

Members of the Board

James Wunderman, Chair
Monique Moyer, Vice Chair
Jessica Alba
Jeffrey DelBono
Anthony J. Intintoli, Jr.

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

Thursday, March 3, 2022 at 1:00 p.m.

WETA Ron Cowan Central Bay Operations & Maintenance Facility

670 W Hornet Ave
Alameda, CA 94501

Face masks required for in-person participation.

and

Videoconference

Join WETA BOD Zoom Meeting

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AGENDA

1. **CALL TO ORDER**

2. **ROLL CALL/PLEDGE OF ALLEGIANCE**

3. **REPORT OF BOARD CHAIR**

a. Chair's Verbal Report

Information

4. **REPORTS OF DIRECTORS**

Directors are limited to providing information, asking clarifying questions about matters not on the agenda, responding to public comment, referring matters to committee or staff for information, or requesting a report to be made at another meeting.

Information

5. **REPORTS OF STAFF**

- a. Executive Director's Report on Agency Projects, Activities and Services
 - i. Redwood City Ferry Terminal Project
 - ii. Treasure Island Ferry Service Update
- b. Monthly Review of Financial Statements
- c. Federal Legislative Update
- d. State Legislative Update
- e. Monthly Ridership and Recovery Report

Information

**Water Emergency Transportation Authority
March 3, 2022 Meeting of the Board of Directors**

6. CONSENT CALENDAR

Action

- a. Adopt a Resolution Regarding Remote Meetings Pursuant to Assembly Bill 361
- b. Board Meeting Minutes – February 3, 2022
- c. Authorize Submission of an Allocation Request to the California Department of Transportation for FY 2021-22 Low Carbon Transit Operations Program Grant Funds
- d. Approve Amendment to Clipper Memorandum of Understanding with the Metropolitan Transportation Commission and Bay Area Transit Operators
- e. Authorize Release of a Request for Proposals for Construction of the Alameda Main Street Ferry Terminal Refurbishment Project

7. AWARD CONTRACT TO SWIFTLY, INC. FOR REAL-TIME TRANSIT INFORMATION SYSTEM

Action

8. AWARD CONTRACT TO ANCHOR OPERATING SYSTEM, LLC FOR AN INTEGRATED FARE TICKETING SYSTEM

Action

9. PUBLIC COMMENTS FOR NON-AGENDA ITEMS

ADJOURNMENT

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

CHANGES RELATED TO COVID-19

Consistent with AB 361, codified in Government Code Section 54953, this meeting will be conducted through an internet-based service option. The public is invited to participate via the link provided at the top of this agenda.

PUBLIC COMMENTS WETA welcomes comments from the public.

If you know in advance that you would like to make a public comment during the videoconference, please email BoardOfDirectors@watertransit.org with your name and item number you would like to provide comment on no later than 15 minutes after the start of the meeting. Comments will also be accepted in real time. During the public comment period, speakers will be allotted no more than 3 minutes to speak and will be heard in the order of sign-up. Said time frames may be extended only upon approval of the Board of Directors.

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

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.

Upon request, WETA will provide written agenda materials in appropriate alternative formats to individuals with disabilities. In addition, WETA will arrange for disability-related modifications or accommodations including auxiliary aids or services to enable individuals with disabilities to participate in public meetings. Please send an email with your request to: contactus@watertransit.org or by telephone: (415) 291-3377 as soon as possible and no later than 5 days prior to the meeting and we will work to accommodate access to the meeting.

AGENDA ITEM 1
CALL TO ORDER

AGENDA ITEM 2
ROLL CALL/PLEDGE OF ALLEGIANCE

AGENDA ITEM 3
REPORT OF BOARD CHAIR

AGENDA ITEM 4
REPORTS OF DIRECTORS

NO MATERIALS

TO: WETA Board Members

FROM: Seamus Murphy, Executive Director

DATE: March 3, 2022

RE: Executive Director's Report

PLANS, STUDIES & INITIATIVES**2050 WETA Service Vision and Business Plan**

WETA is embarking on an effort to create a long-term plan for the expansion of regional ferry service and emergency water transportation response capabilities on San Francisco Bay. The plan will include definition of a 2050 service vision and corresponding business plan that will inform WETA planning, budget, and operational decisions as it is phased in over time. The plan will be developing work products in six focus areas shared with the Board at the December 2021 meeting. The business plan will be developed throughout the calendar year 2022 and is anticipated to be finalized in the first half of calendar year 2023.

March 2022 Update: The project team met with the Board Subcommittee in mid-February to discuss the schedule and approach to conduct analysis and share with community stakeholders. A summary of the detailed work program will be presented to the Board at the March 17 meeting.

Vallejo Terminal Reconfiguration Study

Staff has engaged a consultant to explore the possibility of modifying the current Vallejo Terminal design to avoid or eliminate the need for frequent dredging. The frequency and expense of dredging events at the Vallejo Terminal have increased significantly since 2016.

March 2022 Update: The project team has developed concept plans that achieve planning goals for reducing or eliminating the need for dredging at the site. Next, staff is refining landside concept plans in anticipation of sharing designs with agency stakeholders for input and feedback. A status report will be presented to the Board at the March 17 meeting.

Redwood City Ferry Terminal Project

WETA is studying the feasibility and business case of developing a new ferry terminal at the Port of Redwood City in partnership with the City and Port of Redwood City. The Feasibility Study was concluded in 2021 and determined that the project is feasible and meets WETA Expansion criteria. The San Mateo Transportation Authority now requires completion of a Business Plan before the project can move to the Concept Design and Permitting phase.

March 2022 Update: The Business Plan has been presented to the WETA Board, the Redwood City Port Commission and the Redwood City Council. The final presentation is scheduled for March 3 at the San Mateo County Transportation Authority.

Berkeley Pier/Ferry Project

WETA has partnered with the City of Berkeley to explore the feasibility of developing a joint project that provides for a recreation pier and a WETA ferry terminal at the Berkeley Marina. The Feasibility Study was completed in 2021 and concluded that the project is feasible from an engineering and project cost

effectiveness perspective. WETA is currently concluding a business plan that is examining operational costs, fare revenue, and an equity analysis.

March 2022 Update: The Berkeley Ferry Business Plan is concluding with the incorporation of input from staff from the City of Berkeley and WETA. A draft final will be presented to the WETA Board at the March 17 meeting.

Pandemic Recovery Fare Program Proposed Extension

The Pandemic Recovery Program was developed in spring of 2021 and became operational in July 2021. The program lowered fares across the WETA system and enhanced service during non-commute hours. The program was based on a set of core principles adopted by the Board in March 2021. The program was defined as a one-year pilot, requiring action by the WETA Board at the end of the pilot period.

March 2022 Update: After receiving authorization to conduct public outreach on a proposal to extend the Pandemic Recovery Fare Program, staff has been engaged in outreach tasks including an open house meeting via Zoom on February 16. Staff will return with input received through the outreach period and a recommendation at the March 17 WETA Board meeting.

OTHER BUSINESS

FTA Zero-Emission Vessel Grant Award

In late 2021, WETA applied for grant funding through the U.S. Federal Transit Administration (FTA)'s FY 2021 Passenger Ferry Grant Program.

March 3 Update: In February, WETA received notice that FTA awarded the agency \$3.4 million to fund construction of a zero-emission ferry to support new service connecting San Francisco neighborhoods including Treasure Island and Mission Bay to the regional ferry network. This vessel is one of four that will operate as a part of a new network of zero-emission, short-hop ferry services along San Francisco's waterfront. This network will help address local and regional traffic congestion by providing some of the city's fastest growing neighborhoods with a new mobility alternative, and seamlessly connecting other San Francisco Bay Ferry routes to these job-rich neighborhoods that are otherwise difficult to access via transit. This is the second all-electric vessel WETA has secured funds to construct. In 2020, WETA received a \$9 million grant from the California State Transportation Agency to build a battery-electric ferry along with shoreside charging infrastructure. WETA continues to seek additional funding for the two additional zero-emission ferries and corresponding charging infrastructure to support this network, including the 2022 Transit and Intercity Rail Capital Program grant application discussed below.

2022 Transit and Intercity Rail Capital Program Application

On March 3 staff submitted an application for \$14.95 million to the California State Transportation Agency for the 2022 Transit and Intercity Rail Capital Program (TIRCP) to support construction of one 75-100-passenger zero emission ferry vessel and required shoreside charging infrastructure for the region's first zero-emission high-frequency ferry service. If awarded, these funds would support the construction of the third vessel in this four vessel network.

Emergency Response - Regional Active Shooter Training Curriculum

In early 2020, WETA was working with US Coast Guard to help ferry operators develop a region wide active shooter training curriculum specifically for ferry crews. This training would be rolled out as part of the workshops and training leading up to the regional 2020 Bay Ferry V exercise that Golden Gate Ferry was developing at that time. This effort as well as the 2020 Bay Ferry V exercise was put on hold/cancelled as a result of the pandemic.

March 2022 Update: With USCG and Golden Gate Ferry, WETA hosted a table-top discussion on January 26 with all ferry operators on the bay to discuss current active shooter training, existing gaps, and to work toward a regional framework/curriculum. Two training curriculums were identified that could

be applied region wide. The group will be developing a cost estimate and working with Golden Gate Ferry to explore integrating this training into the Bay Ferry V exercise later this year.

Bay Area Search and Rescue Council Briefing:

At the request of Director DelBono, WETA staff provided a presentation to the Bay Area Search and Rescue Council, a consortium of Bay Area first responder agencies, including several with maritime assets. The briefing included an overview of WETA's emergency response role, capabilities, and resource requirements and an invitation for member agencies to train on and become familiar with WETA's vessels.

WETA Hosts BayEx 2022

On February 22, WETA hosted the BayEx 2022 exercise at the Central Bay Operations & Maintenance Facility. This full-scale exercise was focused to support the interoperability of Federal, State, and Local response agencies across Alameda, Contra Costa, San Mateo, and Santa Clara Counties in a scenario where agencies responded to a hazard on a vessel. Participating agencies included, California National Guard, California Office of Emergency Services, Federal Bureau of Investigations, Santa Clara Valley Transportation Authority, several departments from participating counties, and local police and fire departments.

END

MEMORANDUM

TO: Board Members

FROM: Seamus Murphy, Executive Director
Erin McGrath, Chief Financial Officer

SUBJECT: Review of FY 2021-22 Financial Statements Ending January 31, 2022

Recommendation

There is no recommendation associated with this informational item.

Summary

Budget trends continue to be challenging. With 58% of the year elapsed, fare revenue is still below projected amounts due to the impacts of the Delta and Omicron COVID-19 variants. Fuel costs continue to trend higher than budget due to unanticipated inflationary pressures. Because both fuel and ridership are extremely volatile, its difficult to project year end close with any certainty at this point. Further analysis will be provided in person at the meeting.

Financial Statements Summary:

Operating Budget vs. Actual	Year - To - Date		Annual	
	FY2018-19 Actual	FY2021-22 Actual	FY2021-22 Approved Budget	% of FY 22 Approved Budget
	Prior YTD	Current YTD		
Revenue - Year To Date:				
Fare Revenue	\$12,860,386	\$4,138,830	\$ 8,268,000	50%
Federal - COVID-19 Relief Funds	-	11,066,127	22,069,400	50%
State Operating Assistance	-	-	450,000	0%
Bridge Toll Revenues	10,429,226	9,154,688	15,555,000	59%
Contra Costa Measure J	220,845	2,004,720	3,651,300	55%
Other Revenue	6,750	31,712	-	0%
Total Operating Revenues	\$23,517,208	\$26,396,078	\$49,993,700	53%
Expense - Year To Date:				
Ferry Services	\$22,222,886	\$ 25,209,442	\$46,993,700	54%
Planning & Administration	1,294,322	1,186,636	3,000,000	40%
Total Operatings Expenses	\$23,517,208	26,396,078	\$49,993,700	53%
System-Wide Farebox Recovery %	58%	16%		

Capital Budget vs. Actual	FY2021-22 Actual Current YTD	FY2021-22 Approved Budget	% of FY 2021-22 Approved Budget
Revenue:			
Federal Funds	\$1,330,838	\$21,720,621	6%
State Funds	5,572,293	21,225,184	26%
Bridge Toll Revenues	189,001	2,894,082	7%
Other Revenues	313,602	1,711,502	18%
Total Capital Revenues	\$7,405,734	\$47,551,389	16%
Expense:			
Total Capital Expenses	\$7,405,734	\$47,551,389	16%

The two reports that follow show operating, administrative, and capital activity for the month of January and year-to-date progress against budget for the fiscal year.

Fiscal Impact

There is no fiscal impact associated with this informational item.

END

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San Francisco Bay Area Water Emergency Transportation Authority
FY 2021-22 Operating & Administration Revenues and Expenses
Through the Month Ending 1/31/2022

% of Year Elapsed

58%

	Month Jan-22 Actual	Year - To - Date		Total FY2021-22 Budget	Total Budget
		FY2018-19 Actual	FY2021-22 Actual		
OPERATING EXPENSE					
FERRY OPERATIONS:					
Harbor Bay Ferry Service (AHBF)					
Vessel Crew Labor	\$131,229		\$910,214	\$1,693,200	54%
Vessel Fuel	71,191		456,085	658,700	69%
Vessel Operations & Maintenance	25,723		200,971	673,400	30%
Facility Operations & Maintenance	25,640		276,816	758,600	36%
System Expense	60,717		376,158	897,500	42%
Total Harbor Bay	\$314,500	\$2,200,568	\$2,220,243	\$4,681,400	47%
Farebox Recovery - AHBF	8%	45%	9%	15%	
Alameda/Oakland Ferry Service (AOFS)					
Vessel Crew Labor	\$418,360		\$2,379,188	\$3,777,800	63%
Vessel Fuel	183,063		1,364,501	2,032,900	67%
Vessel Operations & Maintenance	45,834		434,434	992,700	44%
Facility Operations & Maintenance	84,603		835,631	1,262,200	66%
System Expense	164,931		1,022,040	2,387,800	43%
Total Alameda/Oakland	\$896,791	\$7,630,182	\$6,035,793	\$10,453,400	58%
Farebox Recovery - AOFS	15%	61%	21%	18%	
Vallejo Ferry Service (Vallejo)					
Vessel Crew Labor	\$385,599		\$2,526,547	\$4,427,100	57%
Vessel Fuel	488,169		3,330,078	\$4,817,300	69%
Vessel Operations & Maintenance	76,563		543,109	\$1,260,500	43%
Facility Operations & Maintenance	360,097		2,268,766	3,969,100	57%
System Expense	177,460		1,122,426	2,711,500	41%
Total Vallejo	\$1,487,887	\$10,141,944	\$9,790,926	\$17,185,500	57%
Farebox Recovery - Vallejo	13%	65%	21%	23%	
South San Francisco Ferry Service (SSF)					
Vessel Crew Labor	\$102,066		\$296,585	\$1,018,700	29%
Vessel Fuel	50,851		123,757	385,000	32%
Vessel Operations & Maintenance	21,896		170,916	585,300	29%
Facility Operations & Maintenance	30,204		273,218	709,700	38%
System Expense	33,500		144,929	568,600	25%
Total South San Francisco	\$238,517	\$1,960,948	\$1,009,405	\$3,267,300	31%
Farebox Recovery - SSF	2%	31%	3%	13%	
Richmond Ferry Service (Richmond)					
Vessel Crew Labor	\$277,043	Service launched in January 2019	\$1,605,516	\$2,755,300	58%
Vessel Fuel	132,212		865,838	1,146,700	76%
Vessel Operations & Maintenance	33,048		257,766	878,600	29%
Facility Operations & Maintenance	51,813		557,564	1,164,400	48%
System Expense	75,567		461,797	1,108,800	42%
Total Richmond	\$569,684	\$289,244	\$3,748,480	\$7,053,800	53%
Farebox Recovery - Richmond	5%	0%	8%	8%	
Seaplane Lagoon Ferry Service (SPL)					
Vessel Crew Labor	\$145,812	Service launched in July 2021	\$935,169	\$1,573,900	59%
Vessel Fuel	91,532		520,032	596,400	87%
Vessel Operations & Maintenance	23,871		225,701	546,500	41%
Facility Operations & Maintenance	27,707		273,707	618,300	44%
System Expense	72,321		449,986	1,017,200	44%
Total Seaplane Lagoon	\$361,243	\$0	\$2,404,595	\$4,352,300	55%
Farebox Recovery - SPL	8%	0%	11%	19%	
Sub-Total Ferry Operations					
	\$3,868,622	\$22,222,886	\$25,209,442	\$46,993,700	54%
FAREBOX RECOVERY - SYSTEMWIDE					
	10%	58%	16%	18%	

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San Francisco Bay Area Water Emergency Transportation Authority
FY 2021-22 Operating & Administration Revenues and Expenses
Through the Month Ending 1/31/2022

% of Year Elapsed 58%

	Month Jan-22 Actual	Year - To - Date		Total FY2021-22 Budget	Total Budget
		FY2018-19 Actual	FY2021-22 Actual		
OPERATING EXPENSE (continued)					
<u>PLANNING & GENERAL ADMIN:</u>					
Wages and Fringe Benefits	\$190,757	\$726,687	\$1,016,315	\$1,601,600	63%
Services	96,854	555,390	556,778	2,054,200	27%
Materials and Supplies	1,298	35,466	37,432	59,800	63%
Utilities	2,093	25,710	13,571	43,800	31%
Insurance	1,307	1,200	9,150	17,100	54%
Miscellaneous	1,360	153,166	26,983	94,700	28%
Leases and Rentals	1,138	222,274	137,834	326,400	42%
Admin Overhead Expense Transfer	(112,069)	(425,572)	(611,428)	(1,197,600)	51%
Sub-Total Planning & Gen Admin	\$182,738	\$1,294,322	\$1,186,636	\$3,000,000	40%
Total Operating Expense	\$4,051,360	\$23,517,208	\$26,396,078	\$49,993,700	53%
OPERATING REVENUE					
Fare Revenue	\$404,656	\$12,860,386	\$4,138,830	\$8,268,000	50%
Federal Operating Assistance	2,100,148	-	11,066,127	22,069,400	50%
State Operating Assistance		-	-	450,000	0%
Regional - Bridge Toll	1,367,490	10,429,226	9,154,688	15,555,000	59%
Regional - Contra Costa Measure J	179,066	220,845	2,004,720	3,651,300	55%
Other Revenue		6,750	31,712	-	0%
Total Operating Revenue	\$4,051,360	\$23,517,208	\$26,396,078	\$49,993,700	53%

San Francisco Bay Area Water Emergency Transportation Authority
FY 2021-22 Capital Revenues and Expenses
Through the Month Ending 1/31/2022

Project Description	Jan-22 Total	Total Project Budget	Total Prior Expense	Total FY2021/22 Budget	YTD FY2021/22 Actual	Total Future Year	% of Total Project Budget Spent
CAPITAL EXPENSES:							
<u>FACILITIES:</u>							
Operations and Maintenance Facilities							
North Bay Facility Fuel System Improvement	613	\$530,450	\$220,680	\$309,770	\$82,829	\$0	57%
Central Bay Facility Oil System Modification	39,798	650,000	-	650,000	262,080	-	40%
Terminal Improvement							
Terminal Rehabilitation - Alameda Main Street	5,774	6,127,700	21,269	2,429,831	154,458	3,676,600	3%
Shoreside Infrastructure for All-Electric Vessel		4,760,000	-	2,002,000	-	2,758,000	0%
Passenger Float Rehabilitation - South San Francisco		908,500	-	908,500	1,448	-	0%
Terminal Dredging - Vallejo	1,294,760	2,787,600	-	2,787,600	1,294,760	-	46%
<u>FERRY VESSELS:</u>							
Vessel Construction							
New Commuter Class High-Speed Vessels - 2 each	314,959	30,082,500	18,583,816	11,498,684	3,324,428	-	73%
New All-Electric Vessel		4,300,000	-	1,834,000	-	2,466,000	0%
Replacement Vessels - MV Bay Breeze and MV Solano	6,346	34,600,000	3,277,919	17,825,781	68,486	13,496,300	10%
Replacement Vessel - MV Intintoli	2,838	26,446,700	-	500,000	11,479	25,946,700	0%
Vessel Rehabilitation and Refurbishment							
Vessel Engines Conversion - Gemini Class Vessels	3,728	5,982,500	61,869	3,891,431	2,071,801	2,029,200	36%
Vessel Engines Overhaul - MV Argo and MV Carina		240,000	125,730	114,270	85,607	-	88%
Vessel Engines Overhaul - MV Cetus		419,100	-	419,100	-	-	0%
Vessel Engines Overhaul - MV Hydus		419,100	-	419,100	-	-	0%
Vessel Reduction Gears Overhaul - MV Pisces	15,377	120,000	3,728	116,272	48,175	-	43%
Vessel Engines & Reduction Gears Overhaul - MV Bay Breeze	183	491,400	49	491,351	183	-	0%
Vessel Engines & Fuel Injectors Overhaul - MV Pyxis		613,200	-	613,200	-	-	0%
Vessel Engines & Fuel Injectors Overhaul - MV Vela		613,200	-	613,200	-	-	0%
Vessel Fuel Injectors Overhaul - MV Intintoli		127,300	-	127,300	-	-	0%
Total Capital Expenses	\$1,684,376	\$120,219,250	\$22,295,061	\$47,551,389	\$7,405,734	\$50,372,800	
CAPITAL REVENUES:							
Federal Funds	\$1,060,222	\$58,684,860	\$2,725,949	\$21,720,621	\$1,330,838	\$34,238,290	7%
State Funds	543,727	47,543,850	13,583,816	21,225,184	5,572,293	12,734,850	40%
Regional - Bridge Toll	74,909	9,078,490	5,298,448	2,894,082	189,001	885,960	60%
Regional - Alameda Sales Tax Measure B / BB	5,517	4,912,050	686,848	1,711,502	313,602	2,513,700	20%
Total Capital Revenues	\$1,684,376	\$120,219,250	\$22,295,061	\$47,551,389	\$7,405,734	\$50,372,800	

TO: WETA Board Members

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

SUBJECT: WETA Federal Legislative Board Report – March 2022

This report covers the following topics:

1. FTA Awards Funding to WETA Through 5307(h) Ferry Grant Program
2. FY22 Appropriations / Status of Additional Funding for Ferries
3. Update on Build Back Better / Additional Transit Funding

FTA Awards Funding to WETA Through 5307(h) Ferry Grant Program

The Federal Transit Administration (FTA) awarded \$3.4 million to WETA to build a zero-emission, electric ferry to connect San Francisco's growing Treasure Island and Mission Bay neighborhoods. This grant will support a new network of zero-emission, short-hop ferry services along San Francisco's waterfront. Design and construction of the vessel made possible through the new FTA grant will begin in the coming months. WETA's first zero-emission ferry is expected to enter service in 2024.

Letters supporting this grant application were sent to FTA at our request by House Speaker Nancy Pelosi, Senator Dianne Feinstein, and members of the Bay Area Congressional delegation, including Representatives Jackie Speier, Mike Thompson, Anna Eshoo, John Garamendi, Mark DeSaulnier and Barbara Lee.

FY22 Appropriations / Status of Additional Funding for Ferries

Congress recently passed another continuing resolution (CR) to ensure that federal government agencies and departments continue to operate while House and Senate leaders work to finish the FY22 appropriations process. The current CR expires on March 11th. If Congress is finally able to take up and pass all 12 annual appropriations bills, whether as one large Omnibus Appropriations bill or as a series of smaller "mini-bus" appropriations bills, we will have news and/or be able to move forward on several fronts, including:

- We will know the result of our lobbying for additional funding for the FTA 5307(h) Ferry Grant Program. We have continued to seek a plus-up to this program, which would be in addition to the \$30 million per year that is provided through the surface transportation bill. The FY21 Transportation-HUD bill included a similar increase in funding for the 5307(h) bill.
- Completion of the FY22 appropriations process will allow FTA to finally issue a Notice of Funding Opportunity (NOFO) for the low/no emission ferry grant program that was created by the Infrastructure Investment and Jobs Act (IIJA). The IIJA includes \$50 million per year FY22-FY26 (\$250 million total) to establish a pilot program to provide grants for the purchase of electric or low-emitting (methanol, natural gas, liquified petroleum gas, hydrogen, coal-derived liquid fuels, biofuels) ferries.

- We are continuing to have conversations with members of the Congressional delegation and other key stakeholders on Capitol Hill about strategy for obtaining the \$1.25 billion for the FTA 5307(h) Ferry Grant Program that was supposed to be included in the IIJA but was omitted by a drafting error. Our Congressional champions continue to believe there may be an opportunity to obtain this funding through an IIJA technical corrections bill, which could be attached to a full year appropriations bill.
- Completion of the FY22 appropriations process will allow Congress to move onto the FY23 appropriations process. We are working with WETA staff to prepare to a) seek additional funding increases for the FTA 5307(h) Ferry Grant Program (similar to what we did in FY21 and FY22) and b) to possibly submit a Congressionally Directed Spending request for FY23.

Update on Build Back Better / Additional Transit Funding

The Build Back Better Act (BBB) continues to be stalled in Congress. While there seems to be strong interest in getting this legislation to the President's desk, the politics in the Senate remain challenging. We are hopeful that BBB will move forward at some point as the House-passed version of BBB includes \$9,750,000,000 for the "Affordable Housing Access Program". This is a competitive grant program that would be administered by the Federal Transit Administration (FTA) and the Department of Housing and Urban Development (HUD) and for which WETA is eligible.

Respectfully Submitted,
Peter Friedmann and Ray Bucheger



NOSSAMAN LLP | Memorandum

TO: WETA Board of Directors

FROM: Nossaman LLP - Nate Solov
Jennifer M. Capitolo & Associates – Jennifer Capitolo

DATE: February 22, 2022

RE: February - Legislative Update

Legislative Update

February 18 was the deadline to introduce new legislation for 2022. A total of 2,020 bills were introduced including 1,361 Assembly Bills and 659 Senate Bills. We are starting to analyze relevant bills and will provide more information at next month's board meeting.

Funding for WETA Priorities

Meetings continue with key legislative staff, legislators and Governor's office staff to discuss the \$37 million necessary to complete the Mission Bay Ferry Landing. We will continue to meet with legislative staff, administration stakeholders and transit stakeholders regarding the inclusion of this funding in the 2022-2023 budget.

2022 Legislative Overview

As discussed in WETA's state legislative program approved by the WETA Board in December, two legislative proposals have been introduced for 2022:

1. SB 922 (Wiener - CEQA streamlining for zero emission transit projects) includes shore-side charging infrastructure for ferries. This bill is an extension of SB 288 (2020).
2. AB 2807 (Bonta) - Adds ferries to existing state programs and funding sources for zero emission transit conversions so all forms of transit have equal access to state resources.

Budget Hearings Begin

Budget Sub-Committee Hearings have begun and transportation funding will be discussed this week. WETA recently signed on to a Bay Area transit coalition letter requesting that at least \$10 billion be provided to transit statewide in this year's budget, with \$5 billion for public transit statewide, \$2 billion for active transportation, and \$1 billion for climate resilience funding to protect our surface transportation system.

TIRCP Application

Nossaman and WETA are collaborating on what will hopefully be another successful TIRCP application for a zero emission ferry and shore-side charging infrastructure to support a zero emissions ferry network connecting Mission Bay, Treasure Island and Downtown San Francisco. Legislator support letters are being collected this week ahead of the application due date in the first week in March.

MEMORANDUM

TO: Board Members

FROM: Seamus Murphy, Executive Director
Kevin Connolly, Planning & Development Manager
Ossmand Ruano, Transportation Planning Intern

SUBJECT: Monthly Ridership and Recovery Report

Background

The WETA Pandemic Recovery Plan (Plan) began on July 1, 2021 with the enhancement of the Vallejo, Oakland & Alameda, and Richmond routes, the restart of the suspended Harbor Bay route, and the launch of the new Alameda Seaplane route. The following weekend also marked the relaunch of weekend service on the Vallejo, Oakland & Alameda, and Richmond routes. The South San Francisco service was relaunched in November 2021.

The Plan lowered fares across the WETA system. Future modifications in service will generally follow state guidelines for reopening the economy and subsequent changes in demand. The Plan calls for a monthly evaluation of ridership demand together with other measures relating to how the Bay Area is responding to the COVID-19 health crisis. The Monthly Ridership and Recovery Report presents a status report of the WETA system along with anticipated service adjustments for the upcoming weeks.

Discussion

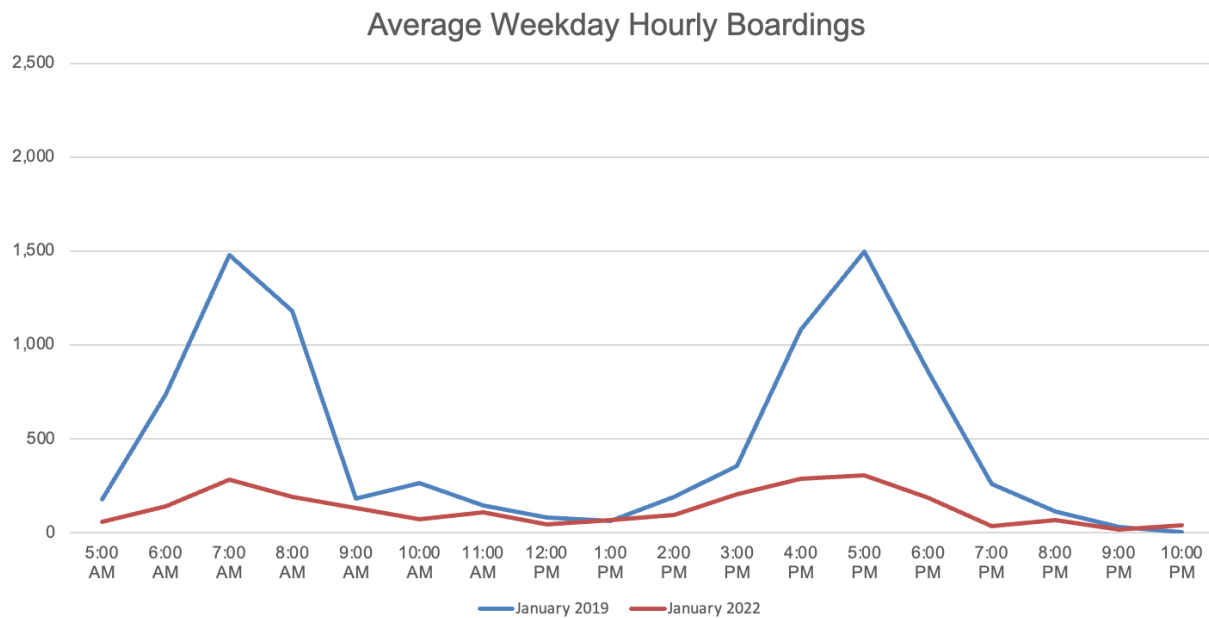
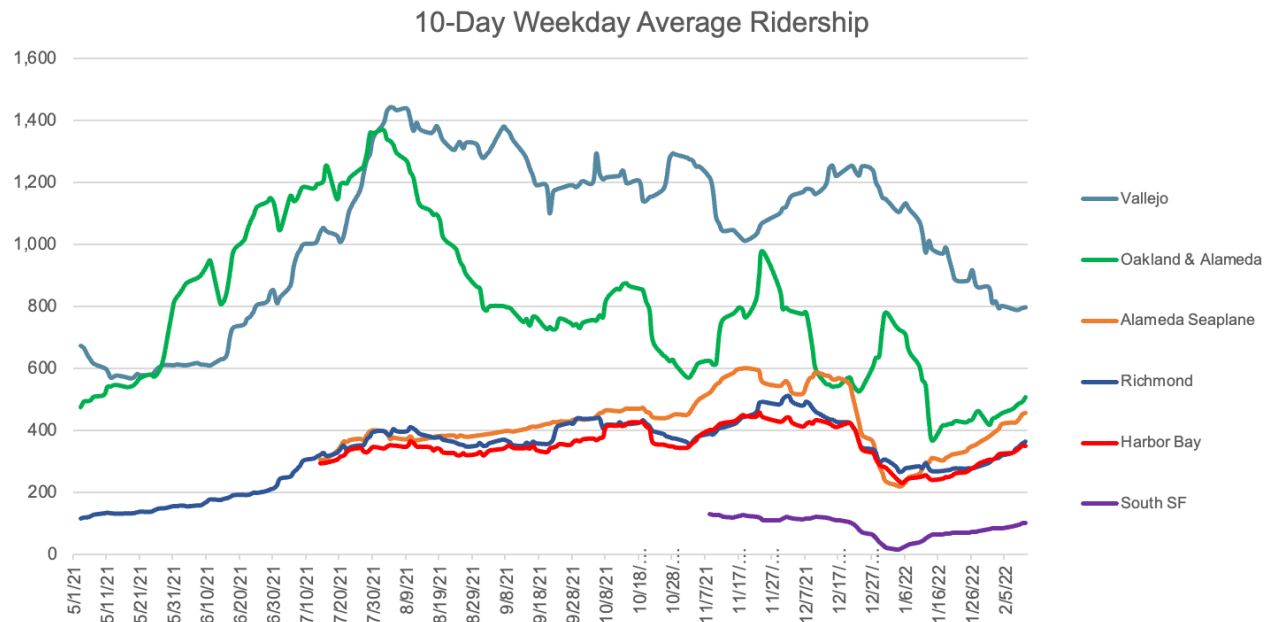
Systemwide ridership grew significantly in July as WETA launched the Plan. Ridership grew through October and the early parts of November, dropping through December and early January potentially due to the continued impact of COVID variants, inclement weather, and the holidays. Ridership numbers through the end of January and early February show steady growth. Ridership fell below WETA's budget projections in the month of January but continues to compare favorably to other regional transit operators (measured as a percent of pre-pandemic ridership) who have recently seen similar declines in ridership.

Highlights:

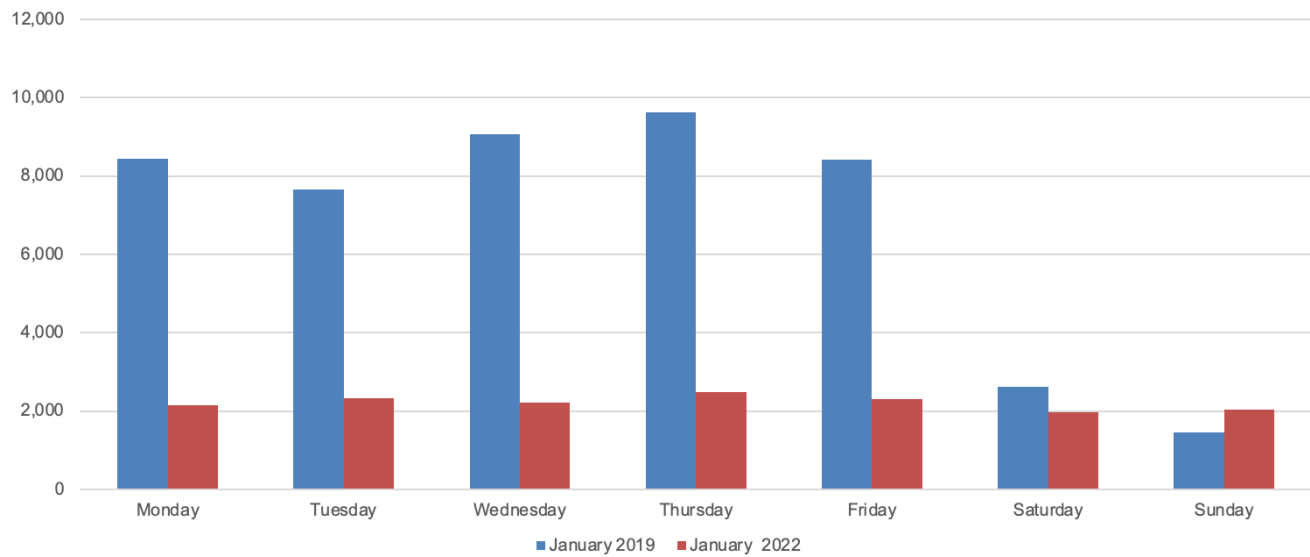
- Weekend ridership has remained a strong component of ridership through January. Average weekend ridership in January 2022 was at near-equal levels as compared to ridership in January 2019, continuing the trend of strong weekend ridership with the launch of the Plan.
- The South San Francisco route relaunched on Monday November 8 after nearly two years of suspension due to COVID. The route averaged approximately 120 boardings per day through November, seeing a decline in ridership in early January. The route has seen steady ridership growth into the early parts of February.
- The Oakland & Alameda, Alameda Seaplane, Richmond, and Harbor Bay routes all saw ridership drop in late December and early January with steady growth in late January and early February.
- The Vallejo route remains WETA's busiest route with an average of 800 daily weekday riders.
- Special event service to Chase Center from Oakland & Alameda averaged over 350 daily boardings on service days through the month of January.

Recommendations

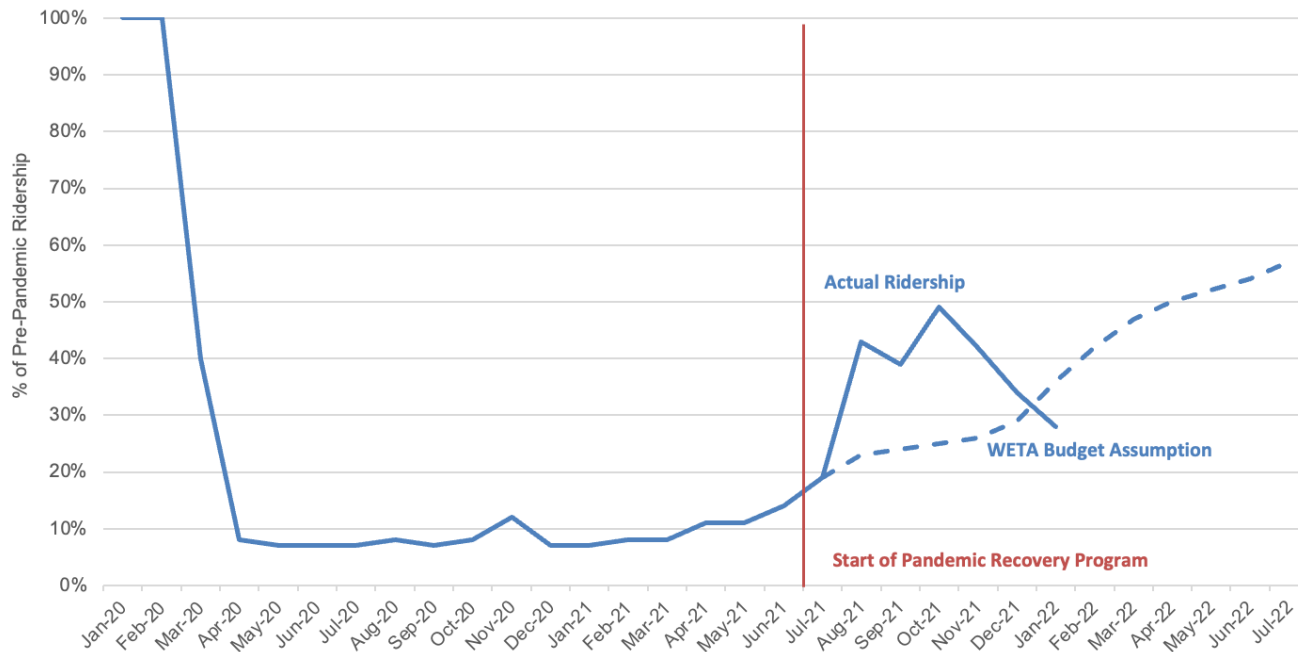
There are no proposed service adjustments at this time.



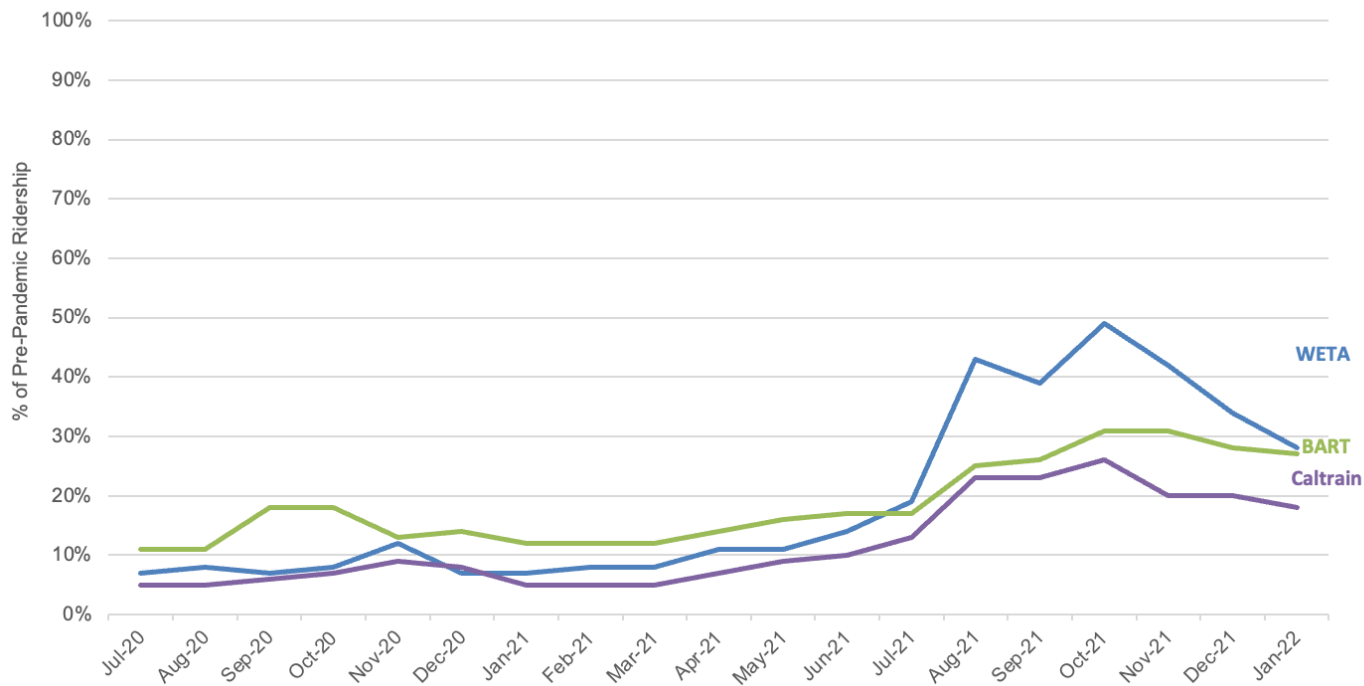
Average Boardings by Day of Week
Systemwide



Actual vs. Budgeted Ridership



Regional Transit Ridership



Monthly Operating Statistics Report

January 2022			Oakland & Alameda*	Vallejo*	Richmond	Harbor Bay	Alameda Seaplane	South San Francisco**	Systemwide
Boardings	vs. last month	Total Passengers January 2022	20,782	22,231	7,458	5,679	7,117	1,494	68,023
		Total Passengers December 2021	27,091	28,313	9,348	8,221	9,743	1,441	84,157
		Percent change	-23.29%	-21.48%	-20.22%	-30.92%	-26.95%		-19.17%
	vs. same month last year	Total Passengers January 2022	20,782	22,231	7,458	5,679	7,117		63,267
		Total Passengers January 2021	4,124	6,720	1,143				11,987
		Percent change	403.93%	230.82%	552.49%	-	-		427.80%
	vs. prior FY to date	Total Passengers Current FY To Date	255,550	246,627	74,195	52,352	62,620		691,344
		Total Passengers Last FY To Date	38,848	41,444	11,191	-	-		91,483
		Percent change	557.82%	495.08%	562.99%	-	-		655.71%
			Avg Weekday Ridership January 2022	990	1,059	355	270	339	3,013
Ops Stats			Passengers Per Hour January 2022	45	31	22	30	39	34
			Revenue Hours January 2022	457	712	332	192	132	2,007
			Revenue Miles January 2022	6,382	19,412	5,976	3,973	2,282	41,022
			Farebox Recovery Year-To-Date	21%	21%	8%	9%	11%	16%
			Peak hour utilization, AM – January 2022	4%	16%	13%	13%	10%	10%
			Peak hour utilization, PM – January 2022	10%	21%	12%	15%	11%	13%
Fuel			Fuel Used (gallons) – January 2022	52,791	140,775	38,127	20,530	26,395	293,282
			Avg Cost per gallon – January 2022	\$3.47	\$3.47	\$3.47	\$3.47	\$3.47	\$3.47

* Includes special event ridership to/from Oracle Park and/or Chase Center

** Service suspended on the South San Francisco route until November 2021

END

MEMORANDUM

TO: Board Members

FROM: Seamus Murphy, Executive Director

SUBJECT: Adopt Resolution Regarding Remote Meetings Pursuant to Assembly Bill 361

Recommendation

Adopt resolution authorizing the WETA Board to meet remotely pursuant to the provisions of AB 361.

Background/Discussion

In March 2020, the Governor of California issued several executive orders in response to the COVID-19 pandemic suspending portions of the Ralph M. Brown (Brown) Act to allow Board members to participate remotely in Board meetings without complying with the Brown Act's restrictions on such remote attendance. (Executive Order N-25-20 and N-29-20)

The Governor's executive order that specifically waived certain requirements of the Brown Act expired on September 30, 2021. On September 16, 2021, the Governor signed Assembly Bill (AB) 361 into law, effective on October 1, 2021. AB 361 amends the Brown Act to allow legislative bodies to meet remotely without complying with traditional teleconference meeting rules, provided there is a state of emergency and either (1) state or local officials have imposed or recommended measures to promote social distancing or (2) the legislative body determines by majority vote that meeting in person would present imminent risks to the health and safety of attendees.

The Governor-declared state of emergency continues to be in effect and both state and local officials continue to recommend measures to promote physical distancing. WETA's Board meetings therefore are in accordance with AB 361's requirements.

In order to qualify for AB 361, the Board must, within 30 days of its first meeting under AB 361, and every 30 days thereafter, make findings that it has reconsidered the circumstances of the state of emergency and that either or both (a) the state of emergency continues to directly impact the ability to meet safely in person and/or (b) state or local officials continue to impose or recommend measures to promote social distancing.

The Executive Director recommends that the Board adopt these findings with the understanding that the Board would need to approve a similar resolution every 30 days if it wishes to continue to meet under AB 361's requirements for teleconference Board meetings.

Fiscal Impact

There is no fiscal impact associated this recommendation.

END

SAN FRANCISCO BAY AREA WATER EMERGENCY TRANSPORTATION AUTHORITY

RESOLUTION NO. 2022-08

FINDINGS PURSUANT TO AB 361 TO CONTINUE REMOTE PUBLIC MEETINGS

WHEREAS, on March 4, 2020, Governor Gavin Newsom declared a State of Emergency to make additional resources available, formalize emergency actions already underway across multiple state agencies and departments, and help the State prepare for a broader spread of COVID-19; and

WHEREAS, the State of Emergency remains in effect; and

WHEREAS, the California Department of Public Health and the Department of Industrial Relations have imposed or recommended measures to promote social distancing, and the San Francisco Public Health Department continues to recommend measures to promote social distancing in combination with other safety precautions when activities occur in shared indoor spaces to mitigate the risk of COVID-19 transmission; and

WHEREAS, on September 16, 2021, the Governor signed Assembly Bill 361 into law as urgency legislation that went into effect on October 1, 2021, amending Government Code Section 54953 of the Brown Act to allow legislative bodies to continue to meet remotely without conforming to Brown Act teleconferencing rules if the legislative body holds a meeting during a proclaimed state of emergency, and if state or local officials have imposed or recommended measures to promote social distancing; now, therefore, be it

RESOLVED that the Board of Directors has considered the circumstances of the State of Emergency and finds that:

- a. The factors triggering the State of Emergency continue to directly impact the ability of the members of the Board and members of the public to meet safely in person; and
- b. state or local officials continue to recommend measures to promote social distancing; and be it further

RESOLVED, that the Board of Directors will reconsider the circumstances of the state of emergency and revisit the need to conduct meetings remotely within 30 days of the adoption of this resolution.

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 March 3, 2022.

YEA:

NAY:

ABSTAIN:

ABSENT:

/s/ Board Secretary

2022-08

END

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

(February 3, 2022)

The Board of Directors of the San Francisco Bay Area Water Emergency Transportation Authority met in regular session at WETA Central Bay Operations & Maintenance Facility at 670 W Hornet Ave, Alameda, CA and via videoconference consistent with AB 361 as codified in Government Code Section 54953.

1. CALL TO ORDER

Chair James Wunderman called the meeting to order at 1:01 p.m. He welcomed directors, staff, and meeting guests and noted that the meeting was being conducted in person and by videoconference and was being recorded. He advised guests about offering public comment and how guests could sign up to speak throughout the meeting.

2. ROLL CALL

Chair James Wunderman, Vice Chair Monique Moyer, Director Jessica Alba, Director Jeffrey DelBono, and Director Anthony Intintoli were in attendance.

3. REPORT OF BOARD CHAIR

Chair Wunderman commented that expectations to return to work in person soon have dropped and that businesses have not committed to when this would occur. He commended the entire WETA team for its accomplishments over the past year, noting how well WETA has done relative to other agencies. He noted the efforts of the Metropolitan Transportation Commission (MTC) Blue Ribbon Transit Recovery Task Force (Task Force) to present the public with a Bay Area transit transformation action plan for a more reliable and resilient transportation system for the post pandemic future.

4. REPORTS OF DIRECTORS

Director Intintoli said that he attended a meeting of the Government Affairs Committee of the Vallejo Chamber.

Director DelBono said that he was glad to be back in person and looked forward to a better year.

Vice Chair Moyer was pleased to attend this Board meeting in person. She reported that CBRE hosted a roundtable of technology companies to focus on plans for the return to office in person and digitally, following the guidelines for the Centers for Disease Control and Prevention (CDC) on social distancing and masking, as well as local rules. She added that company surveys showed that mandating a return to office would have an impact on employees resigning and noted the importance of making the workplace attractive to inspire employees to come back.

Director Alba thanked Chair Wunderman for his ongoing participation with the Task Force.

5. REPORTS OF STAFF

Executive Director Seamus Murphy stated that WETA was one of the first government agencies to hold a hybrid meeting and thanked staff for doing the work to make it possible.

Mr. Murphy said that WETA put together its first annual report, *The State of San Francisco Bay Ferry 2022*. He said the report details the agency's accomplishments in 2021, current status, and outlook for the next year of work. He added that the report included a preview of the business plan and that it

would be used as an advocacy piece for the improvements and the progress that WETA wants to make going forward and as a rider communication piece. He thanked Public Information & Marketing Manager Thomas Hall and his team for putting the report together stating that WETA would make it a regular practice to report this information going forward.

Mr. Murphy introduced Blue & Gold Fleet (Blue & Gold) Operations Manager Aden Anderson to provide an update on the impact of the Omicron variant on operations and service delivery. Mr. Anderson said that Pier 39's Human Resources (HR) Department, the unions, and dispatchers have been working together and have not had to cancel any service due to COVID absences.

Mr. Murphy summarized five written reports in the Board meeting materials. He then asked WETA General Counsel Madeline Chun of Hanson Bridgett LLP to give a quick update on the delivery of ferry service for Treasure Island. She reported that Prop SF had filed a request to the California Public Utilities Commission (CPUC) to operate unscheduled Treasure Island service from San Francisco at a reduced fare from what had been previously authorized. The administrative law judge assigned to the proceeding has issued a proposed decision to grant the request, which is scheduled to go to the full Commission for approval on February 10.

Mr. Murphy reminded the Board that WETA has a Memorandum of Understanding (MOU) with the City of San Francisco that specifies that WETA will assume and operate this service as soon as the time is right. He added that the City has proposed the establishment of a toll to access the island, in order to subsidize public transit on the island, including ferry operations under WETA. Mr. Murphy said that the Board will be receiving the results of the Treasure Island Ferry Service Study providing information about ridership demands phasing in and the cost of providing ferry service.

Mr. Murphy invited Chief Financial Officer Erin McGrath to provide the financial budget update. Ms. McGrath shared her presentation on the midyear budget review and a multi-year analysis of the financial sustainability of WETA.

The Directors thanked Ms. McGrath for her presentation and asked staff to bring back ideas for promotions and to look for opportunities to attract more riders.

PUBLIC COMMENT

Kelly commented that there was a new COVID variant.

Blue & Gold President Pat Murphy said that Blue & Gold as members of tourism associations has spent a lot of time publicizing and marketing San Francisco Bay Ferry in the tour and leisure market.

6. CONSENT CALENDAR

Director Intintoli made a motion to approve the consent calendar:

- a. Adopt a Resolution Regarding Remote Meetings Pursuant to Assembly Bill 361
- b. Board Meeting Minutes – January 13, 2022
- c. Authorize Release of a Request for Proposal for State Legislative Representation Services

Chair Wunderman called for public comments on the consent calendar, and there were none.

Director DelBono seconded the motion, and the consent calendar carried unanimously.

Yeas: Alba, DelBono, Intintoli, Moyer, Wunderman. Nays: None. Absent: None.

7. RECEIVE REDWOOD CITY FERRY DRAFT BUSINESS PLAN

Chair Wunderman invited City of Redwood City Councilmember Diane Howard to offer public comment before calling on staff to present the item. Councilmember Howard spoke in support of ferry service to Redwood City. Chair Wunderman thanked Councilmember Howard for her years of service and dedication.

Planning & Development Manager Kevin Connolly began by recognizing WETA's partners for this project 1) City of Redwood City (City) Management Analyst II Giovanna Erkanat and Senior Transportation Planner Jessica Manzi, 2) Port of Redwood City (Port) Executive Director Kristine Zortman, and 3) San Mateo County Transportation Authority (SMCTA).

Mr. Connolly said that the Redwood City Ferry draft business plan (business plan) would also be presented at the Redwood City Port Commission, the City of Redwood City Council, and finally, the SMCTA. He clarified that the Board will be seeing business plans developed for other projects with different focuses that are determined by WETA's local partners. He said that the business plan for Redwood City focused on business effectiveness, cost effectiveness, and feasibility since constructability and engineering were of less concern.

Mr. Connolly introduced CDM Smith Client Service Leader Vice President Bill Hurrell who shared his PowerPoint presentation on the elements of the business plan which he said was built off of the feasibility study and would be updated throughout the life of the project.

Chair Wunderman thanked Mr. Hurrell for his presentation and for bringing to light some of the real advantages and some of the challenges associated with the project.

The Directors expressed their concerns and questions about wake, walking distance to employers, bus/shuttle service connections, outreach/equity plan, accessibility, ridership estimates, green transportation, and the synergies with public and recreational access and asked that their comments be incorporated and addressed in the plan.

PUBLIC COMMENT

In response to Vice Chair Moyer's question, Chair Wunderman invited Chamber San Mateo County Board Member, Chair of the Chamber Transportation Committee and Seaport Industrial Association Executive Director Greg Greenway to address the question of how the business community views the project. Mr. Greenway stated that the support from the business community and from all of the stakeholders that the Chamber represents is overwhelming. Mr. Greenway spoke in support of the WETA's Board acceptance of the plan and encouraged anything that could be done to expedite service.

Chair Wunderman commented that he specifically joined the WETA Board to address transportation opportunities on the Peninsula.

Port Commissioner Lorianna Kastrop expressed her and the Port's enthusiastic support of the project.

Ms. Zortman spoke in support of receiving the business plan and advancing Redwood City into the next steps for future ferry service.

PROP SF Director of Client Development and Business Operations Alex Kryska said that PROP SF had operated the private ferry service shuttle out of Redwood City in the past and congratulated everyone on the project.

Vice Chair Moyer asked for clarification about "accepting" versus "receiving" the business plan. Mr. Murphy suggested that the process of receiving the report may be related to SMCTA's requirements for funding the environmental review and subsequent stages of the project. Mr.

Connolly confirmed that this action was needed to provide evidence that the business plan has been communicated and provided to the respective boards.

Vice Chair Moyer made a motion to amend Resolution No. 2022-07 to state that the business plan had been "received but not read or reviewed" by the Board. She explained that she was reacting to the statement stating that the WETA Board was the first to receive the plan and had the responsibility to give guidance to the bodies that followed. Director DelBono seconded the motion.

Ms. Zortman commented that the Port Commissioners would be asked "to acknowledge receipt" of the business plan based upon their legal counsel's advice as well as their obligations in the MOU with WETA and the City.

With Director Moyer's consent, Director Alba made a motion to further amend Resolution No. 2022-07 to state that the Board "acknowledges receipt" of the business plan. Director Alba clarified that her motion would amend the resolved clause of Resolution No. 2022-07 as follows: "RESOLVED, that the Board of Directors hereby acknowledges receipt of, but has not read or reviewed, the Redwood City Ferry Draft Business Plan."

Director Intintoli seconded the motion, and the item passed unanimously.

Yeas: Alba, DelBono, Intintoli, Moyer, Wunderman. Nays: None. Absent: None.

Chair Wunderman noted that this Board meeting was being held at the WETA Ron Cowan Central Bay Operations & Maintenance Facility and noted that the late Mr. Cowan, developer of Harbor Bay, was the father of the ferry service and led efforts to pass legislation in support of ferry service. Chair Wunderman asked staff to explore the possibility of obtaining funding commitments from major employers for the project who would benefit from the expansion.

8. AUTHORIZE PUBLIC OUTREACH TO EXTEND FISCAL YEAR 2022 PANDEMIC RECOVERY PROGRAM

Principal Planner Michael Gougherty presented this item recommending authorization by the Executive Director to initiate a public outreach process to collect feedback on the extension of the Fiscal Year 2022 Pandemic Recovery Program for up to one year, through Fiscal Year 2023.

The Directors expressed their support for gathering input and their appreciation for all the efforts in finding new ridership.

Director DelBono made a motion approving this item.

Chair Wunderman called for public comments, and there were none.

Director Intintoli seconded the motion, and the item passed unanimously.

Yeas: Alba, DelBono, Intintoli, Moyer, Wunderman. Nays: None. Absent: None

9. PUBLIC COMMENTS FOR NON-AGENDA ITEMS

No further public comments were shared.

With all business concluded, Chair Wunderman adjourned the meeting at 3:36 p.m.

- Board Secretary

END

MEMORANDUM

TO: Board Members

FROM: Seamus Murphy, Executive Director
Erin McGrath, Chief Financial Officer

SUBJECT: Authorize Submission of an Allocation Request to the California Department of Transportation for FY 2021-22 Low Carbon Transit Operations Program Grant Funds

Recommendation

Approve the following actions necessary to secure FY 2021-22 Low Carbon Transit Operations Program (LCTOP) funds to support transit capital projects:

1. Approve submission of the FY 2021-22 LCTOP allocation request for funds, totaling \$665,696, to support the design and construction of a replacement vessel for the MV *Bay Breeze*; and
2. Certify that WETA will comply with all conditions and requirements set forth in the LCTOP Certification and Assurances document, and
3. Authorize the Executive Director and Finance & Administration Manager to submit and execute all required documents necessary to apply for and receive FY 2020/21 LCTOP funding, including the related Certifications and Assurances and Authorized Agent forms, on behalf of WETA.

Background

The LCTOP is one of several programs funded by auction proceeds from the California Air Resource Board's (CARB) Cap-and-Trade Program. Proceeds are deposited into the Greenhouse Gas Reduction Fund (GGRF) and LCTOP receives a five percent continuous appropriation of the annual auction proceeds that began in FY 2015-16. Funding is assigned annually to public transit operators in the State based on the existing State Transit Assistance revenue-based formulas.

The LCTOP provides operating and capital assistance for transit agencies to reduce greenhouse gas (GHG) emissions and improve mobility, with a priority on serving disadvantaged communities. Per Senate Bill (SB) 824, approved projects are intended to enhance or expand transit service by supporting new or expanded bus or rail services, new or expanded water-borne transit, or expanded intermodal transit facilities.

The LCTOP is administered by the California Department of Transportation (Caltrans) in coordination with CARB and the State Controller's Office (SCO). Caltrans is responsible for ensuring that the statutory requirements of the program are met in terms of project eligibility, greenhouse reduction, disadvantaged community benefit, and other requirements of the law.

Discussion

Caltrans has published the FY 2021-22 LCTOP Guidelines and the SCO released the funding allocation amounts last week. Funding allocated to all agencies was higher than anticipated due to the increased revenues available from cap and trade auctions. Staff has reviewed the program criteria, as established by Caltrans, and proposes to continue to use its allocation to support the already-contracted design and construction of a replacement vessel for the MV *Bay Breeze* (Project). LCTOP guidelines permit eligible recipients to roll funds over into subsequent fiscal years, accruing a maximum of four years of LCTOP funds for a more substantial project. The full funding plan for the Project includes four years of LCTOP funds and FY2021-22 is year four of four for this project. Construction of the new vessel, which was authorized in 2020, includes Tier 4 engines, fulfilling the LCTOP program's GHG emissions reduction requirement.

As a condition for the receipt of LCTOP funds, project sponsors must agree to comply with all conditions and requirements set forth in the Certification and Assurances, provided as **Attachment A**. These are the same certifications adopted in prior year actions on this funding source by the Board. The Certification and Assurances fall into several categories as follows:

1. General: Requires a general certification that WETA will follow all the guidelines of the funding source.
2. Project Administration: Requires general assurances that WETA has the capacity and procedures to carry out its project, that funds will be tracked and spent appropriately, and that whatever is funded by LCTOP will be maintained for its useful life.
3. Reporting: Outlines specific reporting requirements related to project activities, financial integrity, outcome reporting related to CARB standards and jobs.
4. Cost Principles: Repeats assurances required in federal regulations related to cost principles, administration, and allowable costs.
5. Records Retentions: Requires retention of records for three years and a certification that all books, documents and records be made available to the State for that time.

In addition to the allocation request and Certification and Assurances documents, applicants are required to submit the Authorized Agent form, provided as **Attachment B**, appointing individuals or positions to act on behalf of the applicant and its governing body. This form authorizes the Executive Director and the Chief Financial Officer to act as authorizing agents.

Fiscal Impact

The *Vessel Replacement – MV Bay Breeze & MV Solano* project was originally authorized by the Board in 2020 and was included in the most recent FY 2021-22 Capital Budget at a projected total cost of \$34,600,000. Approval of this item will authorize the use of \$665,696 in FY 2021-22 LCTOP funds to support the design and construction of a replacement vessel for the MV *Bay Breeze* as part of this capital project. This amount provides matching funds for \$13.8 million in federal funding, \$771,054 in STA funding and \$1 million in Measure BB.

END



FY 2021-2022 LCTOP Certifications and Assurances

Lead Agency: SF Bay Area Water Emergency Transportation Authority

Project Title: Replacement Vessel for the Bay Breeze

Prepared by: Erin McGrath, Chief Financial Officer

The California Department of Transportation (Caltrans) has adopted the following Certifications and Assurances for the Low Carbon Transit Operations Program (LCTOP). As a condition of the receipt of LCTOP funds, Lead Agency must comply with these terms and conditions.

A. General

1. The Lead Agency agrees to abide by the current LCTOP Guidelines and applicable legal requirements.
2. The Lead Agency must submit to Caltrans a signed Authorized Agent form designating the representative who can submit documents on behalf of the project sponsor and a copy of the board resolution appointing the Authorized Agent.

B. Project Administration

1. The Lead Agency certifies that required environmental documentation is complete before requesting an allocation of LCTOP funds. The Lead Agency assures that projects approved for LCTOP funding comply with Public Resources Code § 21100 and § 21150.
2. The Lead Agency certifies that a dedicated bank account for LCTOP funds only will be established within 30 days of receipt of LCTOP funds.
3. The Lead Agency certifies that when LCTOP funds are used for a transit capital project, that the project will be completed and remain in operation for its useful life.
4. The Lead Agency certifies that it has the legal, financial, and technical capacity to carry out the project, including the safety and security aspects of that project.
5. The Lead Agency certifies that they will notify Caltrans of pending litigation, dispute, or negative audit findings related to the project, before receiving an allocation of funds.
6. The Lead Agency must maintain satisfactory continuing control over the use of project equipment and facilities and will adequately maintain project equipment and facilities for the useful life of the project.
7. Any interest the Lead Agency earns on LCTOP funds must be used only on approved LCTOP projects.
8. The Lead Agency must notify Caltrans of any changes to the approved project with a Corrective Action Plan (CAP).



FY 2021-2022 LCTOP

9. Under extraordinary circumstances, a Lead Agency may terminate a project prior to completion. In the event the Lead Agency terminates a project prior to completion, the Lead Agency must (1) contact Caltrans in writing and follow-up with a phone call verifying receipt of such notice; (2) pursuant to verification, submit a final report indicating the reason for the termination and demonstrating the expended funds were used on the intended purpose; (3) submit a request to reassign the funds to a new project within 180 days of termination.

C. Reporting

1. The Lead Agency must submit the following LCTOP reports:
 - a. Annual Project Activity Reports October 28th each year.
 - b. A Close Out Report within six months of project completion.
 - c. The annual audit required under the Transportation Development Act (TDA), to verify receipt and appropriate expenditure of LCTOP funds. A copy of the audit report must be submitted to Caltrans within six months of the close of the year (December 31) each year in which LCTOP funds have been received or expended.
 - d. Project Outcome Reporting as defined by CARB Funding Guidelines.
 - e. Jobs Reporting as defined by CARB Funding Guidelines.
2. Other Reporting Requirements: CARB develops and revises Funding Guidelines that will include reporting requirements for all State agencies that receive appropriations from the Greenhouse Gas Reduction Fund. Caltrans and project sponsors will need to submit reporting information in accordance with CARB's Funding Guidelines, including reporting on greenhouse gas reductions and benefits to disadvantaged communities.

D. Cost Principles

1. The Lead Agency agrees to comply with Title 2 of the Code of Federal Regulations 225 (2 CFR 225), Cost Principles for State and Local Government, and 2 CFR, Part 200, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments.
2. The Lead Agency agrees, and will assure that its contractors and subcontractors will be obligated to agree, that:
 - a. Contract Cost Principles and Procedures, 48 CFR, Federal Acquisition Regulations System, Chapter 1, Part 31, et seq., shall be used to determine the allow ability of individual project cost items and
 - b. Those parties shall comply with Federal administrative procedures in accordance with 2 CFR, Part 200, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments. Every sub-recipient receiving LCTOP funds as a contractor or sub-contractor shall comply with



FY 2021-2022 LCTOP

Federal administrative procedures in accordance with 2 CFR, Part 200, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments.

3. Any project cost for which the Lead Agency has received funds that are determined by subsequent audit to be unallowable under 2 CFR 225, 48 CFR, Chapter 1, Part 31 or 2 CFR, Part 200, are subject to repayment by the Lead Agency to the State of California (State). All projects must reduce greenhouse gas emissions, as required under Public Resources Code section 75230, and any project that fails to reduce greenhouse gases shall also have its project costs submit to repayment by the Lead Agency to the State. Should the Lead Agency fail to reimburse moneys due to the State within thirty (30) days of demand, or within such other period as may be agreed in writing between the Parties hereto, the State is authorized to intercept and withhold future payments due the Lead Agency from the State or any third-party source, including but not limited to, the State Treasurer and the State Controller.

E. Record Retention

1. The Lead Agency agrees and will assure that its contractors and subcontractors shall establish and maintain an accounting system and records that properly accumulate and segregate incurred project costs and matching funds by line item for the project. The accounting system of the Lead Agency, its contractors and all subcontractors shall conform to Generally Accepted Accounting Principles (GAAP) and enable the determination of incurred costs at interim points of completion. All accounting records and other supporting papers of the Lead Agency, its contractors and subcontractors connected with LCTOP funding shall be maintained for a minimum of three (3) years after the "Project Closeout" report or final Phase 2 report is submitted (per ARB Funding Guidelines, Vol. 3, page 3.A-16), and shall be held open to inspection, copying, and audit by representatives of the State and the California State Auditor. Copies thereof will be furnished by the Lead Agency, its contractors, and subcontractors upon receipt of any request made by the State or its agents. In conducting an audit of the costs claimed, the State will rely to the maximum extent possible on any prior audit of the Lead Agency pursuant to the provisions of federal and State law. In the absence of such an audit, any acceptable audit work performed by the Lead Agency's external and internal auditors may be relied upon and used by the State when planning and conducting additional audits.
2. For the purpose of determining compliance with Title 21, California Code of Regulations, Section 2500 et seq., when applicable, and other matters connected with the performance of the Lead Agency's contracts with third parties pursuant to Government Code § 8546.7, the project sponsor, its contractors and subcontractors and the State shall each maintain and make available for inspection all books, documents, papers, accounting records, and other evidence pertaining to the performance of such contracts, including, but not limited to, the costs of administering those various contracts. All of the above referenced parties shall make such materials available at their respective offices at all reasonable times



FY 2021-2022 LCTOP

during the entire project period and for three (3) years from the date of final payment. The State, the California State Auditor, or any duly authorized representative of the State, shall each have access to any books, records, and documents that are pertinent to a project for audits, examinations, excerpts, and transactions, and the Lead Agency shall furnish copies thereof if requested.

3. The Lead Agency, its contractors and subcontractors will permit access to all records of employment, employment advertisements, employment application forms, and other pertinent data and records by the State Fair Employment Practices and Housing Commission, or any other agency of the State of California designated by the State, for the purpose of any investigation to ascertain compliance with this document.

F. Special Situations

Caltrans may perform an audit and/or request detailed project information of the project sponsor's LCTOP funded projects at Caltrans' discretion at any time prior to the completion of the LCTOP.

I certify all of these conditions will be met.

Print Authorized Agents Name.

(Print Authorized Agent)

Print Authorized Agents Name.

(Title)

(Signature)

(Date)



**FY 2021-2022 LCTOP
Authorized Agent**

AS THE Executive Director

(Chief Executive Officer/Director/President/Secretary)

**OF THE SF Bay Area Water Emergency Transportation
Authority**

(Name of County/City/Transit Organization)

I hereby authorize the following individual(s) to execute for and on behalf of the named Regional Entity/Transit Operator, any actions necessary for the purpose of obtaining Low Carbon Transit Operations Program (LCTOP) funds provided by the California Department of Transportation, Division of Rail and Mass Transportation. I understand that if there is a change in the authorized agent, the project sponsor must submit a new form. This form is required even when the authorized agent is the executive authority himself. I understand the Board must provide a resolution approving the Authorized Agent. The Board Resolution appointing the Authorized Agent is attached.

Seamus Murphy, Executive Director

OR

(Name and Title of Authorized Agent)

Erin McGrath, Chief Financial Officer

OR

(Name and Title of Authorized Agent)

Click here to enter text.

OR

(Name and Title of Authorized Agent)

Click here to enter text.

OR

(Name and Title of Authorized Agent)

Click here to enter text.

(Print Name)

Click here to enter text.

(Title)

(Signature)

Approved this Choose an item. day of Choose an item. , Click

SAN FRANCISCO BAY AREA WATER EMERGENCY TRANSPORTATION AUTHORITY

RESOLUTION NO. 2022-09

**AUTHORIZATION FOR THE EXECUTION OF THE CERTIFICATIONS AND ASSURANCES AND
AUTHORIZED AGENT FORMS FOR THE LOW CARBON TRANSIT OPERATIONS PROGRAM FOR
THE FOLLOWING PROJECT: VESSEL REPLACEMENT - MV *BAY BREEZE* - \$665,696**

WHEREAS, WETA is an eligible project sponsor and may receive state funding from the Low Carbon Transit Operations Program (LCTOP) for transit projects; and

WHEREAS, the statutes related to state-funded transit projects require a local or regional implementing agency to abide by various regulations; and

WHEREAS, Senate Bill 862 (2014) named the Department of Transportation (Department) as the administrative agency for the LCTOP; and

WHEREAS, the Department has developed guidelines for the purpose of administering and distributing LCTOP funds to eligible project sponsors (local agencies); and

WHEREAS, WETA wishes to delegate authorization to execute these documents and any amendments thereto to WETA's Executive Director, and Chief Financial Officer; and

WHEREAS, WETA wishes to implement the LCTOP project(s); now, therefore, be it

RESOLVED, by the Board of Directors that the fund recipient agrees to comply with all conditions and requirements set forth in the Certification and Assurances and the Authorized Agent documents and applicable statutes, regulations and guidelines for all LCTOP funded transit projects; and be it further

RESOLVED, that WETA's Executive Director, and Chief Financial Officer, be authorized to execute all required documents of the LCTOP program and any Amendments thereto with the California Department of Transportation; and be it further

RESOLVED, that the Board of Directors hereby authorizes the submittal of the following project nomination and allocation request to the Department in FY2021-2022 LCTOP funds:

Project Name: *Vessel Replacement – M/V Bay Breeze*

Amount of LCTOP funds requested: \$665,696

Short description of project: *Construct a replacement vessel for the MV Bay Breeze*

Benefit to a Priority Populations: *GHG emission reductions*

Amount to benefit Priority Populations: \$332,848

Contributing Sponsors (if applicable): *N/A*

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 March 3, 2022.

YEA:

NAY:

ABSTAIN:

ABSENT:

/s/ Board Secretary

2022-09

END

MEMORANDUM

TO: Board Members

FROM: Seamus Murphy, Executive Director
Erin McGrath, Chief Financial Officer

SUBJECT: Approve Amendment to Clipper Memorandum of Understanding with the Metropolitan Transportation Commission and Bay Area Transit Operators

Recommendation

Approve Amendment No. 3 to the Amended and Restated Clipper Memorandum of Understanding with the Metropolitan Transportation Commission and other participating Bay Area transit operators and authorize the Executive Director to execute the amendment and take any other related actions to support this work.

Background/Discussion

As a participating transit agency in the regional Clipper program, from time to time there are changes to the program that WETA is required to ratify as part of its agreement with the Metropolitan Transportation Commission (MTC). The Clipper Memorandum of Understanding (Clipper MOU) between MTC and the 22 transit operators (Operators) participating in the Clipper program provides the framework for the joint oversight and operation of the regional fare collection system. The Clipper MOU became effective on February 19, 2016. Amendment No. 1 was approved by the WETA Board on September 7, 2017. Amendment No. 2 was approved by the WETA Board on September 3, 2020.

This amendment affects the Regional Transit Card (RTC) program which provides disabled riders with discounted transit fares. Alameda-Contra Costa Transit District (AC Transit) currently administers the RTC program as the Lead Agency with policy input from the Bay Area Partnership Accessibility Committee (BAPAC). In 2020, the Operators requested that MTC assume administrative responsibility of the RTC program in order to modernize the program and have more consistency with the youth and senior fare discounts on Clipper. MTC agreed to incorporate the RTC program into the Clipper program. Policy-making authority will be placed with the Clipper Executive Board.

In order to make this transition, the Clipper MOU must be amended to include the RTC program. In addition to transferring program oversight, the amendment continues the existing cost-sharing formula among the Operators participating in the RTC program and will have no fiscal impact on WETA at this time. The cost-sharing allocation will be reviewed as part of the future MOU for the next-generation Clipper system. The Clipper MOUs include mutual indemnification provisions, and Amendment No. 3 introduces an additional indemnity provision protecting MTC from liability for operator actions related to verification of program eligibility. WETA does not process verification for the RTC program, therefore this would not increase risk to WETA.

Fiscal Impact

None.

END

SAN FRANCISCO BAY AREA WATER EMERGENCY TRANSPORTATION AUTHORITY

RESOLUTION NO. 2022-10

**APPROVE AMENDMENT NO. 3 TO CLIPPER MEMORANDUM OF UNDERSTANDING
WITH THE METROPOLITAN TRANSPORTATION COMMISSION
AND BAY AREA TRANSIT OPERATORS**

WHEREAS, Clipper is the automated fare payment system for intra-and inter-operator transit trips in the San Francisco Bay Area and is currently operated on 22 transit systems; and

WHEREAS, in February 2016, an Amended and Restated Clipper Memorandum of Understanding (Clipper MOU), which provides the framework for the joint oversight and operation of the program, was developed by the Metropolitan Transportation Commission (MTC) and the 22 transit operators (Operators) participating in the Clipper program; and

WHEREAS, by Resolution 2017-21, the WETA Board approved Amendment No. 1 to the Clipper MOU, which made several changes to improve the functioning of the Clipper Executive Board (CEB); and

WHEREAS, by Resolution 2020-35, the WETA Board approved Amendment No. 2 to the Clipper MOU, which made changes to the administration of the next generation of the Clipper program and provided a revised cost allocation formula between Operators for the implementation, operation, and maintenance of the next generation of the Clipper program; and

WHEREAS, the Regional Transit Card (RTC) program, which provides disabled riders with discounted access to fixed-route transit, is currently administered by Alameda-Contra Costa Transit District (AC Transit) as the Lead Agency with policy input from the Bay Area Partnership Accessibility Committee; and

WHEREAS, in 2020, the Operators requested that MTC assume administrative responsibility of the RTC program in order to modernize the program and have more consistency with the youth and senior fare discounts on Clipper; and

WHEREAS, Amendment No. 3 amends the Clipper MOU to include the RTC program in the Clipper program; and

WHEREAS, staff recommends amending the Clipper MOU with MTC and Operators to include this change; now, therefore, be it

RESOLVED, that the Board of Directors hereby approves Amendment No. 3 to the Clipper MOU with the Metropolitan Transportation Commission and Bay Area Operators; and be it further

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

CERTIFICATION

The undersigned, Board Secretary, does hereby certify that the foregoing is a full, true and correct copy of a resolution duly and regularly adopted at a meeting of the San Francisco Bay Area Water Emergency Transportation Authority held on March 3, 2022.

YEA:

NAY:

ABSTAIN:

ABSENT:

/s/ Board Secretary

2022-10

END

MEMORANDUM

TO: Board Members

FROM: Seamus Murphy, Executive Director
Kevin Connolly, Planning & Development Manager
Chad Mason, Senior Planner/Project Manager

SUBJECT: Authorize Release of a Request for Proposals for Construction of the Alameda Main Street Ferry Terminal Refurbishment Project

Recommendation

Authorize the release of a Request for Proposals (RFP) for construction of the Alameda *Main Street Ferry Terminal Refurbishment Project* (Project).

Background

The Alameda Main Street Ferry Terminal (Terminal) is a high-use passenger facility that supports WETA operation seven days a week. It is important to keep all facilities in a state of good repair to support ongoing operations and safety. The waterside elements of the Terminal under WETA ownership consists of a gangway, pier, bridge structures, piles, passenger float, and ramping. The City of Alameda (City) installed the terminal in 1991 and the City completed repairs in 2007 to address the deterioration of its wooden pilings. In 2014, after the service transition to WETA, stabilization repairs were made to the pier bridge structure. Earlier this year, WETA and the City executed an amendment to the Ferry Service Operations Transfer Agreement, which transferred landside elements of the Terminal (parking lots, walkways, bike storage, and public restrooms) to the City while retaining waterside elements under WETA ownership and control. The Project scope is consistent with WETA's obligations under this agreement.

The current passenger float is a converted Navy barge estimated to be over 50 years old. In 2015, gangway and walkway improvements were made for passenger safety and boarding efficiency. The repairs to the pier bridge structure were intended to be temporary and the passenger float is at the end of its useful life. This Project will replace the pier bridge structure and passenger float. The Project may also include other improvements and modifications

In July 2020, the U.S. Department of Transportation's Federal Transit Administration (FTA) announced a \$4,456,000 discretionary Passenger Ferry Grant Program award to WETA to support refurbishment of the Terminal. This funding source will support WETA's plans to ensure that the Terminal remains in a state of good repair. In developing project plans and designs, staff will take a multi-stage approach that allows major components to be built in advance of assembly at the Terminal site to minimize disruption to the Terminal and services.

Discussion

In accordance with WETA's Administrative Code, this item seeks Board authorization to release a RFP for Design/Build construction of the Project. Design/Build is a project delivery method allowed by WETA's Administrative Code and used successfully on other WETA projects. Pending Board authorization, staff anticipates releasing the RFP in March 2022 and tentatively requiring that proposals be submitted by May 2022. Staff will evaluate all proposals in accordance with the RFP and potentially present a recommendation to the Board for

contract award as early as June 2022. Final design work, fabrication and construction are estimated to be completed in approximately 6 months following contract award.

Fiscal Impact

The Project is included in the FY 2021/22 Capital Budget with a total project budget of \$6,127,700. This project is funded with \$4,456,000 (73%) Federal Transit Administration grant funds and \$1,671,700 (27%) Alameda Transportation Sales Tax revenues. Sufficient funds are included in the total project budget to support the award of this contract.

END

MEMORANDUM

TO: Board Members

**FROM: Seamus Murphy, Executive Director
Kevin Connolly, Manager, Planning & Development
Michael Gougherty, Principal Planner**

SUBJECT: Award Contract to Swiftly, Inc. for Real-time Transit Information System

Recommendation

Approve the following related actions for a contract award to implement and maintain a real-time transit information system:

1. Approve a contract award to Swiftly, Inc. for a contract amount not-to-exceed \$212,659 for an operating term of 60 months; and
2. Authorize the Executive Director to negotiate and enter into a contract for this work and take any other related actions as may be necessary to support this work.

Background

Over the past several years transit agencies have been globally transitioning to real-time transit information systems to provide consumers with up-to-date information about disruptions to their transit service, including station closures, cancelled trips, delay messaging, location of their vehicles, and expected arrival times. WETA's current system was developed over ten years ago and is no longer capable of generating reliable real-time departure and arrival predictions. Technological advances and the maturing of the industry have resulted in many new options since WETA staff last procured a real-time transit information system.

In October 2021 the Board authorized release of a Request for Proposals (RFP) for a real-time transit system. The RFP was issued to prospective proposers on October 20, 2021. Proposers were requested to submit Technical and Price Proposals to implement a real-time transit information system, which would be maintained and supported for an operating term of 60 months. The RFP sets forth selection criteria based on the proposer's approach, qualifications, and reasonableness of pricing.

Discussion

WETA received proposals from six firms in December 2021. In accordance with the RFP's procedures, four of the six proposers were determined by the WETA Evaluation Committee to be within the competitive range. The Committee evaluated each proposal and conducted interviews with each firm in the competitive range to further assess their qualifications and seek clarifications on their Technical and Price Proposals. The scores for each proposer are presented below:

Proposer	Rank	Score
Swiftly	1	94.0
Anchor	2	89.1
IBI Group	3	81.9
Cambridge Systematics	4	80.4

Based on the scores above, Swiftly, Inc. (“Swiftly”) was identified as the highest ranked proposer. Swiftly has extensive experience both locally and nationally providing real-time transit information system services for transit agencies. Overall, Swiftly offers a robust package of features for a competitive and reasonable cost. The Swiftly proposal offers a technically sound and pre-tested approach that leverages existing WETA equipment and capabilities to build a real-time transit information system that provides all required and desired functionality.

Improved Passenger Experience

The modernization of WETA’s real-time transit information system will result in better information available for riders. The proposed system will create a publicly accessible GTFS-rt feed that provides vessel tracking location, vessel arrival predictions, and real-time service alerts. WETA will be able to use this feed to provide information to passengers directly on its website, signs at WETA ferry terminals, monitors aboard ferry vessels, and other communication channels offered by WETA. Furthermore, this feed will be available to third party mobility applications, such as Google Transit, Transit App, and Twitter to incorporate into their products, potentially offering new channels for passengers to receive information about San Francisco Bay Ferry services.

While San Francisco Bay Ferry departures are currently listed in popular transit apps, adding real-time information to WETA’s transit information feed will vastly improve the credibility of departure times, improving the San Francisco Bay Ferry customer experience and making the system more attractive for new and repeat riders. Third-party integration will also modernize WETA’s ability to efficiently inform regular passengers of delays, cancellations and added departures. For example, passengers will be able to subscribe to a specific San Francisco Bay Ferry route in the Transit App and receive push notifications for any service modifications. This will provide a better passenger experience and decrease the burden on staff to maintain service alert subscriber databases.

WETA staff is also exploring additional ways to improve passenger experience by providing enhanced resources on its website, including a real-time map showing the location of all ferries in service and a boat line-up page, a feature that is often requested by San Francisco Bay Ferry passengers.

Operational Efficiency

The deployment of a real-time transit information system will also give WETA the ability to offer accurate real-time fleet information feeds to emergency response situational awareness tools managed by the Metropolitan Transportation Commission (MTC) and California Office of Emergency Services (CalOES). Providing a GTFS-rt feed is a requirement of the California Department of Transportation’s (Caltrans) California Integrated Travel Project (Cal-ITP), which was established to help California deliver on statewide goals of increasing transit ridership, reaching environmental targets, lowering transportation-related costs for public transit agencies and the traveling public, improving the customer experience of travel, and promoting equity throughout the state transportation network.

Pending full integration of the Swiftly system with WETA’s digital signs located at ferry terminals, WETA will be able to improve its operational efficiency. The legacy system that currently powers the information displayed in these signs is cumbersome, time-intensive and inflexible. Integrating real-time information via Swiftly will reduce the burden of manual updates on these signs for both advance-notice schedule changes (holidays or systemwide schedule updates) and for real-time alerts.

Staff recommends that the Board approve a contract award to Swiftly, Inc. for a real-time transit information system, which includes implementation and maintenance of the system for an operating

term of 60 months. Pending Board approval of a contract award, staff will negotiate and execute a contract with Swiftly, Inc. and subsequently issue a Notice to Proceed.

Fiscal Impact

WETA's current budget for real time information systems with its current provider, Cubic, is \$27,332. This contract would be \$37,400 in the first year with subsequent year maintenance costs increasing by 5% annually. Initial implementation costs of \$6,000 are budgeted in the FY22 budget. Annual costs following implementation will be included in future budget recommendations .

END

SAN FRANCISCO BAY AREA WATER EMERGENCY TRANSPORTATION AUTHORITY

RESOLUTION NO. 2022-11

**APPROVE CONTRACT AWARD TO SWIFTLY, INC. FOR REAL TIME TRANSIT
INFORMATION SYSTEM**

WHEREAS, WETA's current transit information system is over ten years old; and

WHEREAS, On October 20, 2021, WETA issued a Request for Proposals (RFP) for a new Real-time Transit Information System; and

WHEREAS, in accordance with the RFP and WETA's Administrative Code, WETA established an evaluation committee that reviewed all proposals received by the RFP's due date; and

WHEREAS, based on the evaluation criteria in the RFP, the evaluation committee determined Swiftly, Inc. was the highest-ranked proposer; and

WHEREAS, after completion of the ranking process, WETA staff negotiated an agreement with Swiftly, Inc. for implementing and maintaining a new Real-time Transit Information System at a price determined to be fair and reasonable; and

WHEREAS, WETA staff recommends the Board award a contract to Swiftly, Inc. for a total not to exceed amount of \$212,659 over a five year term; now, therefore, be it

RESOLVED, that the Board of Directors hereby approves entering into an agreement with Swiftly, Inc. for the implementation and maintenance of a Real-time Transit Information System in an amount not to exceed \$212,659 for a five year term; and be it further

RESOLVED, that the Board of Directors authorizes the Executive Director to execute an agreement with Swiftly, Inc. and take any other necessary actions consistent with this action.

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 March 3, 2022.

YEA:

NAY:

ABSTAIN:

ABSENT:

/s/ Board Secretary
2022-11

END

MEMORANDUM

TO: Board Members

FROM: Seamus Murphy, Executive Director
Kevin Connolly, Manager, Planning & Development
Michael Gougherty, Principal Planner

SUBJECT: Award Contract to Anchor Operating System, LLC for an Integrated Fare Ticketing System

Recommendation

Approve the following related actions for a contract award to implement and maintain an integrated fare ticketing system:

1. Approve a contract award to Anchor Operating System, LLC to implement an integrated fare ticketing system for an amount not-to-exceed \$92,000 for implementation of the system and purchase of handheld and point-of-sale ticketing devices and printers, plus ongoing charges of a 7 percent ticketing fee on tickets purchased via web or mobile ticketing application and a 0.9 percent credit card processing fee on all credit card transactions; and,
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.

Background

The recent development and implementation of electronic fare payment technologies have enabled transit operators like WETA to improve the customer experience and streamline back-of-the office functions. Over 70 percent of San Francisco Bay Ferry riders pay fares using the Clipper system, which provides a single payment means for use on all Bay Area transit systems and can be replenished remotely and/or automatically. At present, using Clipper is not a viable or convenient option for some occasional riders, who instead rely upon non-Clipper fare payments options, including the San Francisco Bay Ferry mobile ticketing platform, on-board paper ticketing system, and ticket reservation system for special event services.

The non-Clipper payment systems currently in use by WETA and its contractor, Blue & Gold Fleet, are comprised of four different platforms offered by three different companies. For mobile ticketing, WETA awarded a contract to Hopthru in 2018 to develop, host, and maintain a mobile ticketing platform. Hopthru was acquired this year by Bytemark, which has rebranded the application as Passage and intends to transition to a new underlying technology in the future. For on-board paper ticket sales, WETA currently uses both the Revel and Galaxy fare ticketing platforms. These systems were procured and designed by Blue & Gold Fleet for use on its own services and are made available for use onboard WETA vessels. Lastly, WETA also uses the Galaxy system to offer an online reservation platform for riders to reserve and purchase tickets in advance for special event services. Use of these varied systems makes revenue and ridership data tracking complex and does not provide sufficient detail compared to Clipper.

The Board of Directors authorized release of a Request for Proposals (RFP) in November 2021 for an integrated fare ticketing system. The RFP was issued on November 17th, 2021. Proposers were requested to submit Technical and Price Proposals to implement an integrated fare ticketing

system, which would be maintained and supported for an operating term of 60 months. The RFP sets forth selection criteria based on the proposer's approach, qualifications, and reasonableness of pricing. Pricing was separated between the fixed implementation cost and estimated ticketing fees for ongoing use of the system based on an assumed level of usage and proposed fee percentages for processing different types of transactions.

Discussion

WETA received proposals from five firms in December 2021. In accordance with the RFP's procedures, four of the five proposers were determined by the WETA Evaluation Committee to be within the acceptable competitive range. The Committee, comprised of WETA and Blue & Gold staff, evaluated each proposal and conducted interviews with each firm in the competitive range to further assess their qualifications and seek clarifications on their Technical and Price Proposals. The scores for each proposer and their respective ranks are presented below:

Proposer	Rank	Score
Anchor	1	95.4
OpenMove	2	90.3
Masabi	3	80.8
ByteMark	4	73.8

Based on the scores above, Anchor Operating System, LLC ("Anchor") was identified as the highest ranked proposer. Anchor has unique experience in providing ticketing services for ferry services not only operated by its parent company, Hornblower, but also other external ferry operators. The Anchor team has the qualifications and availability to deliver the proposed integrated fare ticketing system, much of which has already been developed and is in use by other ferry operators. The proposed system would consolidate the four non-Clipper fare payment options in use by WETA, improving the customer experience and providing operational benefits in terms of ease of use, data reporting and analysis, and fare enforcement.

As part of the implementation, Anchor will be providing WETA with 44 new handheld mobile ticketing devices and printers for crews to process transactions for non-Clipper customers onboard WETA vessels or in the queue at WETA terminals. Additionally, new point of sale devices will be installed onboard each WETA vessel to support cash purchases by San Francisco Bay Ferry passengers. The onboard point of sale devices were proposed as an optional item of the RFP and have been included in the proposed budget for the project. All devices will be owned by WETA and available for deployment as desired.

Upon Notice to Proceed, Anchor will begin work with WETA to configure a San Francisco Bay Ferry stand-alone mobile ticketing application that will be made available for Android and iPhone users to purchase tickets and access schedule information and service updates specifically for San Francisco Bay Ferry services. Anchor will also offer the sale of San Francisco Bay Ferry special event tickets through the mobile ticketing application and the San Francisco Bay Ferry website. Lastly, Anchor offers an API that can be used to integrate San Francisco Bay Ferry ticket sales with third party mobility applications, as directed by WETA.

The estimated annual ticketing fee for the Anchor system is based on WETA's projection that the integrated fare ticketing system will process \$830,000 of fare revenue per year. Anchor has proposed a 7 percent fee on purchases made through mobile and web-based applications. The ticketing fee will not apply to purchases made through mobile handheld or point-of-sale devices. A 0.9 percent credit card processing fee will apply to all credit card purchases made through web and mobile ticketing applications devices, as well as mobile handheld or point-of-sale devices. Based on

these fees, the estimated annual ticketing fee to maintain the Anchor system is \$47,244 using recent ticketing data. The actual annual fee may be higher or lower depending on the number of transactions processed through the integrated fare ticketing system. As a comparison, WETA currently pays 7 percent for transactions processed through its current mobile ticketing provider; therefore, the new, ongoing total costs will be just under 1 percent higher in the new system.

Staff recommends that the Board approve a contract award for Anchor to implement and maintain an integrated fare ticketing system. Pending Board approval of a contract award, staff will negotiate and execute a contract with Anchor and issue a Notice to Proceed. Launch of the system, which will require operator training and accounting system setup, is anticipated within three months from Notice to Proceed.

Fiscal Impact

Implementation costs of an amount not-to-exceed \$92,000 will be covered by the FY 22 outreach and communications budget. This investment will procure updated equipment needed for the new system. Much of WETA's current equipment is reaching the end of its useful life and needs to be replaced. Ongoing costs, incurred on a percentage of sales, will be minimal in the current fiscal year and absorbed within the operating budget. Annually, based on a very high level of sales through the mobile application, using 2019 data, this cost could be \$41,000 higher than continuing to use WETA's current system. The current system is scheduled to expire in less than a year and the new proposal from WETA's existing vendor was significantly higher than the current cost structure.

END

SAN FRANCISCO BAY AREA WATER EMERGENCY TRANSPORTATION AUTHORITY

RESOLUTION NO. 2022-12

APPROVE CONTRACT AWARD TO ANCHOR OPERATING SYSTEM LLC FOR INTEGRATED FARE TICKETING SYSTEM

WHEREAS, WETA is in need of a new Integrated Fare Ticketing System to replace the four different platforms offered by three different companies that WETA currently uses for non-Clipper payments; and

WHEREAS, on November 17, 2021, WETA issued a Request for Proposals (RFP) for an Integrated Fare Ticketing System; and

WHEREAS, in accordance with the RFP and WETA's Administrative Code, WETA established an evaluation committee that reviewed all proposals received by the RFP's due date; and

WHEREAS, based on the evaluation criteria in the RFP, the evaluation committee determined Anchor Operating System, LLC (Anchor) was the highest-ranked proposer; and

WHEREAS, after completion of the ranking process, WETA staff negotiated an agreement with Anchor for implementing and maintaining a new Integrated Fare Ticketing System at a price determined to be fair and reasonable; and

WHEREAS, WETA staff recommends the Board award a contract to Anchor for \$92,000 for implementation of the new system and purchase of handheld ticketing devices and printers, plus a 7% ticketing fee on tickets purchased via website or mobile app and 0.9% credit card processing fee estimated to be in the amount of \$47,244 per year over a five year term; now, therefore, be it

RESOLVED, that the Board of Directors hereby approves entering into an agreement with Anchor Operating System, LLC for the implementation and maintenance of an Integrated Fare Ticketing System in an amount not to exceed \$92,000 for implementation plus purchase of handheld ticketing devices and printers, plus estimated ticketing and credit card processing fees in the amount of \$47,244 per year over a five year term; and be it further

RESOLVED, that the Board of Directors authorizes the Executive Director to execute an agreement with Anchor and take any other necessary actions consistent with this action.

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 March 3, 2022.

YEA:

NAY:

ABSTAIN:

ABSENT:

/s/ Board Secretary

2022-12

END