

Meeting of the East Bay Bus Rapid Transit Policy Steering Committee

MINUTES

Thursday, May 31, 2018

2:00 p.m.

2nd Floor Board Room

1600 Franklin Street

Oakland, California 94612

PSC Members:

AC Transit:

President Elsa Ortiz, Chair

Director Greg Harper

Director H. E. Christian Peeples

Alameda County (Ex Officio):

Supervisor Nate Miley

Metropolitan Transportation Commission/Caltrans:

James E. Davis, Acting District 4 Director for Caltrans

City of Oakland:

Council Member Rebecca Kaplan

Council Member Noel Gallo

City of San Leandro:

Mayor Pauline Cutter

Council Member Corina Lopez

**The East Bay Bus Rapid Transit Policy Steering Committee met on Thursday, May 31, 2018.
The meeting was called to order at 2:06 p.m. with Chair Ortiz presiding.**

1. Roll Call

Committee Members Present:

President Elsa Ortiz, Chair

Director H. E. Christian Peeples

Councilmember Rebecca Kaplan

Councilmember Noel Gallo

Mayor Pauline Cutter

Caltrans Acting District Director James Davis

Committee Members Absent:

Supervisor Nate Miley

Director Greg Harper

Councilmember Corina Lopez

AC Transit Staff Present:

General Manager Michael Hursh

General Counsel Denise Standridge

District Secretary Linda Nemeroff

Executive Director of Planning and Engineering Ramakrishna Pochiraju

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 welcomed Caltrans Acting District 4 Director James Davis to the Committee, saying that the Committee looked forward to a renewed Caltrans presence as the BRT project forged ahead. She further reported on the following:

- 15 station platforms comprising 12 stations are either in interim completion status or under construction in Segment A;
- Zones 8 and 10 have reached interim condition status with primary curb return, roadway and station improvements complete;
- Zones 11, 12, 13 and 14 are nearing interim completion status with primary curb return, roadway, station improvements, signal pole and street light installations ongoing;
- Completion of preconstruction surveys, utility exploratory investigations and utility relocations and adjustments in Segment B with major roadway work in Zones 3, 4, 5, 6 and 7 expected to start this summer;
- The City of Oakland approved the District's request to allow work to occur in tandem between Segments A and B, in more than four zones at a time, including adjacent zones, which has opened the entire corridor for signal, lighting and communications installation work;
- The FTA has received the District's revised Project Completion Plan reflecting a conservative or pessimistic justifiable completion date and budget; however, the revenue service date remains unchanged (December 2019);
- The BRT community outreach team's ongoing efforts to address construction impacts on local businesses and stakeholders along the corridor; and
- Efforts by Contract Compliance staff to work with the BRT contractor to meet the required local hire and Disadvantage Business Enterprise goals.

4. BRT Project Updates:

[The PowerPoint presentation given at the meeting is incorporated into the file by reference.]

a. Construction Progress.

b. Project Funding. (Requested by Councilmember Lopez)

[A handout containing the Standard Cost Category Build Sheet Summary and Funding Plan were provided at the meeting for the Committee's consideration.]

Director of BRT David Wilkins gave an overview of construction progress to date, the project schedule and budget, funding, and project challenges and mitigations.

Councilmember Kaplan inquired about the location of the northern bus layover area. Mr. Wilkins reported that it was located on San Pablo Avenue between Grand and 20th Avenues, adding that some parking would be displaced in the area and that a traffic

study was underway which would lead to revised striping and signage plans. Work was expected to begin in August. There was also a homeless encampment nearby.

Director Peeples asked about the funding needed to finish the project. General Manager Michael Hursh advised that the scenarios presented represented the worst case funding scenarios and that staff was seeking grants and other funding mechanisms to minimize borrowing.

President Ortiz asked how much of the project was complete to date. Mr. Wilkins advised that about 30% was complete.

Caltrans Representative James Davis asked where in the report the amount of contingency for the project could be found. Mr. Wilkins pointed to the Standard Cost Category Build Sheet Summary, noting that the majority of the contingency was committed toward construction costs.

President Ortiz asked whether any of the contingency funds would be needed for professional services. Mr. Wilkins advised that the new contracts for community outreach and construction management services were likely to require some contingency; however, the amount was yet to be determined because the procurement process was in progress.

Caltrans Representative James Davis asked if the difference between the Optimistic Financing Scenario (\$206,913,348) and the Realistic Scenario (\$216,256,970) would come out of finance charges and unallocated contingency. Mr. Wilkins advised that the difference was the cost of an additional year until project completion.

No action was taken. The item was presented for information/discussion purposes.

c. Ticket Vending Machines. (Requested by Councilmember Kaplan 3/30/17)

Mr. Wilkins reported on the progress made toward procuring ticket vending machines, advising that vendor selection would occur in August with installation in June of 2019. Testing, commissioning and activation would start in August 2019.

Mayor Cutter asked if the ticket vending machines would be situated near cameras in well-lit areas as to not compromise passenger safety. Mr. Wilkins advised that the design called for four cameras on each platform, including one that would be installed over the ticket vending machine area.

Director Peeples asked if one of the ticket vending machines on display in the building had been selected for the project. Mr. Wilkins advised that the machines were brought in to educate staff in order to re-write the specifications as part of a value engineering exercise. The contractor, O.C. Jones, would then conduct a procurement based on the revised specification, with AC Transit making the final decision.

Councilmember Kaplan asked for a status update on earlier discussions to make the BRT service free for a period of time as well as efforts to work with businesses along the corridor to become Clipper vendors. Mr. Hursh advised that while staff was exploring these options, the Federal Transit Administration would require AC Transit to deliver what was committed to in the Small Starts Grant Agreement, which included the ability to purchase a fare at the platform. He added that staff was encouraged with both sponsorship and other opportunities to minimize fares.

Councilmember Kaplan inquired about the cost to purchase and maintain the machines, noting that an inexpensive machine could require more maintenance. Mr. Wilkins advised that staff's estimate was reduced through value engineering to approximately \$15,000 per unit, adding that the machines were fairly durable with relatively low maintenance. Councilmember Kaplan requested that when selecting a machine, ongoing operation and maintenance cost and reliability be kept in mind. Mr. Hursh advised that the District could not make a firm commitment at this point because the contractor still had to conduct the procurement; however, the contractor would be encouraged to examine a machine currently used by the City of Oakland.

With regard to Clipper access, President Ortiz commented that the District was dependent on the Metropolitan Transportation Commission (to expand the vendor network). Mr. Hursh advised that staff was investigating mobile fare payment for BRT.

Councilmember Kaplan reported that she had received complaints about, and had witnessed the slow pace of construction in some areas and the appearance of trash and litter at construction sites. Mayor Cutter shared that similar complaints were received in San Leandro; however, the stoppage in construction was due to underground utility work which required new plans to be drawn. She suggested that signage explaining the issue be posted so that businesses and neighbors know what is happening. Councilmember Kaplan maintained that aside from gaps in construction work for an unforeseen issue, the sites still need to be cleaned. Mr. Hursh agreed.

No action was taken. The item was presented for information/discussion purposes.

d. Community Outreach.

Director of Legislative Affairs and Community Relations Claudia Burgos gave an update on the outreach team's focus along the corridor, including communication with businesses on upcoming work and projected timelines, regular check-ins, outreach in the upcoming zones, and complaint resolution and troubleshooting of construction impacts. She further reported on community outreach events and introduced Steven Jones as the new BRT Outreach Team Manager.

Councilmember Kaplan mentioned that she received a message from a business along the corridor that was trying to get in touch with someone concerning access to their business. Ms. Burgos was familiar with the issue and said she would contact the

business owner. Councilmember Kaplan asked that staff remain sensitive to the concerns of business owners.

Public Comment:

Carmela Caramagno, who spoke on behalf of a business owner, commented on attempts to set up a meeting with the point of contact for business mitigations since April 13, 2018, with no results, adding that the business was going to be significantly disrupted. Clarification of the process was requested.

No action was taken. The item was presented for information/discussion purposes.

e. Project Labor Agreement, Construction Careers Policy and Hiring.

Acting Contracts Compliance Administrator Phillip Halley presented an overview of the progress achieved toward meeting workforce utilization goals and Disadvantaged Business Enterprise (DBE) utilization goals. He also reported on the hours worked by Oakland and San Leandro residents, adding that staff planned to present the offsite credit hours under the contract in the next report.

President Ortiz asked about the role of the special limited-purpose committee referenced by Mr. Halley during his presentation. Mr. Halley advised that the Committee worked in conjunction with the constituents from San Leandro and Oakland as well as the contractor to review the performance of the contract. President Ortiz asked about the Committee's reaction to the local hire figures, which she believed were positive. Mr. Halley advised that he would follow-up with a response after the meeting. Councilmember Kaplan commented that while the workforce numbers had improved, more work was needed and expressed an interest in efforts to improve them.

Public Comment:

Eddie Alvarez, Business Representative for the Building Trades Council and special limited purpose committee member, advised that the importance of the Project Labor Agreement was stressed to O.C. Jones, and over the last year, good faith efforts were made to hire more local residents. Efforts included work with the Cypress Mandela Training Center, Rising Sun, Oakland Unified School District and San Leandro Unified School District to fill vacancies on the project as soon as possible.

Councilmember Kaplan thanked everyone for their efforts.

No action was taken. The item was presented for information/discussion purposes.

f. Sponsorships and Naming Rights. (Requested by Director Harper)

Executive Director of External Affairs, Marketing and Communications Beverly Greene advised that staff was in the process of securing dedicated resources to promote the opportunity of BRT sponsorship and naming rights. While progress has been made, additional information would be forthcoming in future reports.

No action was taken. The item was presented for information/discussion purposes.

5. **Consider approving the BRT Policy Steering Committee minutes of October 5, 2017.**
6. **Consider approving the BRT Policy Steering Committee minutes of February 15, 2018.**

The minutes (Items 5 and 6) were continued to the next meeting.

7. **Schedule Date and Time of Next Meeting.**

The next meeting was scheduled for Thursday, October 4, 2018 at 2:00 p.m.

8. **Future Agenda Items/Review List of Pending Items.**

Councilmember Kaplan requested that staff investigate the issue of litter and debris at some of the construction sites and report back what is being done to address the problem.

Councilmember Kaplan asked that consideration be given to the installation of public restroom facilities at some key locations, such as the 20th & Broadway hub for the benefit of passengers and bus operators. President Ortiz asked if the City of Oakland would help the District, to which Councilmember Kaplan indicated that it would.

Councilmember Kaplan asked if the surface parking lots were open. Mr. Wilkins advised that the disposition of the parking lots rested with the Oakland City Attorney's Office, which had yet to sign off on a transfer agreement. Councilmember Kaplan advised that she would follow-up with City staff.

Councilmember Kaplan informed the Committee that the City of Oakland had begun efforts to address Transportation Network Companies, which undermine public transit and impede the public infrastructure. She urged collaboration on the issue, advising that the City was contemplating a tax and other measures to reduce their impacts.

Councilmember Gallo thanked staff for the work they were doing, but pointed out issues related to the timeline of construction (taking longer than expected) and the cleanliness of the affected construction areas. He asked for help from staff to make sure the contractor maintained a quality presentation while minimizing delays. He added that he and Councilmember Kaplan would follow up with the City Attorney regarding the parking lots.

9. **Adjournment**

There being no further business to come before the Committee, the meeting adjourned at 3:05 p.m.

Respectfully submitted,



Linda A. Nemeroff, District Secretary