

## **MEMORANDUM**

**To: Policy Steering Committee**

**From: Kenneth C. Scheidig, General Counsel**

**Date: May 21, 2010**

**Re: Local Hire Provisions in Project Labor/Stabilization Agreements**

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A question has arisen regarding the District's ability to include a local hire provision in any Project Labor Agreement or Project Stabilization Agreement (herein referred to as "PLA") which the District may elect to enter into in connection with the Bus Rapid Transit ("BRT") project.

A PLA is an agreement between the project contractor, subcontractors, and the union(s) representing the construction trade workers. Under the Federal Transit Administration (FTA) definition, contractor and subcontractors on a project and the union(s) agree on terms and conditions of employment for the project, establishing a framework for labor-management cooperation to advance the project owner/manager's procurement interest in cost, efficiency and quality. PLAs were, for many years, not permitted on federally funded projects by virtue of an Executive Order signed by President George W. Bush. In February 2009 President Obama repealed the Bush Executive Order and issued an Executive Order encouraging PLAs on any federal project in excess of \$25 million.

One potential element of a PLA is a local hire preference. In relation to the BRT project, a local hire preference means that the union(s) and contractor awarded a construction contract agree that a percentage of the workforce performing contract work will be local hires. The "local" area is defined under the PLA. A local hire preference becomes an issue if the contract is funded in whole and in part by Department of Transportation and/or FTA funds. If FTA funded, contract procurement processes must follow FTA Third Party Contracting Guidelines (FTA Circular C 4220.1F). Except in the case of Architectural Engineering (A&E) services, FTA procurement guidelines prohibit specifying in-state or local geographic preferences, even if those preferences are imposed by State or local laws or regulations. (See FTA C 4220.1F pages VI-4) (g).

The question arises as to whether a local hire preference embedded in a PLA and in an awarded construction contract constitute a local geographic preference prohibited by the FTA. To answer the question, we have been in discussions with the Port of Oakland and BART with respect to their experience with local hire provisions in their PLA's. In neither case has a local hire provision been approved by federal funding agencies, although the BART experience has been more positive than that of the Port of Oakland.

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**May 21, 2010**

**Page 2**

Port of Oakland experience:

The Port of Oakland's PLA associated with its expansion project contains the following local hire provision:

Section 6. The parties agree to a goal that residents of the Port's Local Impact Area (defined as Alameda, Emeryville, Oakland and San Leandro) will perform fifty percent (50%) of all hours worked, on a craft-by-craft basis but, that if sufficient and qualified workers from the Local Impact Area are not available to achieve this goal, then the residents of the Port's Local Business Area (defined as Alameda County and Contra Costa County) may be utilized. The Contractor shall make good faith efforts to reach this goal through the utilization of normal hiring hall procedures listed in the Schedule A agreements and the resources of the "Community Resource Centers" set out in Section 3 of this Article. Sanctions may be imposed for failure to meet the goals or demonstrate "good faith" effort to do so. In cases of alleged noncompliance, the issue may be referred by the Social Justice Committee to the Administrative Committee for resolution. If a majority of the Subcommittee can make no resolution, the issue may then be referred by the Social Justice Subcommittee to Step 3 of the grievance procedure of Article IX for submission to an arbitrator for a final and binding determination. For purposes of resolution of any dispute arising under this Section, the Port shall be considered a party-in-interest with full right of participation in the arbitration proceeding.

The Port has been in discussions with the Department of Transportation ("DOT") for approximately one year with respect to this provision. DOT has taken the position that pursuant to the *Federal-Aid Highway Act of 1956* ("FHWA") no local hire provision can be included in a DOT funded project. We were advised by the Port of Oakland that the City of Los Angeles has faced similar issues with the DOT over the past few years and is considering pursuing a "legislative fix". We were also advised that the DOT has not accepted the City of Oakland's local hire language for the 18th Avenue Caltrans (FHWA) funded project.

The Port of Oakland is actively pursuing a "work around" for the DOT restriction. One avenue is determining whether the DOT will accept an amendment to the PLA that eliminates the local hire provision for the DOT funded part of the project. In the alternative, the Port is considering expanding the definition of the local area so that it is broad enough to pass DOT scrutiny. Also being discussed is the possibility of including "best efforts" language regarding local hire and removing all potential sanctions against non-compliant contractors. To date, the situation continues in limbo.

The BART experience:

The BART experience with local hire preference has been in connection with the Oakland Airport connector project which qualified for AARA funding. BART entered into a Project Stabilization Agreement for this project which contained a local hire preference. The

procurement documents for the construction contract did not restrict in any manner who can bid on the project (no restriction or preference to local contractors). Instead, the contract awardee was required to accept the terms of the PLA and the local hire preference embedded in the agreement. BART argued to the funding source that AARA funding was intended to create jobs by funding state and local government projects and the local hire preference furthered that objective. In addition, BART maintained that local hire provision did not constitute a geographic preference or a restrictive specification because there was no requirement that prospective bidders be "local". BART was reportedly optimistic in terms of a favorable federal ruling when the FTA pulled the funding on other grounds.

#### The DOT Position

Although the local Building Construction Trades Council is willing to negotiate local hire provisions in their PLA's, DOT has not received any direction from the Obama Administration to take a more favorable view of local hire provisions. We understand that until the DOT receives such direction it plans to consistently enforce the restriction against local hiring preferences.

The BRT project may provide an opportunity for AC Transit and the cities of Berkeley, Oakland and San Leandro to work with the Port of Oakland, or separately, to advocate with one voice to the Obama Administration the importance of clarifying its position on local hiring practices in project labor agreements.

#### Conclusion

In light of other agencies experience with local hire provisions in PLA's, it would be premature to opine that the District will be able to include such a provision in any PLA it negotiates for the BRT project. However, given the number of local agencies interested in ensuring local jobs in connection with their contributions to the BRT project, the District may be able to wield more political clout with FTA in arguing this point than if it were waging the battle alone. Nonetheless, we can anticipate, in the absence of action by the Obama Administration, that it may take some effort and time to achieve the local hire goal given the experience of other agencies.

#### NEW INFORMATION

(1) The DOT will allow "good faith effort" local hire provisions so long as there are no mandatory arbitration provisions to enforce or determine "good faith". The recent BART agreement is an example of a provision that is OK.

(2) the DOT has allowed certain "demonstration" PLA's to proceed with local hire provisions to determine whether there is negative competitive impact flowing from the local hire provisions. We only know of two of these. It is our understanding that an

additional factor was the presence of HUD funds in the projects which do not have the anti local hire provision.

Also the DOT did post new guidelines, but they are not illuminating

# Bus Guidance Technology

Presented to the East Bay BRT  
Policy Steering Committee  
May 21, 2010

# What is Bus Guidance?

- Technology that automates or assists the operator in the steering, docking, acceleration and deceleration of the bus
- There are two general types of guidance:
  - Mechanical
  - Electronic
- Further information - [Wikipedia](#)



# Benefits of Bus Guidance

- Improved vehicular safety in traffic
- Better ride quality and improved passenger cabin safety
- May permit narrower dedicated bus lanes
- May reduce long-term pavement cost
- Aids level boarding and
- Creates narrow horizontal gap at boarding platform to comply with ADA

# Bus Guidance Technology

- Mechanical Guidance

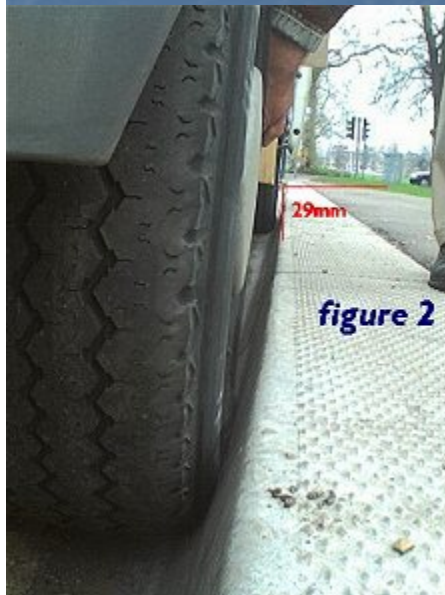
- Kassel Kerb (England & throughout Europe)
- Concrete Guideway w/ Guide wheel (Essen, Mannheim, Adelaide)
- Horizontal Guide wheel for Precision Docking (Cleveland, Eugene)
- Subsurface guide rail (Nancy, France)

- Electronic Guidance

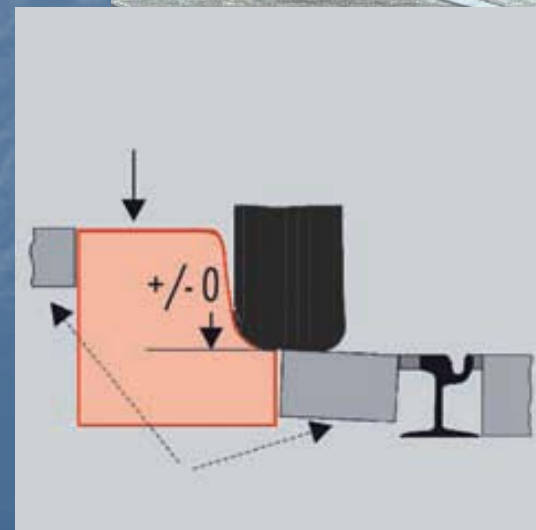
- Optical Guidance (Rouen France, Las Vegas NV)
- Magnetic Guidance (Netherlands)
- Magnetic Guidance with Redundant Technologies (Lane County/AC Transit)
  - Magnetic Guidance
  - Differential GPS
  - Inertial Navigation System



# Kassel Kerb



Used throughout Europe





# Concrete Guideway (O-Bahn) Essen, Germany & Adelaide Australia



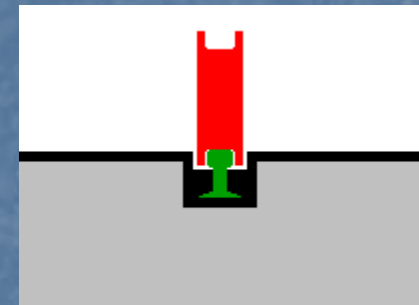
# Guide wheels for Precision Docking





# Subsurface Guide Rail

## Nancy, France



# Electronic Guidance Visual Detection

- Siemens-Systra (Rouen France, Las Vegas NV)
- Uses optical sensors to follow painted lines





# Magnetic Guidance

- Phileas Bus, Eindhoven, Netherlands



Eindhoven NS / Copyright © P. Escóyez 28/10/2004 13:07

# What options are possible for BRT?

- Guide wheel for precision docking with no mechanical guidance along bus lanes
- Magnetic Guidance

# Current Research

- **California-Oregon Vehicle Assistance & Automation (VAA) Team**
  - USDOT Federal Transit Administration and Research and Innovation Administration
  - Caltrans
  - AC Transit
  - Lane Transit District (Eugene-Springfield)
  - Partners for Advanced Transit and Highways (PATH)
  - Local Bay Area Industrial partners
    - - ContainerTrac
    - - Integrated Motion Inc.
    - - Bob McGee's Machine Co.
  - International interest



# California-Oregon VAA Project

- 2003 – Automated Bus demonstration
  - Three-bus platoon with fully automated functions
- 2005 – ITS World Congress, San Francisco
  - Demonstration of Lane Assist and Precision Docking Systems



# California-Oregon VAA Project (cont.)

## 2008 – Field Tests and Demonstration, East 14<sup>th</sup> Street, San Leandro

- First real world test
  - urban setting, uneven street crowns, potholes and obstacles, mixed with city traffic
- Test demonstrated system's accuracy and reliability
  - 1/4 inch tolerance
- Lessons learned will benefit future development and future deployment
- Demonstrated strong inter-agency partnerships
- Positive response from transit agencies



# Current Research Activities

- **2009-2011 Revenue Service Test**
  - Sponsored by the Federal Transit Administration's Intelligent Transportation Systems Joint Program Office
- **California/Oregon team selected magnetic guidance as the primary guidance technology based on thorough evaluation and technical merits**
  - **Project Goals**
  - Demonstrate the technical merits and feasibility of VAA technology in revenue service
  - Assess benefits and costs
  - Evaluate attitudes of passengers and operators
- **Budget**
  - \$1.9 million in federal funds + \$500k California cost share

# Research Project Purpose

- Address deployment issues
- Assess benefits and costs in revenue-service operations
- Document public perceptions

## Full range of VAA applications for BRT

- Highway and urban BRT application
- Precision docking and guidance
- Very low to highway speeds (65 mph)
- Degrees of driver assistance

# VAA Project Description

- LTD, Eugene Oregon
  - 2.5 miles of single/double dedicated ROW
  - One 60ft New Flyer BRT bus
  - Functions to be tested:
    - Lane guidance for on dedicated BRT lane
    - Precision docking
- AC Transit
  - A 4 mile section of HOV lane, on the California State Route 92 freeway from Hesperian Blvd. to the Hayward-San Mateo Bridge toll plaza
  - Two buses
  - Functions to be tested:
    - Lane guidance on HOV lane
    - Guidance through toll bridge





# Research Project Schedule

## ■ Major Activities

- System Design (3/10/2010)
- Component Development (4/15/2010)
- Bus Component Integration (9/1/2010)
- Software Development and Integration (11/25/2010)
- Track Preparation (9/30/2010)
- Performance test and Evaluation (3/15/2011)
- Operation Preparation (9/15/2011)
- Operational Test and Data Collection (9/30/2011)

- Independent evaluation to be conducted by Center for Urban Transportation Research –University of South Florida

# The Technology

- PATH System
  - Differential GPS + Inertial Navigation Systems + Magnets to steer bus
  - Redundancy to ensure performance & safety



Differential GPS Unit



# Magnets in Pavement + Sensors on the Bus

- Minimally subject to interference
  - Missing magnets (detectable)
  - Unwanted magnets (detectable)
- Not compatible with heavily damaged asphalt
- Installation costs of \$10-20k per lane mile
- No maintenance needed

# Magnets in Pavement + Sensors on the Bus

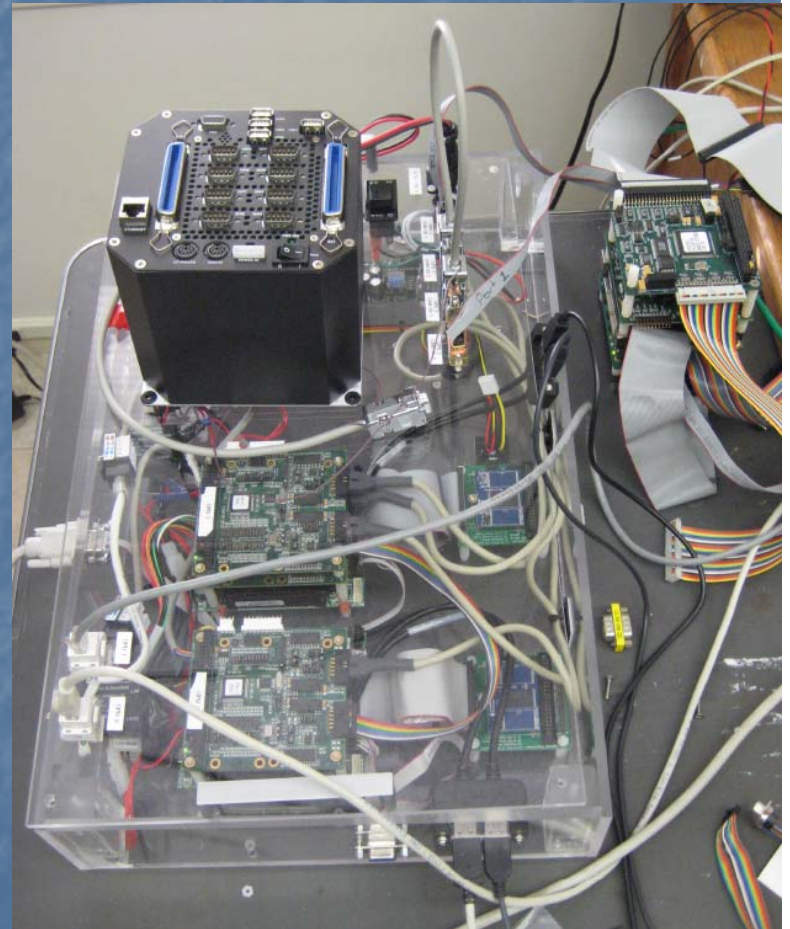




# Steering Actuator Prototype Fabrication & Bench Tests



# Computer Processors





# GPS/INS System Prototype (for AC Transit)





# Research Project Next Steps

- Complete Bench Testing
- Install equipment on PATH bus
- Test on closed track
- Transplant equipment onto AC Transit bus
- Test on closed track
- Test on SR 92 without passengers
- Test on SR 92 with passengers
- Complete evaluation

Figure 1. East Bay BRT Implementation Timeline 2010 - 2016

Revised May 3, 2010

ACTIVITY	2010				2011				2012				2013				2014				2015				2016			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
1 Board Adopts LPA																												
2 Draft PR																												
3 Caltrans Approval/Final PR																												
4 Design Exception Fact Sheets																												
5 Prepare Administrative Draft FEIS/FEIR, 106/4(f) & Submit to FTA																												
6 Circulate FEIS/FEIR																												
7 Cities' Process - MOU																												
8 Board Certifies FEIS/FEIR																												
9 CEQA Notice of Determination (NOD)																												
10 FTA Issues Record of Decision (ROD)																												
11 Update Small Starts																												
12 Procurement for Program Management/Project Controls																												
13 Procurement for Designer																												
14 Complete Conceptual Design																												
15 Design (PE, VE, FD)																												
16 Evaluate Delivery Method																												
17 ROW Evaluation																												
18 Project Construction Grant Agreement (PCGA)																												
19 FTA Funding (\$15 Million) Milestones																												
20 FTA 'Before' Survey																												
21 Vehicle Procurement (Select Vendor, Design, Production)																												
22 Advertise Bid & Award (Construction Procurement)																												
23 Construction																												
24 Testing & Start-up																												
25 Open for Service																												

\* Quarters are in calendar years

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

10 APR 21 PM 4:35

REVISED BY THE CITY COUNCIL, APRIL 20, 2010

Approved as to Form and Legality

  
City Attorney

## OAKLAND CITY COUNCIL

RESOLUTION No. 82690 C.M.S.

Introduced by Councilmember \_\_\_\_\_

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### RESOLUTION ADOPTING OAKLAND'S "LOCALLY PREFERRED ALTERNATIVE" TO BE INCLUDED AND ANALYZED IN THE FINAL ENVIRONMENTAL IMPACT STATEMENT/REPORT FOR THE AC TRANSIT EAST BAY BUS RAPID TRANSIT PROJECT

**WHEREAS**, in 1998 the AC Transit District ("AC") initiated work on the "Major Investment Study" to closely examine alternatives for transit service on several transit corridors in their service area; and

**WHEREAS**, in 2000 a Major Investment Study Policy Steering Committee comprised of membership from all affected jurisdictions, including the City of Oakland ("City") was convened to provide guidance to the study from a corridor-wide perspective; and

**WHEREAS**, in 2001 the Policy Steering Committee recommended a preferred route or "Locally Preferred Alternative" (LPA) for a Bus Rapid Transit project that specified the corridor alignment of Telegraph Avenue to International Boulevard/East 14<sup>th</sup> Street in the cities of Berkeley, Oakland, and San Leandro; and

**WHEREAS**, Bus Rapid Transit is a mode of transit service that has some or all of the following characteristics: Dedicated Travel Lanes; Level Boarding Platforms; Off-Board Fare Collection; and Real-Time Arrival Signs; and,

**WHEREAS**, in May 2007, AC Transit, in collaboration with the Federal Transit Administration released a Draft Environmental Impact Statement/Report for the continued development of the East Bay Bus Rapid Transit Project (Project); and

**WHEREAS**, in July 2007 the City of Oakland formally submitted comments in response to the Draft Statement/Report, which comments focused on route alignment, traffic, parking, economic, construction, roadway maintenance and operational impacts, among other concerns; and,

**WHEREAS**, AC Transit wishes to complete a Final Environmental Impact Statement/Report for the Project in order to compete for Federal Transit Administration "Small Starts" Funding; and



**WHEREAS,** According to Federal Transit Authority rules, AC Transit requires the City to identify a “Locally Preferred Alternative” to be analyzed in the Final Environmental Impact Statement/Report for the Project; and

**WHEREAS,** the City of Oakland’s General Plan *Policy T3.6 Encouraging Transit* calls to “encourage and promote use of public transit... on designated “transit streets”, and *Policy T3.7 Resolving Transportation Conflicts* call for the City to “resolve any conflicts between public transit and single occupant vehicles in favor of the transportation mode that has the potential to provide the greatest mobility and access for people...”; and

**WHEREAS,** City staff has worked with AC Transit staff to refine the Project design to the extent possible, to meet City goals and to implement a project incorporating transit, bicycle, pedestrian and vehicle improvement; and

**WHEREAS,** the City of Oakland adopted a Bicycle Master Plan in 2007 that identifies planned bicycle facilities on section of the proposed Bus Rapid Transit route; and

**WHEREAS,** City staff has worked with AC Transit staff to refine the Project design to the extent possible, to meet City goals and to implement a project incorporating transit, bicycle, pedestrian and vehicle improvement; and

**WHEREAS,** in January, 2010, City staff presented a draft “Locally Preferred Alternative” to the community in a series of public meetings, and in February, 2010, City staff presented the draft “Locally Preferred Alternative” to the Planning Commission for review and comment; and

**WHEREAS,** City staff carefully reviewed public comment and concerns and proposed refinements to the proposed design of the Project; and

**WHEREAS,** the City’s adoption of a “Locally Preferred Alternative” for inclusion and analysis in the Project Final Environmental Impact Statement/Report, is exempt from the California Environmental Quality Act pursuant to, without limitation, CEQA Guidelines section 15262; now, therefore, be it

**RESOLVED:** That the City adopts as its “Locally Preferred Alternative” to be included and analyzed in the Project Final Environmental Impact Statement/Report the draft design option presented to the public in January and February, 2010, as modified by staff in March 2010, and attached hereto as “Exhibit A”; and be it

**FURTHER RESOLVED:** The City requests that AC Transit investigate including left-door loading vehicles in the Project in order to minimize parking impacts associated with construction of stations, especially in Fruitvale and East Oakland; and be it

**FURTHER RESOLVED:** The City requests that AC Transit include in the Final Environmental Impact Statement/Report a full analysis of: parking losses and potential mitigations, the impacts of loss of local service on the elderly and disabled, security issues related to off-bus cash payment and increased walk distance to stops, and economic impacts to local businesses during and post-construction; and be it

**FURTHER RESOLVED:** That the City, in addition to adopting said "Locally Preferred Alternative", request that AC Transit fully analyze a "Rapid Bus Plus" option that includes all of the facilities of Bus Rapid Transit but without dedicated bus-only lanes; and be it

**FURTHER RESOLVED:** The City reserves the right to make changes to the Project at the conclusion of the Final Environmental Impact Statement/Report, based on the studied impacts and the adequacy of proposed mitigations of these impacts; and be it-

**FURTHER RESOLVED:** That staff shall return to the City Council upon AC Transit's completion of the Final Environmental Impact Statement/Report with a project proposal for the Council's consideration that includes mitigations for traffic, and parking impacts, prior to entering into any agreements with AC Transit.

APR 20 2010

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 20\_\_\_\_

**PASSED BY THE FOLLOWING VOTE:**

AYES - ~~11~~ DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT BRUNNER — 7

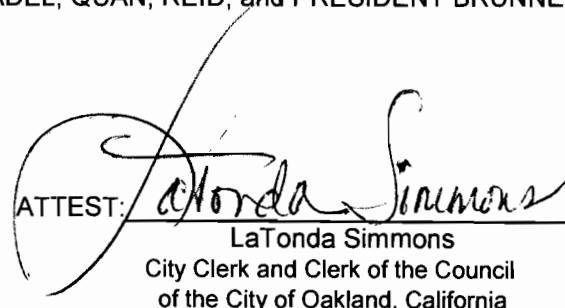
NOES - 0

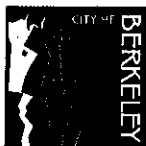
ABSENT - 0

ABSTENTION - 0

Excused - Brooks - 1

ATTEST:

  
LaTonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California



## PLANNING & DEVELOPMENT

Land Use Planning, 2120 Milvia Street, Berkeley, CA 94704

Tel: 510.981.7410 TDD: 510.981.7474 Fax: 510.981.7420 Email: [Planning@cl.berkeley.ca.us](mailto:Planning@cl.berkeley.ca.us)

May 6, 2010

Mary King  
Interim General Manager  
AC Transit  
1600 Franklin Street  
Oakland, CA 94612

### Re: City of Berkeley's Locally Preferred Alternative

Dear Ms. King:

On April 29, 2010, the Berkeley City Council selected two Locally Preferred Alternatives (LPA) to be evaluated in the FEIS/R for its portion of a proposed Bus Rapid Transit (BRT) project. The two proposals are the Mayor's Reduced Impact Alternative (Alternative B) with the modifications set forth in the motion (see attached Annotated Council Agenda with draft motion) and the Rapid Bus Plus proposal. The draft motion approved at the meeting is attached, along with the Mayor's proposal, the Memorandum of Understanding (MOU) for the Rapid Bus Plus proposal, and two April 28<sup>th</sup> letters from the Rapid Bus Plus organization detailing changes to the MOU. I am hereby forwarding these to you in compliance with the City's September 22, 2009 agreement with AC Transit. As the City Council's action is not final until the minutes are adopted, the City Clerk will forward to you a final motion upon adoption of the minutes, currently scheduled for May 18, 2010.

We look forward to reviewing the FEIS/R when it is complete. If you have questions regarding the Council's LPA, please contact me or Elizabeth Greene in the Planning and Development Department.

Sincerely,

A handwritten signature in black ink, appearing to read "Dan Marks", written over a horizontal line.

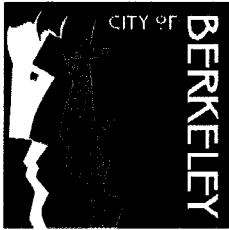
Dan Marks  
Planning and Development Director  
City of Berkeley

#### Attachments:

1. Annotated agenda with draft motion from April 29, 2010 Berkeley City Council meeting
2. Mayor's proposal regarding the Reduced Impact Alternative (Alternative B)
3. Rapid Bus Plus description from AC Transit MOU (February 24, 2010)
4. Rapid Bus Plus amendments per two Michael Katz e-mails (April 28, 2010)



cc: Phil Kamlarz, Berkeley City Manager  
Deanna Despain, Berkeley City Clerk  
Michael Katz, Rapid Bus Plus Coalition  
Cory LaVigne, AC Transit



Office of the Mayor

**ACTION CALENAR**

April 29, 2010

To: Members of the City Council

From: Mayor Tom Bates  
Councilmember Linda Maio  
Councilmember Laurie Capitelli

Subject: Bus Rapid Transit Final Environmental Impact Study/Report Build Alternatives

**Recommendation**

That the Berkeley City Council adopt a resolution to study the following three (3) alternatives for the Bus Rapid Transit (BRT) Final Environmental Impact Study/Report:

- Alternative A - Build recommendation (modified staff proposal)
- Alternative B - Reduced Impact proposal (including most Rapid Bus Plus features)
- Alternative C – No Build

Alternatives A and B should include all of the following standard features:

- NextBus (real time) schedule signage
- Standardized proof of payment system
- Security features
- Minimize parking loss

Other features that should be included if technically or financially feasible:

- Elevated and/or Level boarding platforms,
- Far side bus stations combined with queue jump lanes when needed.

**Background**

After careful consideration of the Planning Commission recommendation, staff recommendation, and comments from the public, we have modified the staff proposal and the Rapid Bus Plus proposal to better address the needs and concerns of the city and its residents.

**Contact Persons**

Mayor Tom Bates	510-981-7100
Councilmember Linda Maio	510-981-7110
Councilmember Laurie Capitelli	510-981-7150

**Attachments:**

**Resolution**

**Table – Comparative Chart of Bus Rapid Transit FEIR Study Build Alternatives A and B**

**Alternative A – BRT FEIR Study - Build Alternative**

**Alternative B – BRT FEIR Study - Reduced Impact Alternative**

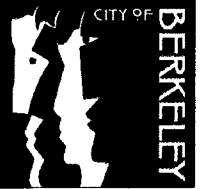


**Table – Comparative Chart of Bus Rapid Transit FEIS/R Build Alternatives A and B**

<b>Location</b>	<b>Build Alternative</b>	<b>Reduced Impact Alternative</b>
Telegraph Avenue. South of Dwight Way	Two-way Telegraph with Dedicated Center Bus Lanes and Median Stops	Maintain existing street configuration with no dedicated lanes. Stops at bulb outs with raised platforms where possible and queue jump lanes where necessary.
Telegraph Avenue North of Dwight Way	Maintain current configuration of one-way northbound Telegraph, with southbound buses on two-way Dana. No dedicated lane. Bike lanes in both directions.	Maintain current configuration of one-way northbound Telegraph, with southbound buses on two-way Dana. No dedicated lane. Bike lanes in both directions.
Bancroft Way to Shattuck	Two-way Bancroft Way from Dana. Eastbound buses in dedicated bus lane. Bike lanes in both directions on Bancroft if feasible. Two-way Durant to College with no BRT bus service. Two-way bike lanes on Durant.	Two-way Bancroft Way from Dana. No dedicated bus lanes, bike lanes in both directions on Bancroft. Two-way Durant to College with no BRT bus service. Two-way bike lanes on Durant.
Shattuck Avenue Bancroft to Center Street	Two-way Shattuck Avenue. No dedicated bus lanes. Queue jump lane if necessary. Right turn lane with prioritized signal for buses from Bancroft Way onto Shattuck Ave.	Two-way Shattuck Avenue. No dedicated bus lanes. Queue jump lane if necessary. Right turn lane with prioritized signal for buses from Bancroft Way onto Shattuck Ave.
Shattuck Avenue/ Shattuck Square to University Avenue	Two-way Shattuck Avenue from Center St. to University Ave. All buses on west side of triangle. No dedicated lanes. Shattuck Ave will be reconfigured for higher volume traffic.  Shattuck Square (east side of triangle) will have no bus service, and will be calmed to one lane northbound for parking, loading and increased pedestrian space. Right turns only from Shattuck Square to Addison or University.	Two-way Shattuck Avenue from Center St. to University Ave. All buses on west side of triangle, No dedicated lanes. Shattuck Ave which will be reconfigured for higher volume traffic. .  Shattuck Square (east side of triangle) will have no bus service, and will be calmed, to one lane northbound for parking, loading and increased pedestrian space. Right turns only from Shattuck Square to Addison or University.
Bus Layover	Layover will be relocated to a location on either Hearst or Berkeley Way. Buses will travel northbound on two-way Shattuck (west leg) from Center to Hearst or Berkeley Way; right on Hearst or Berkeley Way to potential layover zone, then return via Oxford, University and Shattuck.	Layover will be relocated to a location on either Hearst or Berkeley Way. Buses will travel northbound on two-way Shattuck (west leg) from Center to Hearst; right on Hearst or Berkeley Way to potential layover zone, then return via Oxford, University and Shattuck.

Details of lane configurations will be determined by a traffic study, to be done by AC Transit.

# Recommendation for BRT FEIR Study : Alt. A - Build Alternative



*Layover location on either  
Hearst or Berkeley Way*

**Shattuck**

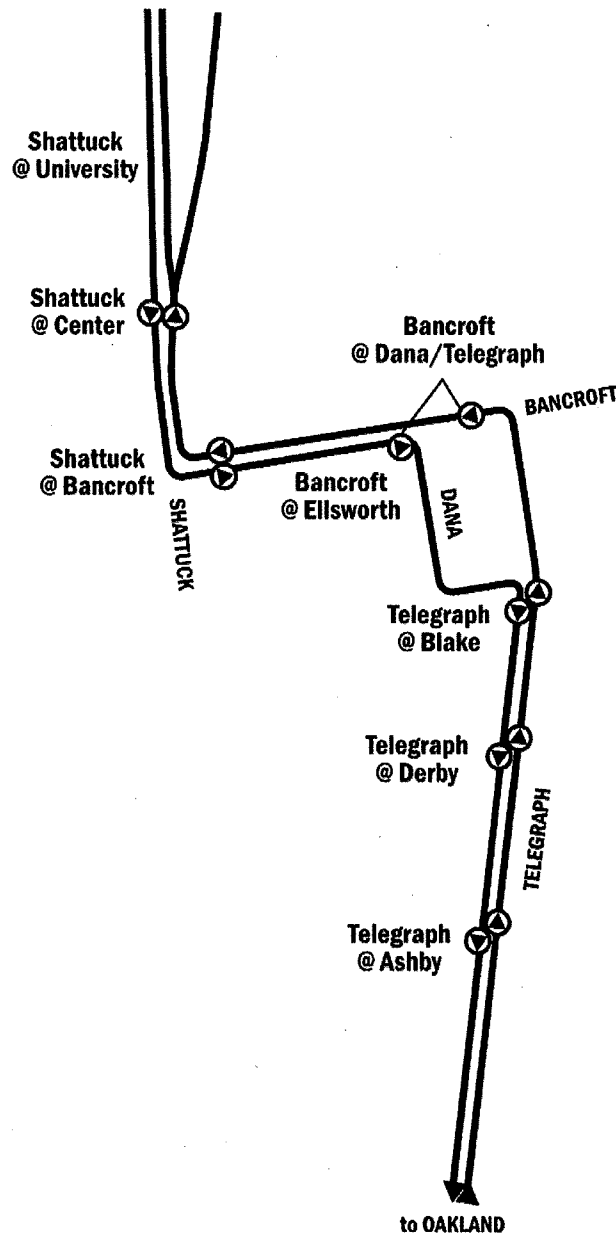
2-Way Shattuck Ave,  
Center to University.  
2-way BRT on Shattuck  
Ave. (west side of  
triangle)  
No dedicated lanes.

**Bancroft**

2-Way , from Dana  
Buses in mixed flow WB;  
EB in bus lane  
Durant converted to  
2-way to College Ave.

**South of Dwight**

Center Bus Lanes  
Median stops  
One auto lane in each  
direction with left turn  
lanes where needed.



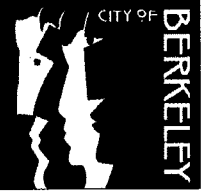
**Shattuck Square**

Single lane northbound  
Use for parking, loading  
and open space  
No bus service  
Remove layover at  
Center Street  
Right turns only at  
Addison and University

**North of Dwight**

Maintain current 1-Way  
Telegraph with BRT in  
mixed flow NB,  
BRT SB on Dana,  
No dedicated lanes.  
Dana becomes 2-way  
with bike lanes.

# Recommendation for BRT FEIR Study : Alt B – Reduced Impact Alternative



*Layover location on either  
Hearst or Berkeley Way*

**Shattuck**

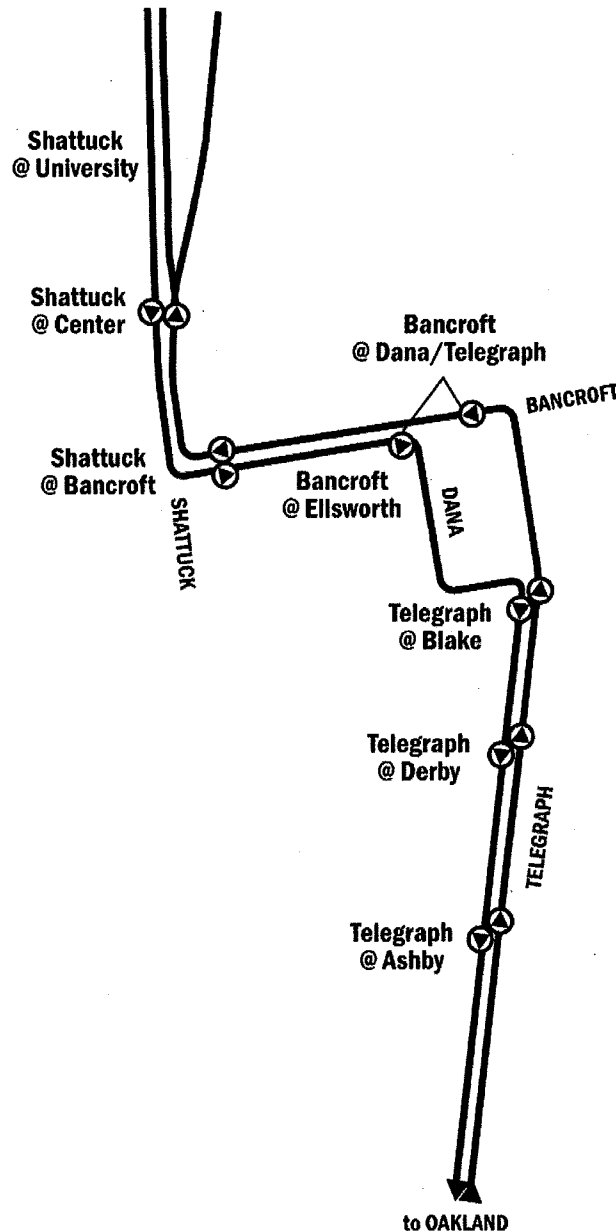
- 2-Way Shattuck Ave Center to University, 2-way BRT on Shattuck Ave. (west side of triangle)
- No dedicated lanes

**Bancroft**

- 2-Way , from Dana
- No bus lanes
- Bike lanes in both direction
- 2-Way Durant to College

**South of Dwight**

- 2-Way Telegraph with mixed flow traffic in all lanes
- No dedicated lanes
- Queue jump lanes if needed
- Elevated boarding stations on bulb outs where possible



**Shattuck Square**

- Single lane northbound
- Use for parking, loading and open space
- No bus service
- Remove layover at Center Street
- Right turns only at Addison and University

**North of Dwight**

- Maintain current 1-Way Telegraph with BRT in mixed flow NB, BRT SB on Dana, No dedicated lanes. Dana becomes 2-way with bike lanes.



# Memorandum

**TO:** Beth Greene, Matt Nichols, Kara Vuicich, Jim Cunradi, Tina Spencer  
**FROM:** Andrew Tang and Michael Snavely  
**DATE:** Wednesday, February 24, 2010  
**RE:** “Rapid Bus Plus” Corridor Improvement Alternative Details – Amended 2/24/10

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This memorandum describes the Cambridge Systematics (CS) team’s understanding of the “Rapid Bus Plus” (RBP) design alternative to be studied alongside the full bus rapid transit (BRT) service design in AC Transit’s forthcoming Final Environmental Impact Report/Study (FEIR/S). RBP concept details were defined based on proposals developed by the Rapid Bus Plus Coalition, as agreed upon in discussions facilitated by City of Berkeley staff on December 2, 2009, and finalized in subsequent talks with RBP Coalition members. The first section describes the details of the RBP design alternative to be studied for the FEIR/S. The second section describes further analyses that will be conducted to provide additional information.

## **Rapid Bus Plus Alternative to Be Studied in FEIR/S**

The RBP design alternative will be studied alongside BRT service in the forthcoming FEIR/S, and will assume the following design characteristics:

### ***Segmented Route***

The RBP design alternative will consist of two route segments: 1) from the southern terminus in San Leandro to 11<sup>th</sup>/12<sup>th</sup> Street and Broadway in Downtown Oakland, the alignment will feature the same stops, design, and operations as the BRT design alternative; and 2) from 11<sup>th</sup>/12<sup>th</sup> Street and Broadway in Downtown Oakland to Downtown Berkeley, the alignment will feature “Rapid Bus Plus” design, the details of which are described below.

### ***Vehicles***

Rather than a 60-foot articulated bus, it is assumed that the RBP segment will be served by a standard 40-foot bus for the purposes of analyzing system benefits and costs. In addition, an additional analysis will be performed to estimate the relative greenhouse gas (GHG) emissions benefits of running smaller 30-foot buses.

### ***Local Service and Alignment***

RBP service will enhance existing 1R service, while retaining local Route 1 service. By default, the RBP route will follow the current Route 1/1R alignment between Downtown Oakland and Downtown Berkeley. This RBP alignment would require no change in Southside Berkeley traffic-circulation directions.

However, should the City of Berkeley choose to study a BRT alignment that converts Bancroft Way to two-way travel, southbound RBP will follow Bancroft Way eastbound to Dana St, Dana St southbound to Dwight Way, Dwight Way eastbound to Telegraph Ave, and Telegraph to points south.

### ***Service Frequency***

For the purposes of modeling RBP performance, assumed service frequency will be based on demand. It is estimated that load matching will result in off-peak headways of 10 to 12 minutes. Peak-period headways will be no longer than 7.5 minutes.

### ***Stop Locations***

Generally, RBP stop locations in the Oakland-Berkeley segment will remain at current 1R Rapid Bus stop locations. Where they are deemed feasible and operationally beneficial by the CS team, nearside bus stops at signalized intersections will be shifted to the far side. It is understood that shifting stop locations might result in additional parking loss. Any and all parking loss will be detailed in a side analysis. No curb extensions, bulb-outs, or sidewalk reconstruction will be implemented. Where they do not coincide with RBP stops, local Route 1 bus stops will operate as usual from their current stop locations.

Should the City of Berkeley choose to study a BRT alignment that converts Bancroft Way to two-way travel, the southbound stop currently located on Durant Ave at Dana would move to Bancroft Way at Dana.

### ***Bus Boarding***

In accordance with the Americans with Disabilities Act (ADA), it is assumed that buses will deploy a ramp for wheelchair access, as is done today on Route 1R buses. Buses will feature all-door boarding at all stops.

### ***Fare Payment***

To reduce bus dwell times, RBP would employ proof-of-payment. Each bus stop will include a modest ticket vending machine, similar to pay-and-display parking meters, where passengers could purchase a ticket. Use of TransLink cards and other prepaid passes will also be encouraged.

### ***Other Stop Amenities***

Stop amenities will be similar to current 1R rapid bus stops, with limited seating and rain shelters provided. Additional amenities such as canopies, security cameras, and lighting will not be included. All RBP bus stops will feature wireless real-time bus information for waiting passengers. Although less reliable than hard-wired real-time displays, wireless displays will be significantly less costly to implement and are similar to those found at 1R stops today. It is assumed that wireless real-time bus information will also be made available via the Internet and mobile devices.

### ***Queue Jump Lanes***

Queue jump lanes will be added on the approach to major intersections to the extent that they are feasible and beneficial. Three locations in particular have been identified for queue jump lane consideration: Dwight, Ashby, and Alcatraz. Additional locations may be added if deemed feasible and operationally beneficial by the CS team. Any and all parking loss will be detailed in a side analysis. Whether right-turning vehicles can use RBP queue jump lanes is yet to be determined. It is understood that queue jump lanes will likely result in additional parking loss.

### ***Signal Phasing***

It is assumed that signal phases will be adjusted to maximize performance at intersections with RBP-related bus improvements. Intersections with queue jump lanes might require pedestrian signal phases – existing pedestrian traffic counts will help the consultant team identify the feasibility of such phases. Intersections without physical RBP improvements will not be subject to signal adjustments since it would be inconsistent with the requirements for environmental analysis. A side analysis will be performed to assess the potential for travel time savings on upper Telegraph (north of Dwight Way) if signals there were optimized.

### **Additional Analyses**

In addition to the RBP design alternative analysis described above, the following items will be addressed by the CS team:

- The current presence of actuated signals throughout the Oakland-Berkeley corridor will be confirmed;
- The number of parking spaces lost as a result of the implementation of queue jump lanes and any station location adjustments will be recorded and presented alongside study results;
- A side analysis will be performed to determine the GHG savings of using a 30-foot bus (relative to the standard 40-foot bus) in the Oakland-Berkeley segment;



- A side assessment of the potential benefits to be gained by enacting bus merge priority law will be included; and
- A side analysis will be performed to assess the potential for travel time savings on upper Telegraph Avenue if signal phases were optimized.

IN THE CITY COUNCIL OF THE CITY OF SAN LEANDRO

**RESOLUTION NO. 2010-054**

RESOLUTION DESIGNATING SAN LEANDRO'S LOCALLY PREFERRED  
ALTERNATIVE (LPA) TO BE INCLUDED AND ANALYZED IN THE FINAL  
ENVIRONMENTAL IMPACT STATEMENT/REPORT (EIS/R) FOR AC TRANSIT'S BUS  
RAPID TRANSIT (BRT) PROJECT

Recitals

WHEREAS, in 1998 the AC Transit District ("AC Transit") initiated work on the "Major Investment Study" to closely examine alternatives for transit service on several transit corridors in its service area; and

WHEREAS, in 2000 a Major Investment Study Policy Steering Committee comprised of members from all affected jurisdictions, including the City of San Leandro ("City") was convened to provide guidance to the study from a corridor-wide perspective; and

WHEREAS, in 2001 the Policy Steering Committee recommended a preferred route or "Locally Preferred Alternative" (LPA) for a Bus Rapid Transit (BRT) project that specified the corridor alignment of Telegraph Avenue to International Boulevard/East 14<sup>th</sup> Street in the cities of Berkeley, Oakland, and San Leandro; and

WHEREAS, BRT is a mode of transit service that has some or all the following characteristics: Dedicated Travel Lanes; Level Boarding Platforms; Off-Board Fare Collection; and Real-Time Arrival Signs; and

WHEREAS, in May 2007, AC Transit in collaboration with the Federal Transit Administration released a Draft Environmental Impact Statement/Report ("Draft EIS/R") for the continued development of the East Bay Bus Rapid Transit Project (Project); and

WHEREAS, in July 2007 the City of San Leandro formally submitted comments in response to the Draft EIS/R, with comments focused on route alignment, traffic, parking, economic, construction, roadway maintenance and operation impacts, among other concerns; and

WHEREAS, AC Transit wishes to complete a Final Environmental Impact Statement/Report ("Final EIS/R") for the Project to compete for Federal Transit Administration "Small Starts" Funding; and

WHEREAS, according to Federal Transit Administration rules, AC Transit is required to consider a "Locally Preferred Alternative" adopted by San Leandro, to be analyzed in the Final EIS/R for the Project; and

WHEREAS, City staff has worked with AC Transit staff to refine the Project design to the extent possible to meet City goals and to implement a project incorporating transit, bicycle, pedestrian and vehicle improvement; and

WHEREAS, in 2009, City and AC Transit staff presented design options to the community in a series of public meetings, and carefully reviewed public comment and concerns and proposed refinements to the proposed Project; and

WHEREAS, in March 2010, City staff presented the draft LPA to the Planning Commission for review and comment; and

WHEREAS, the City's designation of a "Locally Preferred Alternative" for inclusion and analysis in the Project Final EIS/R is exempt from the California Environmental Quality Act pursuant to, without limitation, CEQA Guidelines section 15262; now, therefore be it

RESOLVED that the City designates, as its "Locally Preferred Alternative" to be included and analyzed in the Final Environmental Impact Statement/Report ("Final EIS/R"), that BRT shall terminate at the Downtown San Leandro BART Station with dedicated bus lanes from the north City Limit to approximately Georgia Way with local service provided by traditional or express bus service from the Downtown San Leandro BART Station to the BayFair BART Station; and be it

FURTHER RESOLVED that the City requests that AC Transit include in the Final EIS/R a study of extending BRT to the BayFair BART Station with dedicated bus lanes from the north City Limit to Georgia Way and from Blossom Way to Bancroft Avenue. The City reserves the right to make changes to the Project at the conclusion of the Final EIS/R based on the studied impacts and the adequacy of proposed mitigations of these impacts.

Introduced by Councilmember Prola and passed and adopted this 17th day of May, 2010, by the following called vote:

Members of the Council:

AYES: Councilmembers Gregory, Prola, Reed, Souza, Starosciak; Mayor Santos (6)

NOES: Councilmember Stephens (1)

ABSENT: None (0)

ATTEST: Marian Handa  
Marian Handa, City Clerk