

Special Meeting: East Bay Bus Rapid Transit Policy Steering Committee



MINUTES

Thursday, September 3, 2015

2:00 p.m.

2nd Floor Board Room

1600 Franklin Street

Oakland, CA 94612

PSC Members:

AC Transit:

Vice President Elsa Ortiz, Chair

Director Greg Harper

Director Joel Young

Alameda County (Ex Officio):

Supervisor Nate Miley

Metropolitan Transportation Commission/Caltrans:

Caltrans District Director Bijan Sartipi

City of Oakland:

Councilmember Noel Gallo

Councilmember Rebecca Kaplan

City of San Leandro:

Mayor Pauline Cutter

Councilmember Corina Lopez

The East Bay Bus Rapid Transit Policy Steering Committee held a special meeting on Thursday, September 3, 2015. The meeting was called to order at 2:07 p.m. with Chair Ortiz presiding.

1. Roll Call

Committee Members Present:

Vice President Elsa Ortiz, Chair

Director Greg Harper

President H. E. Christian Peoples (Alternate)

Councilmember Corina Lopez

Councilmember Noel Gallo (arrived at 2:09 p.m.)

Councilmember Rebecca Kaplan

Committee Members Absent:

Mayor Pauline Cutter

Supervisor Nate Miley

Caltrans District Director Bijan Sartipi

Director Joel Young

AC Transit Staff Present:

Interim General Manager Kathleen Kelly

General Counsel Denise Standridge

District Secretary Linda Nemeroff

Director of BRT David Wilkins

2. **Public Comment**

There was no public comment offered.

3. **Chair's Report on pertinent actions of the AC Transit Board of Directors**

Chair Ortiz reported on the following actions/activities which occurred since the last Policy Steering Committee meeting:

- Progress made toward the development of branding for the BRT service by the Marketing Department; and
- Completion of an initial cost engineering analysis to assess the overall program budget and construction budget relative to the cost to complete the work.

In addition, Chair Ortiz gave a preview of topics to be covered at the meeting, including construction progress; project budget; and projected costs for Bid Package 3, the major roadway construction package.

Items were taken out of sequential order, but appear in sequential order in the minutes for ease in reading. The PowerPoint Presentations are incorporated into the file by reference.

4. **BRT Project Update.**

Director of BRT David Wilkins gave an update on the project status and budget, noting that there was an approximate \$12 million deficit in delivering the project and a risk to the project schedule. He added that the number of curb ramps required to reach compliance was higher than anticipated and that the cost for curb-to-curb repaving along the corridor increased because it involves more reconstruction of the roadway. Additional professional services costs will be incurred due to a compressed project schedule. Staff is looking to initiate value engineering to mitigate some of the costs and was working with the City of Oakland to assist with some of the curb ramp costs.

President Peoples asked if Small Starts funding for the project was at risk due to the fight between the U. S. Department of Labor and Governor Brown over the Public Employees' Pension Reform Act. Capital Planning and Grants Manager Chris Andrichak advised that the entire project was certified by the Department of Labor in October and that he was reconfirming this with the District's Federal Transportation Administration representative. He believed that the funding for this particular project did not have to be recertified.

Councilmember Kaplan requested that AC Transit staff provide City of Oakland staff with a complete breakdown of the construction items in order to determine which ones could be done cheaper and also which items, if not done, would have the least negative impact.

Councilmember Kaplan asked if there would be an automated vehicle docking system to ensure level boarding. Mr. Wilkins advised that there was not an electronic docking system in the initial design, but one could be added at a later date. He added that the bid package did include a Kassel Curb and markers to help operators dock the bus. Councilmember Kaplan

added that a 4 inch gap in the docking was problematic for wheelchairs and that a 2 inch gap is the standard.

Councilmember Kaplan asked if the Committee would be consulted on the purchase of vehicles for the service. Mr. Wilkins advised that since there is an active procurement for the buses, information about the procurement is confidential but that an award would be forthcoming to the Board of Directors in October. Councilmember Kaplan requested an update on the buses with pictures at the appropriate time.

Chair Ortiz noted that the bids for Bid Package 3 could actually be higher than anticipated, thus increasing the deficit. Mr. Wilkins confirmed that this was possible and that an escalation factor for high bids was included in the budget. Interim General Manager Kathleen Kelly wanted to be clear that bids could still be higher than the escalation factor will cover. She also said that by the time the bid comes out, staff will have proposed a plan on the revenue side to balance the budget.

Director Harper commented, based on his experience with the Transbay Terminal, that the FTA has a way of evaluating contingency and they generally like a 50% confidence, meaning that a project is just as likely to be under budget as over budget. He asked if staff had used this methodology with respect to the BRT Project. Senior Project Manager Rama Pochiraju responded that staff looked into different confidence levels that added to the contingency. Director Harper deduced that the \$5 million in finance charges that had been eliminated from the budget actually meant that the deficit was as much as \$17 million.

Councilmember Lopez expressed concern with the budget deficit and its affect on the stations in San Leandro if they are constructed at the end of the project. Mr. Wilkins clarified that construction will commence in San Leandro first and work its way into Oakland.

Councilmember Gallo asked for better communication between government bodies in an effort to address issues and provide solutions before they rise to the Committee. With respect to the budget, Ms. Kelly advised that staff is working with the City of Oakland to find ways to reduce costs without changing the scope of the project as well as what external funding will be needed to honor commitments that have already been made.

Director Harper commented that the bid package had to be very well thought out to reduce or eliminate the number of change orders for the project.

The item was presented for information only.

5. BRT Branding and Sponsorship.

Prior to the discussion, Councilmember Kaplan inquired about the sponsorship of the entire BRT System (line), noting that the idea had been previously discussed by the Committee as a means to raise the necessary funds for ongoing maintenance and the Committee had asked for further exploration of sponsorship rights as a revenue stream. She also expressed concern that the selection of a particular brand name could preclude certain sponsors.

Councilmember Gallo and Director Harper both expressed interest in the idea that a sponsorship could provide needed funding for the service.

Director of Marketing and Communications Michele Joseph advised that, prior to her involvement, a decision had been made by AC Transit based on a recommendation by consultant John Gobis to move in the direction of individual station sponsorships. She commented that Mr. Gobis had reportedly advised that it would be difficult to sell the concept of the BRT without a name and staff has been working towards finding a name for the service.

Director of Bus Rapid Transit David Wilkins added that a report had been presented in late 2012 to the Committee outlining the sponsorship concept plan. He outlined some of the specifics of the plan, including sponsorship of the entire line, individual station sponsorships and the types of sponsorship programs implemented for other BRTs. He added that the issue has been in limbo waiting for the completion of the branding process.

Councilmember Kaplan requested that the report from Mr. Gobis come back to the Committee for an update at the next meeting. She added that the public and policy makers care more about stations that are clean and maintained than the name. Director Harper concurred, noting that Kaiser might be an ideal sponsor for the line and suggested that the District approach them.

Chair Ortiz asked about the timeline for branding the service. Ms. Joseph advised that staff was hoping to unveil a brand with a color scheme and logo at the groundbreaking for the service. She further advised that there were a number of tasks that would need to be completed beforehand with very little time left to accomplish them. She also felt the groundbreaking would be a good opportunity to attract the media and create excitement around the project.

Ms. Joseph presented the report, giving an overview of the two branding options: Tempo and Pulse. Discussion ensued regarding both names. Members of the Committee had questions regarding risk assessment, legal, and cultural/language vetting processes, whether they had been thorough and whether there were any identified conflicts with other businesses using similar names. Ms. Joseph advised that one of the names was being used by Berkeley-based Veia Analytics, while the other was used by the TransDev (formerly Veolia). However, legal counsel had advised that both names were low risk.

Councilmember Gallo expressed his opinion that the efficiency and quality of the service and meeting the community's needs was more important than the name.

While there was general support for both names, the Committee's first preference was the name Tempo (except Director Harper). However, along with the recommendation for Tempo, the Committee wanted the AC Transit Board to receive answers to all of the concerns raised at the meeting. It was also requested that John Gobis be present at the Board meeting on September 16, 2015 to address questions regarding the issue of sponsorships, including which name has the potential to generate the most revenue and to outline the various revenue generating options.

The issue of sponsorship of the whole system is to remain on the table for consideration as well as options to maximize revenue.

6. Schedule date and time of next meeting.

The next meeting is scheduled for Thursday, November 12, 2015, at 2:00 p.m.

7. Future Agenda Items/Review List of Pending Items.

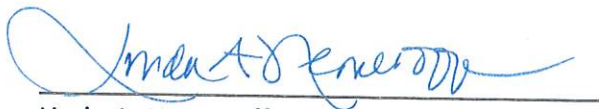
Councilmember Kaplan requested the following:

- A report on sponsorship opportunities including all possible revenue generation options (naming of the system and stations);
- A broader discussion of fare payment, including a plan that was discussed years ago for the expansion of Clipper card availability throughout the neighborhoods as well as outreach to major employers along the corridor to participate in the EasyPass Program with the roll out of the service; and
- Plans for signage to avoid confusion in the construction areas, particularly in areas where stations have been constructed, but are not yet in use.

8. Adjournment

There being no further business to come before the Committee, the meeting adjourned at 3:53 p.m.

Respectfully submitted,



Linda A. Nemeroff
District Secretary