding flowing to WETA, whether through formula programs or discretionary grant programs;

- Work with WETA staff to pursue annual grants from the Ferry Boat Discretionary program, as administered by the Federal Highway Administration and the Federal Transit Administration;
- Research other potential federal programs available to support WETA's program and projects; and
- Regularly inform WETA Board and staff of all relevant legislative and regulatory developments and lobbying activities in Washington DC.

Consistent with FY 2014/15, staff recommends an annual not-to-exceed contract of \$125,000, to be paid in the form of a \$10,000 monthly retainer with up to \$5,000 for incidental expenses annually.

Fiscal Impact

If approved, funds would be included in the FY 2015/16 Operating Budget to support this amendment.

END

SAN FRANCISCO BAY AREA WATER EMERGENCY TRANSPORTATION AUTHORITY

RESOLUTION NO. 2015-05

APPROVE AMENDMENT TO THE AGREEMENT WITH LINDSAY HART, LLP FOR THE PROVISION OF FEDERAL LEGISLATIVE REPRESENTATION

WHEREAS, on November 29, 2001, the Water Transit Authority entered into an agreement with Lindsay, Hart, Neil & Weigler, LLP (now Lindsay Hart, LLP) for Federal legislative and regulatory representation; and

WHEREAS, the agreement was transferred over to WETA upon its creation on January 1, 2008, and has been amended annually to provide funding to continue this ongoing work; and

WHEREAS, WETA's existing Agreement with Lindsay Hart, LLP for federal legislative services and regulatory representation extends through June 30, 2015 and WETA seeks to renew the agreement through June 30, 2016; now, therefore, be it

RESOLVED, that the Board of Directors hereby approves Amendment No. 14 to Agreement #05-205 with Lindsay Hart, LLP for federal legislative service and regulatory representation in an amount not to exceed \$125,000 for FY 2015/16; and be it further

RESOLVED, that the Board of Directors authorizes the Executive Director to execute the amendment.

CERTIFICATION

The undersigned, Board Secretary, does hereby certify that the foregoing is a full, true and correct copy of a resolution duly and regularly adopted at a meeting of the San Francisco Bay Area Water Emergency Transportation Authority held on April 2, 2015.

YEA:
NAY:
ABSTAIN:
ABSENT:

/s/ Board Secretary

2015-05

END

MEMORANDUM

TO: Board Members

FROM: Nina Rannells, Executive Director

SUBJECT: Approve Amendment to Agreement with Broad & Gusman, LLP for State Legislative Representation

Recommendation

Approve Amendment No. 5 to Agreement #10-016 with Broad & Gusman, LLP in the amount of \$66,000 for the provision of state legislative representation in FY 2015/16 and authorize the Executive Director to execute the amendment.

Background

Since November 2004, WTA/WETA has utilized the Law Offices of Broad & Gusman, LLP (Broad & Gusman) to provide state legislative support services. An agreement for services with Broad & Gusman was initially developed as the result of a competitive RFQ process completed in 2004, and was extended on an annual basis through June 2010. On June 17, 2010, as the result of a new competitive RFQ process, the Board approved a new agreement with Broad & Gusman to represent WETA through June 30, 2011, with an option to extend the contract on an annual basis.

The Board of Directors authorized staff to negotiate renewal of this contract as a part of the FY 2015/16 Administrative Support Professional Services Contracts Plan approved on January 8, 2015.

Discussion

Staff recommends the continued use of Broad & Gusman in FY 2015/16 to represent WETA's legislative needs in Sacramento, for an annual retainer fee of \$66,000 consistent with prior years. They are familiar with WETA's program and have been successful in helping us to monitor legislative activity in Sacramento, schedule meetings with legislative representatives and staff, successfully secure legislation addressing agency needs, secure funding and provide various forms of legislative and administrative support as needed over the years. Work in FY 2015/16 would focus on the following activities:

- Monitor state legislation and regulations affecting WETA, keeping the staff and Board regularly informed;
- Schedule and facilitate meetings with key policymakers, staff and others in state government, as requested, to build support and understanding of WETA's program, projects and needs;
- Work in consultation and coordination with WETA staff, Board and other advocacy consultants to preserve and expand state and regional transportation capital and operating funds and programs that could be used to support WETA projects, programs and services; and
- Develop legislation, as needed, to address agency funding, operational, governance or other needs, as identified.

Fiscal Impact

If approved, funds to support this contract amendment will be included in the FY 2015/16 Operating Budget.

END

SAN FRANCISCO BAY AREA WATER EMERGENCY TRANSPORTATION AUTHORITY

RESOLUTION NO. 2015-06

APPROVE AMENDMENT TO THE AGREEMENT WITH BROAD & GUSMAN, LLP FOR THE PROVISION OF STATE LEGISLATIVE REPRESENTATION

WHEREAS, on July 1, 2010, WETA entered into Agreement No. 10-016 with Broad & Gusman, LLP for state legislative services and regulatory representation; and

WHEREAS, WETA's existing agreement with Broad & Gusman, LLP for state legislative services and regulatory representation extends through June 30, 2015 and WETA seeks to renew the agreement through June 30, 2016; now, therefore, be it

RESOLVED, that the Board of Directors hereby approves Amendment No. 5 to Agreement #10-016 with Broad & Gusman, LLP for state legislative services and regulatory representation in an amount not to exceed \$66,000 for FY 2015/16; and be it further

RESOLVED, that the Board of Directors authorizes the Executive Director to execute the amendment.

CERTIFICATION

The undersigned, the Board Secretary, does hereby certify that the foregoing is a full, true and correct copy of a resolution duly and regularly adopted at a meeting of the San Francisco Bay Area Water Emergency Transportation Authority held on April 2, 2015.

YEA:

NAY:

ABSTAIN:

ABSENT:

/s/ Board Secretary

2015-06

END

MEMORANDUM

TO: Board Members

FROM: Nina Rannells, Executive Director

SUBJECT: Approve Amendment to Agreement with Perata Consulting, LLC for Strategic Consulting Services

Recommendation

Approve Amendment No. 1 to Agreement #14-004 with Perata Consulting, LLC in the amount of \$112,500 for the provision of strategic consulting services for the period April 2015 through June 2016 and authorize the Executive Director to execute the amendment.

Background

WETA has grown over the past decade from being a planning-focused entity charged with developing a concept for a network of regional ferry services to being a full-fledged transit operator with responsibility for a fleet of 12 vessels and five terminal facilities utilized to operate four routes serving over 1.6 million passengers per year. WETA's current annual operating budget is over \$30 million annually and the 10-year capital program is estimated to cost over \$400 million.

In recognition of the growth of this program, in December 2013, the Board of Directors directed staff to develop a scope of work for strategic consulting services to complement existing federal and state lobbying services and fill the need for advocacy at the local and regional level to support agency plans and services. On February 6, 2014, the Board authorized staff to issue a Request for Proposals (RFP) and complete a competitive procurement for these services.

On March 31, 2014, the Board of Directors approved a contract with Perata Consulting, LLC (Perata Consulting) in the amount of \$90,000 for a twelve month period, to be paid on a monthly retainer basis. This contract was for an initial term of one year beginning in April 2014, with the ability to extend the term upon review.

The Board of Directors authorized staff to negotiate renewal of this contract as a part of the FY 2015/16 Administrative Support Professional Services Contracts Plan approved on January 8, 2015.

Discussion

Strategic consulting services complement existing federal and state lobbying services and fill the need for advocacy at the local and regional level to support the agency's plans and services. As several counties in the region are planning for transportation sales tax increases and discussions regarding another bridge toll increase begin, the need for continued advocacy at the local and regional level is important to ensure WETA's program and projects are included. Don Perata, of Perata Consulting has been helpful over the past year in raising the level of conversation with various stakeholders and interested parties regarding WETA, our plans and programs and opportunities to fund existing and future ferry services.

Staff recommends the continued use of Perata Consulting in through FY 2015/16 to represent WETA's strategic consulting needs and recommends extending the current contract through June 30, 2016, on terms consistent with the first year contract.

Fiscal Impact

Sufficient funds exist in the current FY 2014/15 Operating Budget to cover the first 3 months of this work (April through June, 2014) and, if approved, additional funds will be included in the FY 2015/16 budget to cover the balance of this agreement.

END

SAN FRANCISCO BAY AREA WATER EMERGENCY TRANSPORTATION AUTHORITY

RESOLUTION NO. 2015-07

APPROVE AMENDMENT TO THE AGREEMENT WITH PERATA CONSULTING, LLC FOR THE PROVISION OF STRATEGIC CONSULTING SERVICES

WHEREAS, on February 6, 2014, the Board of Directors authorized the release of a Request for Proposals for Strategic Consulting Services; and

WHEREAS, on March 31, 2014, the WETA Board authorized entering into an agreement with Perata Consulting, LLC for these services as the result of an RFP solicitation and evaluation process; and

WHEREAS, on April 1, 2014 WETA entered into Agreement #14-004 with Perata Consulting, LLC for an initial period of twelve months, with the option to extend the agreement in future years; and

WHEREAS, WETA seeks to amend this agreement, extending the term for an additional fifteen months, through June 30, 2016; now, therefore, be it

RESOLVED, that the Board of Directors hereby approves Amendment No. 1 to Agreement #14-004 with Perata Consulting, LLC for continued strategic consulting services through June 30, 2016, in the amount of \$7,500 monthly, for a total of \$112,500 for a period of 15 months; and be it further

RESOLVED, that the Board of Directors authorizes the Executive Director execute the amendment.

CERTIFICATION

The undersigned, Board Secretary, does hereby certify that the foregoing is a full, true and correct copy of a resolution duly and regularly adopted at a meeting of the San Francisco Bay Area Water Emergency Transportation Authority held on April 2, 2015.

YEA:

NAY:

ABSTAIN:

ABSENT:

/s/ Board Secretary

2015-07

END

MEMORANDUM

TO: Board Members

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

SUBJECT: Approve Contract Award for *Encinal* and *Harbor Bay Express II* Vessel Replacement Project

Recommendation

Approve the following related actions for the contract award for construction of two replacement vessels.

1. Approve contract award to Kvichak Marine Industries, Inc. for design-build construction in an amount not-to-exceed \$32,031,000;
2. Authorize the Executive Director to negotiate and enter into a contract and take any other related actions as may be necessary to support this work; and
3. Authorize a budget increase to the Vessel Replacement project in the FY 2014/15 Capital Budget in the amount of \$451,000 to support full funding of this project.

Background

The *Encinal* and *Harbor Bay Express II* are included in the FY 2014/15 Capital Budget for replacement as they have reached the end of their useful lives (generally 25 years) and staff has secured funding commitments from a mix of federal, state, regional and local sources to support replacement. The *Encinal* is a 395 passenger vessel generally utilized in the operation of the Alameda/Oakland service. The 149 passenger *Express II*, which was retired and sold when it was transferred to WETA due to its poor condition and the high cost of rehabilitation, is also in need of replacement in order to bring the WETA fleet back up to its full roster of 12 vessels. Given the current ridership demand and steady growth in the central bay ferry services, it was determined that these vessels should be replaced with 27-knot, 400 passenger vessels.

On December 13, 2013 the Board approved a contract with Aurora Marine Design for construction management services to assist staff with the vessel procurement and construction for the Vessel Replacement Project.

Project development work conducted in 2014 in support of this project included extensive outreach to:

- Naval architects and shipyards reviewing recent similar vessel construction projects;
- Propulsion systems manufacturers for latest developments in marine engines and emissions systems equipment;
- Other agencies that are in the process of constructing new vessels or conducting extensive vessel repair work, including King County Transit and Golden Gate Ferry who were consulted for best practices in procurement and project management;
- Meetings with U.S. Coast Guard Marine Safety Office; and
- Vessel crews from the Blue & Gold Fleet, including Inlandboatmen's Union Deckhands, Masters, Mates & Pilots Captains and Engineers provided vessel layout and specifications feedback and improvements.

Preliminary engineering analysis was also done to optimize the vessel specifications including:

- Route efficiency analysis
- Vessel parametric analysis
- Vessel power analysis
- Preliminary concept design

Discussion

On August 20, 2014 the Board approved the release of a Request for Proposals (RFP) for two new 400 Passenger 27-knot passenger-only replacement vessels. The RFP for this project was released September 26, 2014. Notice of this RFP was sent to WETA's mailing list of interested contractors, posted on the Agency's website, published in the San Francisco Examiner and the Regional DBE Business Outreach Committee quarterly newsletter and advertised with online marine trade publications "WorkBoat" and the Passenger Vessel Association.

On October 13, 2014, WETA hosted a Proposer's conference at Pier 9 which was attended by nine individuals representing three shipyards and marine firms. WETA staff issued seven total addenda to the original RFP clarifying the specifications set forth in the RFP, and responding to pre-bid questions.

Evaluation Process:

A Best Value procurement process was utilized for this project. This process considered both price and qualitative components of the proposal in identifying the "best value" proposal that is most advantageous and of greatest value to the agency based upon pre-determined scoring criteria outlined in the RFP.

A proposal evaluation committee was established to review and score proposals which was made up of industry experts in the areas of marine engineering, vessel construction management and operations management from WETA, Blue & Gold Fleet, Golden Gate Ferry and the firms of Fast Ferry Management, Aurora Marine Design and Walther Engineering Services.

The RFP required proposers to submit separate technical qualifications and price proposals for review and scoring in a two-step process.

Step One

A total of two proposals were received on November 17, 2014, including one from Marine Group Boat Works (Marine Group) based in San Diego, CA and one from Kvichak Marine Industries (Kvichak) based in Seattle, WA.

An initial administrative review of these proposals was completed in order to determine conformance with and responsiveness to the RFP. Both proposals were determined to be compliant in these areas and deemed eligible for Step One review.

Step One technical scoring consisted of 38 weighted factors that assessed each proposer's technical approach, management plan, team qualifications and experience, shipyard production, basic vessel design, references, and financial capacity. In addition to the written proposals, interviews were conducted on December 3, 2014, with each of the two responsive bidders in order to answer questions and provide clarification regarding their proposals. Based upon the proposals and information provided, the proposal evaluation committee determined that both proposals scored within the competitive range for the Step One technical portion and requested both firms to submit their Step Two complete technical proposals and price proposal forms.

Step Two

On December 2, 2014 Step Two Proposals were requested from both responsive bidders. Step Two proposals were received on January 9, 2015.

Step Two technical scoring consisted of 40 weighted factors that assess each proposer’s detailed vessel plan, project schedule, vessel design elements, performance predictions, preliminary engineering and Buy America compliance. Evaluation of a separate sealed Price proposal was also included as a part of the Step Two review and scoring.

The proposal evaluation committee met on January 13, 2015, and, based upon the results of the Step Two proposal review, decided to pursue Best and Final proposals from both bidders. Best and Final Offers were requested on January 20, 2014, and meetings were held with each bidder to clarify questions about the each Step Two technical proposal. Revised Best and Final proposals were received on January 27, 2015.

The evaluation team reconvened on February 9, 2015, to determine the final Step Two scores based upon the Best and Final Offers. Final scores from Step One, and the Best and Final Offer Step Two Technical and cost proposals were tallied and the final score and proposal ranking was determined. As a result of this process, the proposal from Kvichak was determined to be the highest ranked proposal representing the “best value” proposal for WETA.

The scoring results are summarized in Table 1 and associated Price proposals submitted are summarized in Table 2 below.

Table 1

Proposal Scoring	Available Points	Marine Group Boat Works	Kvichak Marine Industries
Compliant Proposal	Pass/Fail	Pass	Pass
Step One Technical	100	69.63	88.65
Step Two Technical	500	384.13	408.39
Step Two Price	400	400	387
Total Score	1000	853.8	884.4

Table 2

Price Proposal	Marine Group Boat Works	Kvichak Marine Industries
Vessel Construction Cost	\$29,021,279	\$30,124,829
Total Cost including all possible options, delivery & other costs	\$30,989,041	\$31,965,616

Kvichak was notified that they were the apparent winner and pre-award contract negotiations were held on March 16, 2015. This resulted in a negotiated price savings of \$434,788 from the Best and Final Offer that is reflected in the proposed final award amount discussed below.

Staff recommends that the Board approve award of a contract to Kvichak in the amount of \$32,031,000 for the construction of two new 400 passenger 27-knot passenger-only replacement vessels. This award amount includes funds for a contingency allowance in the

amount of \$500,171 (1.5% of the total contract) to allow for additive changes for work not yet identified but that may be necessary to satisfactorily complete the project, as well as optional spare parts included in the RFP solicitation and review. The recommended award requires a project budget increase in the amount of \$451,000 to support all project expenses as summarized in Table 3 below.

Table 3

	Current Budget	Proposed Project Budget
Vessel Costs	\$31,300,000	\$31,965,616
Negotiated Savings		(\$434,788)
Contingency Allowance		\$500,171
Vessel Budget		\$32,031,000
Project Management/Administration	\$2,200,000	\$1,920,000
Required Budget	\$33,500,000	\$33,951,000
Budget Shortfall		(\$451,000)

The Authority's overall annual Disadvantaged Business Enterprise (DBE) goal and Small Business Enterprise (SBE) goal for Federal Fiscal Year 2015 is 1.36% for FTA-assisted contracts. WETA does not set contract-specific DBE or SBE goals and the commitment of DBE and SBE participation is voluntary but strongly encouraged. Kvichak was not able to commit to any DBE or SBE participation on this contract.

Upon award and execution of a final contract, a Notice to Proceed for design activities will be issued with the project scheduled to be completed in 2017.

Fiscal Impact

The Vessel Replacement project is included in the FY 2014/15 Capital Budget in the amount of \$33,500,000. A capital budget increase in the amount of \$451,000 is required to fully fund this project at the proposed budget of \$33,951,000. With the approval of this item, the project budget will be funded as follows: \$13,580,400 Federal Transit Administration (FTA) grant funds, \$12,000,000 Regional Measure 2 bridge tolls (RM2), \$4,370,600 State Proposition 1B grant funds (Prop 1B), and \$4,000,000 Alameda County Measure B Transportation Sales Tax (40% FTA / 35% RM 2 / 13% Prop 1B / 12% Measure B).

***END**

SAN FRANCISCO BAY AREA WATER EMERGENCY TRANSPORTATION AUTHORITY

RESOLUTION NO. 2015-08

AWARD A CONSTRUCTION CONTRACT TO KVICHAK MARINE INDUSTRIES, INC FOR THE REPLACEMENT VESSELS PROJECT AND AUTHORIZE THE EXECUTIVE DIRECTOR TO NEGOTIATE AND EXECUTE THE AGREEMENT

WHEREAS, two WETA vessels, including the *Encinal* and *Harbor Bay Express II*, have reached the end of their useful lives and require replacement; and

WHEREAS, WETA has secured a mix of federal, state, regional and local funds to support the construction of two new 400 passenger 27-knot passenger-only ferry vessels to serve as replacement to the *Encinal* and *Harbor Bay Express II*; and

WHEREAS, the WETA Board of Directors authorized the release of a Request for Proposals for the Replacement Vessel Project at its August 20, 2014 meeting; and

WHEREAS, the WETA followed the procedures specified in the Request for Proposals (RFP) and in its Administrative Code regarding solicitation and evaluation of proposals submitted in response to the Request for Proposals for the Replacement Vessels Project issued on September 26, 2014 and thereafter amended by addendum thereto; and

WHEREAS, a Best Value procurement process was utilized for this procurement which considers both price and qualitative components of the proposal in identifying the “best value” proposal that is most advantageous and of greatest value to WETA; and

WHEREAS, a proposal evaluation committee was established to review and score proposals, made up of industry experts in the areas of marine engineering, vessel construction management and operations management from WETA, Blue & Gold Fleet, Golden Gate Ferry and the firms of Fast Ferry Management, Aurora Marine Design and Walther Engineering Services; and

WHEREAS, the evaluation committee followed the two-step Best Value evaluation and award process specified in the RFP in reviewing and considering project proposals; and

WHEREAS, the final score and ranking of proposals found the proposal from Kvichak Marine Industries, Inc. to be the “best value” proposal for WETA; and

WHEREAS, it is recommended that, as the result of the Best Value procurement process, the Board of Directors award a contract to Kvichak Marine Industries, Inc. in the amount of \$32,031,000, including owner’s contingency, for the project; now, therefore, be it

RESOLVED, that the Board of Director hereby approves entering into an agreement with Kvichak Marine Industries, Inc. for the Replacement Vessel Project in an amount not to exceed \$32,031,000; and be it further

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

RESOLVED, that the Board of Directors authorizes a budget increase to the Vessel Replacement project in the FY 2014/15 Capital Budget in the amount of \$451,000 to support full funding of this project.

CERTIFICATION

The undersigned, the Board Secretary, does hereby certify that the foregoing is a full, true and correct copy of a resolution duly and regularly adopted at a meeting of the San Francisco Bay Area Water Emergency Transportation Authority held on April 2, 2015.

AYE:

NAY:

ABSTAIN:

ABSENT:

/s/ Board Secretary

2015-08

END

MEMORANDUM

TO: Board Members

**FROM: Nina Rannells, Executive Director
Kevin Connolly, Manager, Planning & Development
Chad Mason, Senior Planner**

**SUBJECT: Approve Amendment to Agreement with Marcy Wong Donn Logan
Architects for Design and Engineering Services for the Richmond Ferry
Terminal Expansion Project**

Recommendation

Approve Amendment No. 3 to Agreement #10-014 with Marcy Wong Donn Logan (MWDL) Architects in the amount of \$1,200,000 to provide Phase II Final Design services for the Richmond Ferry Terminal Expansion Project and authorize the Executive Director to execute the amendment.

Background/Discussion

In May 2010, WETA released a Request for Qualifications (RFQ) to provide design and engineering services for ferry service expansion terminals including the Richmond Ferry Terminal Project. The objective of the RFQ was to award two design contracts for four prospective expansion projects: Antioch, Richmond, Martinez and Redwood City. Firms were invited to submit qualifications to provide both Phase I Conceptual Design and Phase II Final Design services in support of the projects. Based on the submittals received, MWDL was one of two firms selected to provide the scope of services requested. In December 2010, the WETA Board approved a contract award with MWDL for an amount not-to-exceed \$500,000 to provide Phase I Conceptual Design services for the Antioch and Richmond Ferry Terminal projects. The conceptual design services were to support approval of the project under the California Environmental Quality Act (CEQA) and the National Environmental Protection Act (NEPA).

The agreement with MWDL has been amended twice to extend the term due to delays in the environmental review process. Despite these delays, MWDL has completed the Phase I Conceptual Design work within the initial budget approved for the project. In October 2014, WETA completed its CEQA review of the Richmond Project and now seeks to initiate Phase II Final Design work move the project forward. The NEPA work is underway and is anticipated for completion in summer 2015.

As indicated during the procurement of design services for this project and noted during contract award for the Phase I Design services, WETA explicitly retains the option to authorize Phase II Final Design work with the selected consultant following completion of Phase I work. Alternatively, WETA could initiate a new procurement process to request qualifications or proposals from other firms for this work.

To date, MWDL has demonstrated a consistent ability to deliver high-quality professional design and engineering services for the project. Additionally, MWDL is uniquely familiar with the current project design and WETA's programmatic needs for the Richmond Ferry Terminal, having prepared the conceptual design for the project. The Phase II Final Design work

includes the development of final concept plans to support resource agency permitting along with bridging design documents and design support during project construction. A breakout of the Phase II Final Design work scope for the project is provided below.

Final Concept Design and Permitting Support

This work includes completion of final conceptual designs, base mapping and preparation of the basis of design report. Tasks completed during this phase will help develop information required for the resource agency permit applications. These tasks include dredging characterization, a geotechnical investigation to determine pile specifications, bathymetry and coastal engineering analysis. MWDL will also provide design related assistance for the resource agency permitting processes. Permits are required from the Bay Conservation and Development Commission (BCDC), the Army Corps of Engineers, the Regional Water Quality Control Board, and the City of Richmond.

Bridging Design and Construction Procurement Services

This work will include the development of 30% and 60% Plans, Specifications, and Estimates (PS&E) that will serve as the basis for the Bridging Design/Build Construction Bid Documents. Each major component of the project -- including marine, site, and mechanical elements, dredging and demolition -- will require PS&E sets. The consultant will provide constructability reviews and construction cost budget estimates at key points throughout development of the preliminary and final bridging design documents.

Construction Design Support Services

The design consultant will provide support services during project construction. This work will include assisting WETA and its Construction Manager in preparing responses to Requests for Information (RFI), reviewing submittals, shop drawings and mock-ups, and undertaking a limited number of field observations at key points during the construction process.

The budget of \$1,200,000 requested for the services outlined above represents approximately 10% of the construction cost estimate. The budget includes a 5% contingency to cover unanticipated expenses. Staff has determined that the total budget of \$1,200,000 for Phase II Final Design services is reasonable based on actual expenditures for similar work on projects such as the Central Bay and North Bay Operations and Maintenance facilities and the South San Francisco Ferry Terminal projects. In addition, the cost is consistent with benchmark budget ranges for similar projects undertaken by other Bay Area agencies.

Staff recommends that the Board approve Amendment No. 3 to Agreement #10-014 with MWDL for a not-to-exceed amount of \$1,200,000 to provide Phase II Final Design work for the Ferry Terminal Project and extend the term of the agreement to March 2018. All actual expenditures for work completed under this agreement would be pre-authorized through task orders issued by staff for this project.

Fiscal Impact

The Richmond Ferry Terminal project is included in the FY2014/15 Capital Budget at a cost of \$1,862,500 for environmental and design services. This budget will be amended to include terminal construction through the FY 2015/16 budget process.

END

SAN FRANCISCO BAY AREA WATER EMERGENCY TRANSPORTATION AUTHORITY

RESOLUTION NO. 2015-09

APPROVE AMENDMENT TO THE AGREEMENT WITH MARCY WONG DONN LOGAN ARCHITECTS FOR DESIGN AND ENGINEERING SERVICES FOR THE RICHMOND FERRY TERMINAL EXPANSION PROJECT AND AUTHORIZE THE EXECUTIVE DIRECTOR TO EXECUTE THE AMENDMENT

WHEREAS, the San Francisco Bay Area Water Emergency Transportation Authority entered into Agreement #10-014 with Marcy Wong Donn Logan Architects on December 2, 2010 to provide Phase I Conceptual Design and Engineering services for the Richmond and Antioch Ferry Terminal Expansion projects for an amount not-to-exceed \$500,000; and

WHEREAS, WETA authorized Amendment No. 1 to Agreement #10-014 with Marcy Wong Donn Logan Architects in December 2012 to extend the term of the agreement to December 31, 2013; and

WHEREAS, WETA authorized Amendment No. 2 to Agreement #10-005 with Marcy Wong Donn Logan Architects in October 2014 to extend the term of the agreement to December 31, 2015; and

WHEREAS, WETA seeks to authorize additional budget authority for Phase II Final Design and Engineering services as included in the original project solicitation; and

WHEREAS, WETA has followed established provisions and procedures in its Administrative Code relating to the authorization of contract amendments to existing agreements; and

WHEREAS, WETA staff has recommended the approval of Amendment No. 3 to Agreement #10-014 with Marcy Wong Donn Logan Architects to increase the total not-to-exceed contract amount from \$500,000 to \$1,700,000 and to extend the agreement to March 31, 2018; now, therefore, be it

RESOLVED, the Board of Directors hereby approves Amendment No. 3 to Agreement #10-005 with Marcy Wong Donn Logan Architects to increase the total not-to-exceed contract amount from \$500,000 to \$1,700,000 and to extend the agreement to March 31, 2018 and authorizes the Executive Director to execute the amendment.

CERTIFICATION

The undersigned, Board Secretary, does hereby certify that the foregoing is a full, true and correct copy of a resolution duly and regularly adopted at a meeting of the San Francisco Bay Area Water Emergency Transportation Authority held on April 2, 2015.

YEA:
NAY:
ABSTAIN:
ABSENT:

/s/ Board Secretary

2015-09

END

MEMORANDUM

TO: Board Members

**FROM: Nina Rannells, Executive Director
Kevin Connolly, Manager, Planning & Development
Chad Mason, Senior Planner**

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

Recommendation

Authorize release of a Request for Qualification (RFQ) for on-call planning, marine engineering and professional services to support WETA programs and services.

Background/Discussion

WETA's ongoing work program consists of projects to plan, develop, maintain and operate ferry transportation services on the San Francisco Bay. The management of these projects requires a wide range of specialized knowledge and skills that are often needed in uneven and intermittent intervals and on short notice. In 2010, WETA initiated the practice of establishing lists of pre-qualified consultants to utilize as-needed to provide specialized and ongoing consulting services to assist staff in delivering one-time and periodic work in the areas of planning, marine engineering, communications and technical support. These contracts have allowed WETA staff to quickly mobilize and deliver a variety of projects as needed in a cost effective and efficient way. Staff recommends refreshing the WETA on-call service contracts pool this year, at the five year mark.

This item would authorize the release of an RFQ for consultants to provide planning, engineering and professional services on an on-call basis. Once a list of consultants is established and contracts are awarded, WETA would utilize consultants to perform work as needed, on a controlled task order basis. By beginning the RFQ process now, WETA can have contracts in place up front to ensure that both adequate labor and expertise will be available to meet the anticipated future needs of the WETA work program. This is especially useful for engineering services needed on short notice during an emergency event.

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

Planning

- Route-specific and system-wide service, capital, and financial planning
- Agency strategic planning
- Environmental review and permitting
- Feasibility studies
- Biological monitoring, environmental surveys and sampling
- Issue-specific planning such as intermodal service delivery, facilities planning and parking management
- Project controls for capital development

- Surveys and data collection
- Due diligence (financial capacity) of contractors bidding on WETA projects

Marine Engineering

- Project and construction management
- 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
- Hazardous materials management and spill prevention

Professional Services

- Public outreach
- Desktop publishing
- Graphic design
- Website design and management
- Database management

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 programs and projects
- References
- Qualifications
- Availability

Staff will return to the Board with a recommendation to establish a list of qualified on-call firms and authorize contract award(s) in Summer 2015.

Fiscal Impact

There is no fiscal impact associated with this item.

END

MEMORANDUM

TO: Board Members

FROM: Nina Rannells, Executive Director
Lauren Gularte, Administrative/Policy Analyst

SUBJECT: Overview of Disadvantaged Business Enterprise (DBE) and Small Business Enterprise (SBE) Programs and Goal Achievement

Recommendation

This is an informational item. No action is required.

Background/Discussion

Pursuant to 49 Code of Federal Regulations (CFR) Part 26, agencies that receive federal funds are required to have a plan for the inclusion of Disadvantaged Business Enterprises (DBE) in federally assisted contracting opportunities. A DBE is a small business concern that is at least 51% owned and controlled by socially and economically disadvantaged individuals, which includes designated racial/ethnic minorities and women. Such individuals could be Black Americans, Native Americans, Asian-Pacific Americans, Subcontinent Asian-Pacific Americans, and women of any race, or other minorities found to be disadvantaged by the U.S. Small Business Administration (SBA); and, on a case-by-case basis, any other individual found to be socially and economically disadvantaged. Owners of DBE firms must also meet income and personal net worth qualifications. The purpose of the DBE Program is to “level the playing field” for disadvantaged businesses by removing barriers to their participation in the bidding, award and administration of WETA’s federally funded contracts.

As a means of including DBEs in federally assisted contracting opportunities, the Department of Transportation (DOT) requires federal grant recipients to set an overall triennial goal for the participation of DBE firms. The grantee must meet their DBE goal each year of the triennial period or conduct corrective measures to start meeting the goal, which could include setting contract specific goals. WETA’s DBE program does not require contract specific DBE goals. Rather, DBE attainment is gained through a prime contractor’s voluntary commitment to use DBE firms for subcontracting work. Prime contractors are required to provide an explanation of the methods they used to reach out to DBE firms, select portions of the work that are feasible for DBEs and assist DBEs with bonding, lines of credit, insurance, and securing equipment. Proposals received without this required information are deemed non-responsive.

In January of 2011, DOT published revisions to the DBE regulations to require recipients of DOT funding to take all reasonable steps to facilitate competition by small business enterprises (SBEs). The revised regulations require active implementation of this specific SBE element as a means of increasing DBE participation on a race neutral basis. In February of 2012, the WETA Board of Directors approved a SBE element of its DBE plan that is similar in concept to the DBE program. The SBE program requires setting an overall SBE goal, on the same schedule as the DBE goal, based upon an

evaluation of SBE contracting opportunities for upcoming projects and an assessment of WETA's history of attracting SBE participation. Similar to the DBE program, submitters for federally funded procurements are required to solicit participation from SBEs for contracting opportunities and declare how much SBE participation they will be able to achieve should they be awarded the contract.

Race Neutral Measures:

DOT Regulations require that the maximum feasible portion of the overall DBE goal be achieved using race-neutral means such as programs and initiatives that assist small businesses in general and that are not limited to minority or women-owned firms. As a result of a 9th Circuit Court of Appeals ruling, here in the 9th District 100% of DBE goals must be achieved using race-neutral means unless a disparity study proves the underrepresentation of a socially and economically disadvantaged group of individuals. WETA employs several race neutral measures such as making efforts to assure that bidding and contract requirements facilitate participation by DBE's and other small businesses, encouraging prime contractors to subcontract portions of the work that they might otherwise perform themselves and providing technical assistance, communications programs, and other support services to facilitate consideration of DBE's and other small businesses.

WETA's race neutral efforts are facilitated through active participation in educational and outreach events organized by the San Francisco Bay Area Regional Business Outreach Committee (BOC); a committee comprised of 13 Bay Area transit and transportation agencies. Each year the BOC sponsors four events focused on increasing DBE participation including "Meet the Buyers" or "Meet the Primes" networking events, technical and educational workshops, and during goal setting years the BOC holds consultation meetings with trade and business organizations as well as DBE firms to receive their feedback on agencies' draft goals. Past BOC sponsored workshops have included topics such as advantages of being certified, bonding and insurance, avoiding common pitfalls of proposals, procurement methods employed at Bay Area transit agencies, among others. The BOC also produces a quarterly newsletter listing upcoming contracting opportunities for all 13 member agencies, tips for successful bids and contact information for DBE Administrators at each agency. This newsletter is posted on WETA's website and distributed to a list of DBE and non-DBE firms.

DBE Triennial Goal:

WETA's DBE triennial goal for FFY14-16 is 1.36%. This goal represents the number of ready, willing and able, DBE firms in WETA's market area that perform work in the specific North American Industrial Classification System (NAICS) codes included in the federally funded contracts that WETA's expects to release in the three-year goal period, and includes sixteen contracts totaling \$42.9 million for the following types of projects:

Project Type	FTA \$	FTA \$ Projected for DBEs	% of FTA \$ to DBEs
Vessel and Float Rehabilitation	\$5,154,510	\$0	0.00%
Vessel Construction	\$30,433,500	\$27,390	0.09%
Vessel Construction Management	\$3,381,500	\$196,127	5.80%
Facility/Terminal Design and Construction	\$3,946,197	\$361,311	9.16%
Total	\$42,915,707	\$584,828	

Overall DBE Goal (FTA \$ to DBEs/Total FTA \$) 1.36%

Attachment 1 provides a summary table detailing DBE availability for each of the 16 contracts included in the FFY 14-16 DBE goal.

To develop the DBE goal, staff determined all of the contracting opportunities for projects anticipated to receive FTA funding during the next three federal fiscal years. Sixteen FTA-assisted contracts are anticipated to be awarded in FFY14 through FFY16, totaling \$42.9 million. The evaluation conducted in order to develop this goal involved a two-step process. The first step consists of identifying the prime and subcontracting opportunities for each contract by their North American Industry Classification System (NAICS) codes that closely match the types of work (prime and sub) required for the contracts and analyzing the relative availability of DBEs for those opportunities by comparing data from the California Unified Certification Program (CUCP) database of all certified DBEs with the Census Bureau’s County Business Patterns database of all firms to come up with an overall DBE participation percentage. The second part of the evaluation consists of further adjustments, based upon an assessment of known relevant evidence to narrowly tailor the base DBE participation figure to WETA’s marketplace. Such analysis could include actual DBE participation in WETA’s race/gender-neutral contracts in recent years or other factors which could limit or expand the availability of DBEs to participate. A complete copy of the goal methodology detailing these steps is provided as **Attachment 2**.

WETA’s SBE goal is developed by conducting a similar analysis using a database that lists SBE firms by industry work area.

Actual DBE and SBE Achievement:

The following table summarizes WETA’s DBE and SBE goals and goal achievement since FFY11.

FFY	FTA Dollars	DBE Goal	DBE Achievement	DBE +/-	SBE Goal	SBE Achievement	SBE +/-
FFY 11	\$19,487,028	2.00%	0.00%	-2.00%			
FFY 12	\$19,487,028	2.00%	1.22%	-0.78%			
FFY 13	\$19,487,028	2.00%	6.17%	4.17%	2.00%	43.46%	41.46%
FFY 14	\$42,915,708	1.36%	4.04%	2.68%	1.36%	10.16%	8.80%

Recipients are required to meet their DBE goal for each year of the triennial period, however, the amount of actual achievement depends on the number and types of contracts let during that period and if any prime contracts were awarded to DBE or SBE firms. For example, in FFY13, WETA achieved 4.17% more than the agency’s DBE goal due to a \$330,000 contract that was awarded to a DBE prime contractor. Without the participation of that DBE prime, WETA’s DBE achievement would have only been 1.37%. Similarly, WETA achieved 41.46% more SBE participation than expected as a result of awarding a \$330,000 contract and a \$2,500,000 contract to SBE firms. Without the participation of these two SBE primes, WETA’s SBE achievement would have been 1.68%.

It should be noted that the agency's SBE element was first developed in February 2012 and has been set at the same level as the DBE goal for the last three years since the agency has not had extensive experience with the expected level of SBE participation in WETA's contracting opportunities. As shown above, WETA's experience contracting with SBEs over the last couple years has indicated that it may be appropriate to set future SBE goals than the DBE goal since the level of SBE participation has reached well above the 1.36% goal for the last two years.

Fiscal Impact

There is no fiscal impact associated with this item.

END

Attachment 1

DBE availability by contract included in FFY14-16 Triennial Goal

Project Type	FTA Dollars	DBE Availability	FTA Dollars Projected for DBEs
Vessel and Float Rehabilitation			
Engine Overhaul - M/V Solano	\$841,600	0.00%	\$0
Midlife Overhaul - M/V Peralta	\$2,000,000	0.00%	\$0
Engine Overhaul - M/V Scorpio	\$467,972	0.00%	\$0
Engine Overhaul Projects - M/V Encinal, Gemini, Pisces & Taurus	\$1,559,338	0.00%	\$0
Main Street Float Dry Dock & Repair	\$285,600	0.00%	\$0
<i>Subtotal</i>	<i>\$5,154,510</i>		<i>\$0</i>
Vessel Construction			
Vessel Construction - M/V Encinal Replacement	\$13,320,000	0.09%	\$11,988
Vessel Construction - Richmond Ferry Service	\$2,250,000	0.09%	\$2,025
Vessel Construction - M/V Vallejo Replacement	\$12,240,000	0.09%	\$11,016
Vessel Construction - Berkeley Ferry Service	\$2,623,500	0.09%	\$2,361
<i>Subtotal</i>	<i>\$30,433,500</i>		<i>\$27,390</i>
Vessel Construction Management			
Vessel Construction Mgmt - M/V Encinal Replacement	\$1,480,000	5.80%	\$85,840
Vessel Construction Mgmt - Richmond Ferry Service	\$250,000	5.80%	\$14,500
Vessel Construction Mgmt - M/V Vallejo Replacement	\$1,360,000	5.80%	\$78,880
Vessel Construction Mgmt - Berkeley Ferry Service	\$291,500	5.80%	\$16,907
<i>Subtotal</i>	<i>\$3,381,500</i>		<i>\$196,127</i>
Facility/Terminal Design and Construction			
Vallejo Maintenance Dredging	\$998,784	13.70%	\$136,833
San Francisco Downtown Berthing Phase A - Final Design	\$719,925	5.50%	\$39,596
Central Bay Operations & Maint. Facility - Construction	\$2,227,488	8.30%	\$184,882
<i>Subtotal</i>	<i>\$3,946,197</i>		<i>\$361,311</i>
TOTAL	\$42,915,707		\$584,828

Overall DBE Goal (FTA \$ to DBEs/Total FTA \$)	1.36%
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FEDERAL FISCAL YEARS 2014 THROUGH 2016

**DISADVANTAGED BUSINESS ENTERPRISE (DBE) GOAL ANALYSIS
REPORT**

For Contracts Assisted by the Federal Transit Administration

May 15, 2013

SUMMARY

The Water Emergency Transportation Authority (WETA) has developed a 1.36% Disadvantaged Business Enterprise (DBE) goal applicable to Federal Fiscal Years 2014, 2015, and 2016 contracting opportunities assisted by the Federal Transit Administration (FTA) in accordance with revisions to 49 CFR Part 26.

The goal is applicable to a total of \$42,915,708 of FTA dollars that are budgeted for 16 contracts anticipated to be awarded from October 1, 2013, through September 30, 2016. WETA will periodically evaluate the goal and the award of federally assisted contracts to determine whether the present goal continues to be realistic or whether mid-course adjustments will be necessary. The DBE goals developed for FTA-assisted contracts identify the relative availability of DBEs, based on evidence of ready, willing and able DBEs in relationship to all comparable businesses that are likely to be available to compete for WETA's FTA-assisted contracts. The three-year overall goal reflects WETA's determination of the level of DBE participation that would be expected absent the effects of discrimination.

The following report provides a step by step overview of WETA's determination of its FFY 14-16 DBE goal which was developed in accordance with 49 Code of Federal Regulations (CFR) Part 26, issued by the U.S. Department of Transportation (U.S. DOT).

Contracts Assisted by FTA

A total of \$42,915,708 of FTA dollars is budgeted for 16 contracts to be awarded during FFY 2014 through 2016. See Table 1 below. A two-step process is used to determine the overall goal for these contracts.

Table 1: Federally Funded Contracts Anticipated to be Awarded During FFY14-16

Description of Contract	FTA Dollars
Anticipated for award in FFY 13/14	
Engine Overhaul - M/V Solano	\$841,600
Midlife Overhaul - M/V Peralta	\$2,000,000
Vessel Construction - M/V Encinal Replacement	\$13,320,000
Vessel Construction Management - M/V Encinal Replacement	\$1,480,000
Vessel Construction - Richmond Ferry Service	\$2,250,000
Vessel Construction Management - Richmond Ferry Service	\$250,000
Anticipated for award in FFY 14/15 & FFY 15/16	
Engine Overhaul - M/V Scorpio	\$467,972
Vessel Construction - M/V Vallejo Replacement	\$12,240,000
Vessel Construction Management - M/V Vallejo Replacement	\$1,360,000
Vallejo Maintenance Dredging	\$998,784
San Francisco Downtown Berthing Phase A - Final Design	\$719,925
Central Bay Operations & Maintenance Facility - Construction	\$2,227,488
Engine Overhaul Projects - M/V Encinal, Gemini, Pisces & Taurus	\$1,559,338
Vessel Construction - Berkeley Ferry Service	\$2,623,500
Vessel Construction Management - Berkeley Ferry Service	\$291,500
Main Street Float Dry Dock & Repair	\$285,600
Total FTA Dollars	\$42,915,708

Step One. Determining Base Figures

Base figures were calculated for contracts budgeted for award to determine the relative availability of DBEs in specific areas of expertise using the North American Industrial Classification System (NAICS) codes for the counties in WETA’s market area. WETA’s market area is defined as those counties in which existing or proposed ferry terminals are located or expected to be located, including: Alameda, Contra Costa, San Francisco, San Mateo and Solano Counties. WETA identified 13 NAICS codes as pertinent areas of expertise for the contracts. The NAICS codes and descriptions are identified in Table 2 below.

Number of DBEs: To determine the number of DBEs in WETA’s market area staff searched the CUCP database for ready, willing and able DBEs certified in the NAICS codes identified for the prime contracts and subcontracts. The numbers of DBEs identified are displayed in Column C of Table 2 located below.

Number of All Firms (DBEs and non-DBEs): To determine the number of all firms (DBEs and non-DBEs) in WETA’s market area, staff searched the Census Bureau’s 2010 County Business Patterns database for all firms specializing in the NAICS codes identified for the

prime contracts and subcontracts. Numbers of all firms identified are displayed in Column D of Table 2.

Relative Availability of DBE Firms: Relative availability is derived by dividing the number of ready, willing and able DBEs in a particular NAICS code by the number of all firms in that NAICS code. Table 2 shows this equation carried out for the CUCP/County Business Pattern databases. The resulting relative availability figures are displayed in Column E of Table 2.

Table 2: Availability of DBEs and All firms by NAICS Code

A. NAICS Code	B. NAICS Description	C. CUCP DBEs	D. All Firms in Market Area	E. Relative DBE Availability
236210	Industrial Building Construction	19	38	50.0%
237990	Other Heavy and Civil Engineering Construction	9	37	24.3%
238210	Electrical Contractors and Other Wiring Installation Contractors	17	920	1.8%
238220	Plumbing, Heating, and Air-Conditioning Contractors	13	967	1.3%
333618	Other Engine Equipment Manufacturing	0	3	0.0%
334220	Radio & Television Broadcasting & Wireless Communications Equip Manufacturing	0	26	0.0%
336360	Motor Vehicle Seating and Interior Trim Manufacturing	0	5	0.0%
336611	Ship Building and Repairing	0	11	0.0%
483211	Inland Water Freight Transportation	0	3	0.0%
541310	Architectural Services	31	653	4.7%
541330	Engineering Services	71	1,225	5.8%
541370	Surveying and Mapping (except Geophysical) Services	10	61	16.4%
811310	Commercial and Industrial Machinery and Equipment (except Automotive and Electronic) Repair and Maintenance	0	188	0.0%

FTA Funds to be Expended in Each Specific Area and Calculating Base Figure: To determine the FTA dollars that will be expended for each specific area of expertise, the FTA-assisted contracts and subcontracts identified by project managers were categorized according to their NAICS industry classifications. See Exhibit 1, Column B, on page 11. Contract dollars of each industry classification were divided by the total contract dollars (\$42,915,708) resulting in percentage of total dollars per contract and classification, called the “weighted” percentage. The result is shown in Exhibit 1, Column D.

Next, the Base Figure for the Overall Goal was calculated by multiplying the weighted percentage of funds to be expended for each NAICS (Exhibit 1, Column D) by DBE relative availability for each NAICS (carried forward from Table 2 and shown in Exhibit 1, Column E). Base Figure per NAICS is shown in Exhibit 1, Column F. Finally, Base Figures for all NAICS were totaled, resulting in a 2.69% overall base figure.

Calculating Base Figure per Individual Contract: To determine the base figure for each contract, the percentage of work (prime and sub) identified by project managers was multiplied by the DBE relative availability (carried forward from Table 2), and totaled for each contract. See Exhibit 2 on page 14.

Step Two. Adjusting Base Figures

WETA examined the nature of the contracts budgeted for award to determine whether any further refinements were warranted. Staff determined adjustments were warranted for two contracts:

1. Central Bay Operations and Maintenance Facility Construction
2. Vallejo Maintenance Dredging

The Central Bay Operations and Maintenance Facility Construction is a \$34.5 million project. Due to the size of this project, the bonding and financial requirements will likely limit the prospective prime contractors for the work to companies that exceed the DBE size standards. However, WETA also acknowledges that there could be opportunities for the prime to subcontract portions of the work that could fall under the same NAICS codes as the prime contracts.

For the Vallejo Maintenance Dredging contract, staff checked with each of the nine DBE firms in WETA's market area under NAICS code 237990 Other Heavy and Civil Engineering Construction to inquire if those firms could provide dredging services. Four of the nine firms stated they do not provide dredging services.

Adjustments:

Step 1 Base Figures: Central Bay Operations and Maintenance Facility Construction: 29.2%; Vallejo Maintenance Dredging: 23.8%

Step 2 Adjustment:

- Central Bay Operations and Maintenance Facility Construction: Remove prime work from calculation. Subcontracting opportunities are potentially available under NAICS codes 237990 and 236210, resulting in an adjusted base figure of 8.3%.
- Vallejo Maintenance Dredging: 4 of the 9 firms stated they could not provide dredging services, therefore the DBE availability figure for NAICS code 237990

under this contract was adjusted to 13.5% (5 DBE firms / 37 total firms), resulting in an adjusted base figure for the contract of 13.7%.

Table 3: Adjusted Base Figures

NAICS Code and Description for Prime and Subcontracting Opportunities		Percent of Individual Contract Dollars	Relative DBE Availability	Base Figure Per Contract
Vallejo Maintenance Dredging				
Prime: 237990	Other Heavy and Civil Engineering Construction	94.00%	13.5%	12.7%
Sub: 541370	Surveying and Mapping (except Geophysical) Services	6.00%	16.4%	1.0%
Contract Total:				13.7%
Central Bay Operations & Maintenance Facility - Construction				
Prime: 237990	Other Heavy and Civil Engineering Construction	29.60%	0.0%	0.0%
Prime: 236210	Industrial Building Construction	27.50%	0.0%	0.0%
Sub: 237990	Other Heavy and Civil Engineering Construction	10.00%	24.3%	2.4%
Sub: 236210	Industrial Building Construction	10.00%	50.0%	5.0%
Sub: 541330	Engineering Services	12.20%	5.8%	0.7%
Sub: 238220	Plumbing, Heating, and Air-Conditioning Contractors	4.80%	1.3%	0.1%
Sub: 483211	Inland Water Freight Transportation	3.10%	0.0%	0.0%
Sub: 238210	Electrical Contractors and Other Wiring Installation Contractors	2.50%	1.8%	0.0%
Sub: 541370	Surveying and Mapping (except Geophysical) Services	0.30%	16.4%	0.0%
Contract Total:				8.3%

Overall Goal

DBE availability per contract was calculated into projected DBE participation dollars by taking the FTA dollars budgeted for each contract (from Table 1) and multiplying them by the adjusted availability per contract. The total of the projected DBE participation dollars was then divided by the total of the budgeted FTA dollars for all contracts, resulting in a 1.36% overall goal. See Table 4 below.

Table 6: Overall DBE Goal FFY14-16

Description of Contract	FTA Dollars	DBE Availability per Contract	FTA Dollars Projected for DBEs
Anticipated for award in FFY 13/14			
Engine Overhaul - M/V Solano	\$841,600	0.00%	\$0
Midlife Overhaul - M/V Peralta	\$2,000,000	0.00%	\$0
Vessel Construction - M/V Encinal Replacement	\$13,320,000	0.09%	\$11,988
Vessel Construction Management - M/V Encinal Replacement	\$1,480,000	5.80%	\$85,840
Vessel Construction - Richmond Ferry Service	\$2,250,000	0.09%	\$2,025
Vessel Construction Management - Richmond Ferry Service	\$250,000	5.80%	\$14,500
Anticipated for award in FFY 14/15 & FFY 15/16			
Engine Overhaul - M/V Scorpio	\$467,972	0.00%	\$0
Vessel Construction - M/V Vallejo Replacement	\$12,240,000	0.09%	\$11,016
Vessel Construction Management - M/V Vallejo Replacement	\$1,360,000	5.80%	\$78,880
Vallejo Maintenance Dredging	\$998,784	13.70%	\$136,833
San Francisco Downtown Berthing Phase A – Final Design	\$719,925	5.50%	\$39,596
Central Bay Operations & Maintenance Facility - Construction	\$2,227,488	8.30%	\$184,882
Engine Overhaul Projects - M/V Encinal, Gemini, Pisces & Taurus	\$1,559,338	0.00%	\$0
Vessel Construction - Berkeley Ferry Service	\$2,623,500	0.09%	\$2,361
Vessel Construction Management - Berkeley Ferry Service	\$291,500	5.80%	\$16,907
Main Street Float Dry Dock & Repair	\$285,600	0.00%	\$0

Total FTA Dollars and DBE Dollars:	\$42,915,708		\$584,828
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FTA Dollars Projected for DBE	FTA Budgeted	Annual Overall Goal
\$584,828	\$42,915,708	1.36%

Race/Gender-Neutral Measures

Summary of Race Neutral Methods of Achieving DBE Participation

Regulations require that the maximum feasible portion of the overall DBE goal be achieved through race-neutral measures. Neutral efforts are programs and other

initiatives that assist small businesses in general and are not limited to minority or women-owned firms.

WETA continues to focus on expanding race/gender-neutral outreach through participation in the “Business Outreach Committee” (BOC), a consortium of thirteen Bay Area transit and transportation agencies formed in an effort to maximize outreach efforts. The BOC member agencies includes Alameda Contra Costa Transit District, Alameda County Congestion Management Agency, Alameda County Transportation Commission, Bay Area Rapid Transit, Central Contra Costa Transit Authority, City of Rio Vista, Golden Gate Bridge Highway and Transportation District, Metropolitan Transportation Commission, San Francisco Municipal Transportation Agency, San Mateo County Transit District/Peninsula Joint Powers Board, Santa Clara Valley Transportation Authority, Transbay Joint Powers Authority and WETA. The BOC has an aggressive annual outreach calendar. Events in the past year have included a technical training 6-week bonding education program; two “Meet the Buyer’s” events; a series of workshops for professional services and Architectural and Engineering firms including sessions on project funding, advantages of being certified, avoiding common pitfalls of proposals, and procurement methods used by Bay Area transit agencies; a consultation meeting with trade and business organizations on agency’s DBE goal setting process and upcoming contracting opportunities, and a public participation event to solicit public comments on agency’s DBE goals and upcoming contracts (see discussion below).

In addition to the educational and outreach activities through the BOC, WETA will continue race/gender-neutral activities in its contracting opportunities, including:

- Ensuring that bidding and contract requirements facilitate participation by DBEs and other small businesses by incorporating DBE language throughout WETA’s bid documents including:
 - The District’s DBE Program policy.
 - A nondiscrimination assurance from the contractor (and each subcontract the prime contractor signs with a subcontractor).
 - A statement that encourages prime contractors to use financial institutions owned and controlled by socially and economically disadvantaged individuals in the community.
 - The website address for the DBE directory identifying all firms eligible to participate as DBEs in the District’s program.
- Ensuring contracts are accessible to small businesses, and if not, making efforts to unbundle large contracts to make them more accessible.
- Encouraging prime contractors to subcontract portions of the work that they might otherwise perform themselves.
- Providing technical assistance and other support services to facilitate consideration of DBEs and other small businesses.

- Provide information at pre-bid conferences to prospective contractors/consultants as to applicable small business/DBE requirements including DBE database websites, resources and answering any questions.
- Providing an email service to firms interested in receiving notification when WETA posts new contracting opportunities on its website.

Public Participation

Consultation with Various Groups, Organizations and Officials

Member agencies of the BOC conducted a public participation session on April 23, 2013, at the Metropolitan Transportation Commission office in Oakland, California. The program focused on anticipated agency contracting opportunities over the next three fiscal years. Two major infrastructure projects were also highlighted: Santa Clara Valley Transportation Authority's Silicon Valley Bart Extension Parking Structure Design Build project and San Francisco Bay Area Rapid Transit District's Hayward Maintenance Complex project (HMC). The session provided a forum for representatives from businesses and organizations to share their views about the availability of certified and potential DBEs ready, willing and able to compete for DOT-assisted contracts, to discuss their concerns, and to provide their perspectives on how DOT recipients might more effectively administer their programs to improve DBE participation. Approximately 125 representatives of DBE firms attended the meeting. The following comments were received during the public participation meeting:

- The DBE program should be extended to non-federally assisted projects.
- There are too many certifications and designations (e.g. DBE, SBE, LBE, among others) and it is difficult for a small business to obtain and maintain these various certifications. Agencies should make efforts to create a one-stop shop for all these certifications.
- Overall consensus that there is a lack of enforcement to ensure that a listed DBE is actually used on a project
- A member from the public would like agencies to publicize their DBE utilization data for the prior three years, to include both federalized and non-federalized projects
- Question regarding the process to evaluate proposals
- Question on WETA's stance on unsolicited proposals and whether any progress been made on the development of hovercraft
- Question as to whether there is one central database or place where firms can find out about and sign up for contracting opportunities
- Question as to how many agencies have as-needed design contracts

WETA also participated in an additional event designed to gather input on the DBE program from resource agencies, chambers of commerce, and trade associations. Participants included staff from San Francisco African American Chamber, California Hispanic Chambers and Women's Transportation Seminar, Asian American Contractors

Association, Asian American Architects and Engineers, Council of Asian American Business Association, and National Association of Minority Contractors Inc. In general, participants agreed that the program can be effective in widening opportunities for DBEs. Comments and concerns shared by most participants included:

- Agencies should identify and publicize trades or areas with no or low DBE participation
- Agencies should break larger contracts into smaller contracts so that smaller firms can bid as primes
- Owners of projects should consider supplying owner-furnished material for installation instead of having a small contractor bid on both material and installation
- To address areas of underutilization, agencies and trade groups should determine areas where there is overcapacity and encourage firms to transfer skill sets from an area of overcapacity to an area of low DBE utilization
- Agencies should set higher race-conscious goals with the intent that actual attainment may be less than the established goal but more in line with an expected goal
- Agencies should consider setting separate goals for engineering/professional services and construction activities because these trades are so different, with significant differences in DBE availability

Adjustments Made Based on Comments from Various Groups, Organizations and Officials

Since the comments received at the public participation sessions do not specifically address WETA's contracting opportunities projected for FFY 2014 through FFY 2016, no additional adjustments will be made to the DBE availability figures.

Publication of Goal

On May 24, 2013, WETA published the 1.36% overall goal in general circulation media, minority-focused media, and trade association publications. The deadline for public comments was July 20, 2013. A copy of the public notice is provided in Exhibit 3.

Adjustments Made Based on Public Comments in Response to Publication

No comments were received before the deadline, July 20, 2013. Therefore, no adjustments were made to the goal developed by WETA.

Conclusion

The overall DBE goal for FTA-assisted contracts for FFY 2014 through 2016 is 1.36% with DBE participation sought on a race/gender neutral basis.

Exhibit 1: Calculating Weighted FTA Dollars and Base Figure

A. NAICS Code	B. NAICS Description and Associated Contracts	C. FTA Dollars for contract	D. Weighted % of Total FTA Dollars	E. DBE Availability	F. Base Figure
236210	Industrial Building Construction				
	Central Bay Operations & Maintenance Facility - Construction	\$835,308	1.9%	50.0%	0.97%
237990	Other Heavy and Civil Engineering Construction				
	Vallejo Maintenance Dredging	\$938,857	2.2%	24.3%	0.53%
	Central Bay Operations & Maintenance Facility - Construction	\$882,085	2.1%	24.3%	0.50%
238210	Electrical Contractors and Other Wiring Installation Contractors				
	Central Bay Operations & Maintenance Facility - Construction	\$55,687	0.1%	1.8%	0.002%
	Vessel Construction - M/V Encinal Replacement	\$442,224	1.0%	1.8%	0.019%
	Vessel Construction - Richmond Ferry Service	\$74,700	0.2%	1.8%	0.003%
	Vessel Construction - M/V Vallejo Replacement	\$406,368	0.9%	1.8%	0.017%
	Vessel Construction - Berkeley Ferry Service	\$87,100	0.2%	1.8%	0.004%
238220	Plumbing, Heating, and Air-Conditioning Contractors				
	Central Bay Operations & Maintenance Facility - Construction	\$106,919	0.2%	1.3%	0.003%
	Vessel Construction - M/V Encinal Replacement	\$344,988	0.8%	1.3%	0.010%
	Vessel Construction - Richmond Ferry Service	\$58,275	0.1%	1.3%	0.002%
	Vessel Construction - M/V Vallejo Replacement	\$317,016	0.7%	1.3%	0.010%
	Vessel Construction - Berkeley Ferry Service	\$67,949	0.2%	1.3%	0.002%
333618	Other Engine Equipment Manufacturing				
	Vessel Construction - M/V Encinal Replacement	\$2,530,800	5.9%	0.0%	0.00%
	Vessel Construction - Richmond Ferry Service	\$427,500	1.0%	0.0%	0.00%
	Vessel Construction - M/V Vallejo Replacement	\$2,325,600	5.4%	0.0%	0.00%

	Vessel Construction - Berkeley Ferry Service	\$498,465	1.2%	0.0%	0.00%
334220	Radio & Television Broadcasting & Wireless Communications Equip Manufacturing				
	Vessel Construction - M/V Encinal Replacement	\$415,584	1.0%	0.0%	0.00%
	Vessel Construction - Richmond Ferry Service	\$70,200	0.2%	0.0%	0.00%
	Vessel Construction - M/V Vallejo Replacement	\$381,888	0.9%	0.0%	0.00%
	Vessel Construction - Berkeley Ferry Service	\$81,853	0.2%	0.0%	0.00%
336360	Motor Vehicle Seating and Interior Trim Manufacturing				
	Vessel Construction - M/V Encinal Replacement	\$574,092	1.3%	0.0%	0.00%
	Vessel Construction - Richmond Ferry Service	\$96,975	0.2%	0.0%	0.00%
	Vessel Construction - M/V Vallejo Replacement	\$527,544	1.2%	0.0%	0.00%
	Vessel Construction - Berkeley Ferry Service	\$113,073	0.3%	0.0%	0.00%
336611	Ship Building and Repairing				
	Midlife Overhaul - M/V Peralta	\$1,333,400	3.1%	0.0%	0.00%
	Vessel Construction - M/V Encinal Replacement	\$9,012,312	21.0%	0.0%	0.00%
	Vessel Construction - Richmond Ferry Service	\$1,522,350	3.5%	0.0%	0.00%
	Vessel Construction - M/V Vallejo Replacement	\$8,281,584	19.3%	0.0%	0.00%
	Vessel Construction - Berkeley Ferry Service	\$1,775,060	4.1%	0.0%	0.00%
	Main Street Float Dry Dock & Repair	\$285,600	0.7%	0.0%	0.00%
483211	Inland Water Freight Transportation				
	Central Bay Operations & Maintenance Facility - Construction	\$69,052	0.2%	0.0%	0.00%
541310	Architectural Services				
	San Francisco Downtown Berthing Phase A - Final Design	\$179,981	0.4%	4.7%	0.02%

541330	Engineering Services				
	Vessel Construction Management - M/V Encinal Replacement	\$1,480,000	3.4%	5.8%	0.20%
	Vessel Construction Management - Richmond Ferry Service	\$250,000	0.6%	5.8%	0.03%
	Vessel Construction Management - M/V Vallejo Replacement	\$1,360,000	3.2%	5.8%	0.18%
	San Francisco Downtown Berthing Phase A - Final Design	\$539,944	1.3%	5.8%	0.07%
	Central Bay Operations & Maintenance Facility - Construction	\$271,754	0.6%	5.8%	0.04%
	Vessel Construction Management - Berkeley Ferry Service	\$291,500	0.7%	5.8%	0.04%
541370	Surveying and Mapping (except Geophysical) Services				
	Vallejo Maintenance Dredging	\$59,927	0.14%	16.4%	0.02%
	Central Bay Operations & Maintenance Facility - Construction	\$6,682	0.02%	16.4%	0.003%
811310	Commercial and Industrial Machinery and Equipment (except Automotive and Electronic) Repair and Maintenance				
	Engine Overhaul - M/V Solano	\$841,600	2.0%	0.0%	0.00%
	Midlife Overhaul - M/V Peralta	\$666,600	1.6%	0.0%	0.00%
	Engine Overhaul - M/V Scorpio	\$467,972	1.1%	0.0%	0.00%
	Engine Overhaul Projects - M/V Encinal, Gemini, Pisces and Taurus	\$1,559,338	3.6%	0.0%	0.00%
Total FTA Funds for FY 14-16:		\$42,915,707	Overall Base Figure:		2.69%

Exhibit 2: Base Figure Breakdown per Individual Contract

NAICS Code and Description for Prime and Subcontracting Opportunities	Percent of Individual Contract Dollars	Relative DBE Availability	Base Figure Per Contract
Engine Overhaul - M/V Solano			
Prime: 811310 Commercial and Industrial Machinery and Equipment Repair and Maintenance	100.00%	0.0%	0.0%
Contract Total:			0.0%
Midlife Overhaul - M/V Peralta			
Prime: 336611 Ship Building and Repairing	66.67%	0.0%	0.0%
Sub: 811310 Commercial and Industrial Machinery Equipment and Repair	33.33%	0.0%	0.0%
Contract Total:			0.0%
Vessel Construction - M/V Encinal Replacement			
Prime: 336611 Ship Building and Repairing	67.66%	0.0%	0.00%
Sub: 333618 Other Engine Equipment Manufacturing	19.00%	0.0%	0.00%
Sub: 336360 Motor Vehicle Seating and Interior Trim	4.31%	0.0%	0.00%
Sub: 238210 Electrical Contractors and Other Wiring Installation Contractors	3.32%	1.8%	0.06%
Sub: 334220 Radio and Television Broadcasting and Wireless Communications Equipment Manufacturing	3.12%	0.0%	0.00%
Sub: 238220 Plumbing, Heating, and Air-Conditioning Contractors	2.59%	1.3%	0.03%
Contract Total:			0.09%
Vessel Construction Management - M/V Encinal Replacement			
Prime: 541330 Engineering Services	100.00%	5.8%	5.8%
Contract Total:			5.8%
Vessel Construction - Richmond Ferry Service			
Prime: 336611 Ship Building and Repairing	67.66%	0.0%	0.00%
Sub: 333618 Other Engine Equipment Manufacturing	19.00%	0.0%	0.00%
Sub: 336360 Motor Vehicle Seating and Interior Trim	4.31%	0.0%	0.00%
Sub: 238210 Electrical Contractors and Other Wiring Installation Contractors	3.32%	1.8%	0.06%

Sub:	334220	Radio and Television Broadcasting and Wireless Communications Equipment Manufacturing	3.12%	0.0%	0.00%
Sub:	238220	Plumbing, Heating, and Air-Conditioning Contractors	2.59%	1.3%	0.03%
Contract Total:					0.09%
Vessel Construction Management - Richmond Ferry Service					
Prime:	541330	Engineering Services	100%	5.8%	5.8%
Contract Total:					5.8%
Engine Overhaul - M/V Scorpio					
Prime:	811310	Commercial and Industrial Machinery and Equipment Repair and Maintenance	100.00%	0.0%	0.0%
Contract Total:					0.0%
Vessel Construction - M/V Vallejo Replacement					
Prime:	336611	Ship Building and Repairing	67.66%	0.0%	0.00%
Sub:	333618	Other Engine Equipment Manufacturing	19.00%	0.0%	0.00%
Sub:	336360	Motor Vehicle Seating and Interior Trim	4.31%	0.0%	0.00%
Sub:	238210	Electrical Contractors and Other Wiring Installation Contractors	3.32%	1.8%	0.06%
Sub:	334220	Radio and Television Broadcasting and Wireless Communications Equipment Manufacturing	3.12%	0.0%	0.00%
Sub:	238220	Plumbing, Heating, and Air-Conditioning Contractors	2.59%	1.3%	0.03%
Contract Total:					0.09%
Vessel Construction Management - M/V Vallejo Replacement					
Prime:	541330	Engineering Services	100%	5.8%	5.8%
Contract Total:					5.8%
Vallejo Maintenance Dredging					
Prime:	237990	Other Heavy and Civil Engineering Construction	94.00%	24.3%	22.8%
Sub:	541370	Surveying and Mapping (except Geophysical) Services	6.00%	16.4%	1.0%
Contract Total:					23.8%
San Francisco Downtown Berthing Phase A - Final Design					
Prime:	541310	Architectural Services	25.00%	4.7%	1.2%
Sub:	541330	Engineering Services	75.00%	5.8%	4.4%
Contract Total:					5.5%

Central Bay Operations & Maintenance Facility - Construction				
		Other Heavy and Civil Engineering		
Prime:	237990	Construction	39.60%	24.3%
Prime:	236210	Industrial Building Construction	37.50%	50.0%
Sub:	541330	Engineering Services	12.20%	5.8%
Sub:	238220	Plumbing, Heating, and Air-Conditioning Contractors	4.80%	1.3%
Sub:	483211	Inland Water Freight Transportation	3.10%	0.0%
Sub:	238210	Electrical Contractors and Other Wiring Installation Contractors	2.50%	1.8%
Sub:	541370	Surveying and Mapping (except Geophysical) Services	0.30%	16.4%
Contract Total:				29.2%
Engine Overhaul Projects - M/V Encinal, Gemini, Pisces and Taurus				
		Commercial and Industrial Machinery and Equipment (except Automotive and Electronic) Repair and Maintenance		
Prime:	811310		100.00%	0.0%
Contract Total:				0.0%
Vessel Construction - Berkeley Ferry Service				
Prime:	336611	Ship Building and Repairing	67.66%	0.0%
Sub:	333618	Other Engine Equipment Manufacturing	19.00%	0.0%
Sub:	336360	Motor Vehicle Seating and Interior Trim	4.31%	0.0%
Sub:	238210	Electrical Contractors and Other Wiring Installation Contractors	3.32%	1.8%
Sub:	334220	Radio and Television Broadcasting and Wireless Communications Equipment Manufacturing	3.12%	0.0%
Sub:	238220	Plumbing, Heating, and Air-Conditioning Contractors	2.59%	1.3%
Contract Total:				0.09%
Vessel Construction Management - Berkeley Ferry Service				
Prime:	541330	Engineering Services	100.00%	5.8%
Contract Total:				5.8%
Main Street Float Dry Dock & Repair				
Prime:	336611	Ship Building and Repairing	100.00%	0.0%
Contract Total:				0.0%

Exhibit 3: Notice of Proposed Annual Overall DBE Goal

NOTICE OF PROPOSED ANNUAL OVERALL DISADVANTAGED BUSINESS ENTERPRISE (DBE) GOAL FOR FEDERAL FISCAL YEARS 2014 - 2016

The Board of Directors of the San Francisco Bay Area Water Emergency Transportation Authority (WETA) announces a proposed 1.36% overall goal for the participation of Disadvantaged Business Enterprises in contracting opportunities that are budgeted to receive federal financial assistance from the U.S. Department of Transportation, as administered by the Federal Transit Administration, for the period October 1, 2013 through September 30, 2016. This overall goal is broken into 100% race-neutral and 0% race-conscious components. Information on the development of the proposed goal and their rationale is available for inspection from 8:30 a.m. to 4:00 p.m., Monday through Friday, at the San Francisco Bay Area Water Emergency Transportation, Pier 9, The Embarcadero, Suite 111, and San Francisco, CA 94111 for 30 days following the date of this notice. Comments will be accepted on the goals for 45 days from the date of this notice. Comments may be submitted to the DBE Program Administrator at the above-mentioned address or to the Civil Rights Officer, Federal Transit Administration, Region IX, 201 Mission Street, Suite 1650, San Francisco, CA 94105.

MEMORANDUM

TO: Board Members

**FROM: Nina Rannells, Executive Director
Kevin Connolly, Manager, Planning & Development**

SUBJECT: Status Report on South San Francisco Ferry Service

Recommendation

This is an informational item. No action is required.

Background

Ferry service between the east bay and South San Francisco was initiated in June 2012 and is approaching its three year anniversary. The operating subsidy for the service comes from Regional Measure 2 funds, which require that ferry projects offering commute-only service achieve a farebox recovery rate of 40 percent within the first three years of operation. The current farebox recovery rate for South San Francisco is 20 percent.

Discussion

A status report will be presented to the Board, highlighting the recent gains in ridership for the South San Francisco service and the upcoming actions to build ridership and reduce expenses.

Fiscal Impact

There is no fiscal impact associated with this informational item.

END

MEMORANDUM

TO: Board Members

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

SUBJECT: Status Report on Efforts to Update Emergency Response Plans

Recommendation

This is an informational item. No action is required.

Background

WETA was created by California Legislature in 2007 by Senate Bill (SB) 976 as amended by SB 1093. The law directed that the San Francisco Bay Area Water Emergency Transportation Authority (WETA) supersede the San Francisco Bay Area Water Transit Authority with the intent of providing a unified, comprehensive institutional structure for the ownership and governance of a water transportation system. California Government Code Section 66540.2 directs WETA to consolidate and operate public ferry services in the Bay Area, plan new service routes, and coordinate ferry transportation response to emergencies or disasters affecting the Bay Area transportation system. Emergency water transportation services include transportation of passengers if primary transportation systems and infrastructure are unavailable as well as transportation of first responders and disaster service workers to facilitate emergency response and recovery.

In 2009, WETA completed its state-mandated Emergency Water Transportation System Management Plan (EWTSMP), which describes the agency's roles and responsibilities in an emergency, in coordination with state emergency officials, the Metropolitan Transportation Commission (MTC) and the U.S. Coast Guard. WETA's internal Emergency Operations Plan (EOP), which provides detailed guidance on how to manage and coordinate resources to respond to an emergency, was also completed in 2009.

Discussion

Many developments have occurred since WETA's EWTSMP and EOP plans were originally developed in 2009, making it timely to update these emergency response plans.

First and foremost, WETA has transitioned from being a regional ferry planning organization to an operating agency since 2009. As a regional ferry system operator, WETA assumed ownership of the Alameda/Oakland, Harbor Bay and Vallejo ferry routes, and developed and initiated service on a new East Bay to South San Francisco route under the operating name San Francisco Bay Ferry. These services and their associated assets have all been transitioned under WETA and service contract operation has been consolidated under one contract operator; Blue & Gold Fleet.

In addition, in its capacity as an operator, WETA has had the opportunity to exercise its ability to provide increased ferry service in response to disruptions in the regional transportation infrastructure, including bay bridge closures, the June 2012 BART fire and two multi-day BART labor strikes in 2013 which shut down BART service for a total of 9

commute days. WETA is now prepared to revise the agency's emergency plans using the experience gained and lessons learned from operating consolidated ferry service for the last 4 years and responding to regional transportation incidents.

Finally, a number of emergency preparedness plans for the San Francisco Bay Region have been completed or revised since 2009, or are under in the process of being updated, resulting in new guidance and direction for responding to regional emergency incidents and opportunities to coordinate efforts that can be integrated into WETA's plans. Of these, the most important to WETA's operations are MTC's Regional Transportation Emergency Management Plan (RTEMP) and the California Office of Emergency Services' (CalOES) San Francisco Bay Area Earthquake Readiness Response Plan. MTC will be updating their plan this fall, and CalOES and FEMA are currently working together to rewrite the San Francisco Bay Area Earthquake Readiness Response Plan which will be called the Bay Area Earthquake

The revised CalOES/FEMA plan will address risks from both the San Andreas and Hayward Faults and will incorporate response concepts developed and tested during the Golden Guardian 2013 and 2014 Fleet Week exercises. The Bay Area Earthquake plan will fulfill the requirements of the Post Katrina Emergency Management Reform Act by identifying specific capabilities, logistics structures and executable response actions by state and federal organizations. The project has engaged over 200 state, federal, private sector, and regional organizations and has involved 16 counties. In recent months WETA staff has attended several stakeholder workshops and will continue to provide input and monitor progress on this plan in the future. CalOES and FEMA expect to complete this plan in August 2015.

WETA contracted with Lee Rosenberg with Navigating Preparedness Associates, to evaluate WETA's existing plan and outline an approach to updating WETA's internal and external emergency response plans. As a part of this effort, in January and February staff conducted an initial set of stakeholder meetings with the U.S. Coast Guard Sector San Francisco, MTC, WETA's contracted operator Blue & Gold Fleet, CalOES, and the San Francisco Department of Emergency Management to understand their perception of WETA's emergency response role and identify any relevant changes in their operations.

Staff is prepared to work to update the current EWTSMP and EOP plans in the coming months utilizing the consulting services of Lee Rosenberg from Navigational Preparedness. The objectives of the update would be to:

- Document and describe WETA's new roles and responsibilities
- Better define WETA authorities
- Accurately portray WETA capabilities for supporting emergency incident response
- Incorporate emergency preparedness guidance and direction developed since the EWTSMP was developed

Staff anticipates having a draft plan update for Board discussion and consideration in Fall 2015.

Fiscal Impact

There is no fiscal impact associated with this informational item.

***END**