



LOSSAN RAIL CORRIDOR AGENCY BOARD of DIRECTORS MEETING

Monday, June 21, 2021
10:00 a.m. - 12:30 p.m.

Orange County Transportation Authority Headquarters
Board Room, Conference Room 07-08
550 South Main Street
Orange, California

Agenda Descriptions

The agenda descriptions are intended to give members of the public a general summary of items of business to be transacted or discussed. The posting of the recommended actions does not indicate what action will be taken. The Board of Directors may take any action which it deems to be appropriate on the agenda item and is not limited in any way by the notice of the recommended action.

Public Availability of Agenda Materials

All documents relative to the items referenced in this agenda are available for public inspection at www.lossan.org or through the Los Angeles-San Diego-San Luis Obispo (LOSSAN) Clerk of the Board's Department at the OCTA Headquarters, 600 South Main Street, Orange, California.

Any person with a disability who requires a modification, accommodation or agenda materials in an alternative format in order to participate in the meeting should contact the LOSSAN Clerk of the Board, telephone (714) 560-5676, no less than two (2) business days prior to this meeting to enable LOSSAN to make reasonable arrangements to assure accessibility to this meeting.

Guidance for Public Access to the Board of Directors/Committee Meeting

On March 12, 2020 and March 18, 2020, Governor Gavin Newsom enacted Executive Orders N 25 20 and N 29 20 authorizing a local legislative body to hold public meetings via teleconferencing and make public meetings accessible telephonically or electronically to all members of the public to promote social distancing due to the state and local State of Emergency resulting from the threat of Novel Coronavirus (COVID 19).

In accordance with Executive Order N 29 20, and in order to ensure the safety of the Los Angeles San Diego San Luis Obispo Rail Corridor Agency (LOSSAN) Board of Directors (Board) and staff and for the purposes of limiting the risk of COVID 19, in person public participation at public meetings of LOSSAN will not be allowed during the time period covered by the above referenced Executive Orders.



BOARD OF DIRECTORS AGENDA

Guidance for Public Access to the Board of Directors/Committee Meeting (Continued)

Instead, members of the public can listen to AUDIO live streaming of the Board and Committee meetings by clicking the below link:

<http://www.octa.net/About-OCTA/Who-We-Are/Board-of-Directors/Live-and-Archived-Audio/>

Public comments may be submitted for the upcoming Board and Committee meetings by emailing them to lossanclerk@octa.net.

If you wish to comment on a specific agenda Item, please identify the Item number in your email. All public comments that are timely received will be part of the public record and distributed to the Board. Public comments will be made available to the public upon request.

In order to ensure that staff has the ability to provide comments to the Board Members in a timely manner, please submit your public comments **90 minutes prior to the start time of the Board and Committee meeting date.**



BOARD OF DIRECTORS AGENDA

2021 BOARD OF DIRECTORS

(revision as of 4/26/21)

County	Members	Alternates
San Luis Obispo: 1 vote	Fred Strong Council Member, City of Paso Robles Member, San Luis Obispo Council of Governments	Andy Pease Council Member, City of San Luis Obispo Member, San Luis Obispo Council of Governments Jimmy Paulding Mayor Pro Tem, City of Arroyo Grande
Santa Barbara: 1 vote	Gregg Hart (Vice Chairman) Supervisor, 2nd District Santa Barbara County Board of Supervisors Member, Santa Barbara County Association of Governments	Das Williams Supervisor, 1 st District Santa Barbara County Board of Supervisors Member, Santa Barbara County Association of Governments
Ventura: 1 vote	Bryan A. MacDonald Mayor Pro Tem, City of Oxnard Member, Ventura County Transportation Commission	Jim White Representative, Ventura County Transportation Commission
Los Angeles: 2 votes	Jess Talamantes Vice Mayor, City of Burbank Member, Los Angeles County Metropolitan Transportation Authority (Vacant) Representative, Los Angeles County Metropolitan Transportation Authority	David Perry Representative, Los Angeles County Metropolitan Transportation Authority Mary Lou Echternach Representative, Los Angeles County Metropolitan Transportation Authority
Orange: 2 votes	Al Murray Representative, Orange County Transportation Authority Tim Shaw Council Member, City of La Habra Member, Orange County Transportation Authority	Michael Hennessey Member, Orange County Transportation Authority Joseph L. Muller Council Member, City of Dana Point Member, Orange County Transportation Authority



BOARD OF DIRECTORS AGENDA

County	Members	Alternates
Riverside: 1 vote	Dana Reed (Chairman) Mayor Pro Tem, City of Indian Wells Member, Riverside County Transportation Commission	Raymond Gregory Mayor City of Cathedral City Member, Riverside County Transportation Commission
San Diego: 2 votes	Jewel Edson Council Member, City of Solana Beach Member, North County Transit District Caylin Frank Council Member, City of Poway Member, San Diego Metropolitan Transit System Joe Mosca Council Member, City of Encinitas Member, San Diego Association of Governments	Priya Bhat-Patel Council Member, City of Carlsbad Member, North County Transit District Bill Sandke Council Member, City of Coronado Member, San Diego Metropolitan Transit System Kellie Hinze Council Member, City of Encinitas Member, San Diego Association of Governments
Ex-Officio Members:		
Amtrak	(Vacant) Representative, Amtrak	
California Department of Transportation	Kyle Gradinger Representative, California Department of Transportation	Andrew Cook, Representative, California Department of Transportation
California High-Speed Rail Authority	LaDonna DiCamillo Representative, California High-Speed Rail Authority	Bruce W. Armistead Representative, California High-Speed Rail Authority
Southern California Association of Governments	Art Brown Representative, Southern California Association of Governments	



Call to Order

Roll Call

Pledge of Allegiance

Director Frank

1. Public Comments

Special Calendar

There are no Special Calendar Matters.

Consent Calendar (Items 2 through 6)

All items on the Consent Calendar are to be approved in one motion unless a Board Member or a member of the public requests separate action or discussion on a specific item.

2. Approval of Minutes

Approval of the minutes of the LOSSAN Agency Board of Directors meeting of May 17, 2021.

3. The Los Angeles - San Diego - San Luis Obispo Rail Corridor Trends for the First Quarter of Federal Fiscal Year 2020-21

Roger M. Lopez

Overview

A report on ridership, revenue, and on-time performance trends for passenger rail services on the Los Angeles - San Diego - San Luis Obispo rail corridor, including the Pacific Surfliner, Metrolink, and COASTER, covering the first quarter of federal fiscal year 2020-21.

Recommendation

Receive and file as an information item.



4. **Approval to Release Request for Proposals for On-Call Construction Management Services for the Los Angeles - San Diego - San Luis Obispo Rail Corridor Agency**
James D. Campbell

Overview

Staff has developed a request for proposals to initiate a competitive procurement process to retain a qualified firm to provide on-call construction management services for the Los Angeles - San Diego - San Luis Obispo Rail Corridor Agency.

Recommendations

- A. Approve the proposed evaluation criteria and weightings for Request for Proposals 1-3489 to provide on-call construction management services for the Los Angeles - San Diego - San Luis Obispo Rail Corridor Agency.
 - B. Approve the release of Request for Proposals 1-3489 to provide on-call construction management services for the Los Angeles - San Diego - San Luis Obispo Rail Corridor Agency.
5. **Amendment to Agreement for Project Report and Environmental Documentation Services for the Central Coast Layover Facility Expansion Project**
James D. Campbell

Overview

On January 30, 2019, the Los Angeles - San Diego - San Luis Obispo Rail Corridor Agency Board of Directors approved an agreement with HDR Engineering, Inc., to prepare the project report and environmental document for the Central Coast Layover Facility in the City of San Luis Obispo. An amendment to the existing agreement is necessary to complete the work for preliminary design of the facility.

Recommendation

Authorize the Managing Director to negotiate and execute Amendment No. 2 to Agreement No. L-9-0004 between the Los Angeles - San Diego - San Luis Obispo Rail Corridor Agency and HDR Engineering, Inc. in the amount of \$228,069, for additional site investigations and design features for the project report and environmental document for the Central Coast Layover Facility expansion project in the City of San Luis Obispo. This will increase the maximum cumulative obligation of the agreement to a total contract value of \$2,233,657.



6. **Fiscal Year 2020-21 Budget Amendment**

Jason Jewell

Overview

The Los Angeles - San Diego - San Luis Obispo Rail Corridor Agency's fiscal year 2020-21 budget and the Business Plan for Fiscal Year 2020-21 and Fiscal Year 2021-22 were approved by the Board of Directors on May 18, 2020. The California State Transportation Agency approved the administrative and marketing components of the fiscal year 2020-21 budget on July 9, 2020, and the operations component on September 23, 2020. The fiscal year 2020-21 budget was amended on November 16, 2020, to include the Amtrak Federal Fiscal Year 2020-21 operating forecast and funding levels approved by the California State Transportation Agency, as well as revisions to the administrative, marketing and grant budgets. Staff is seeking Board of Director's approval to amend the fiscal year 2020-21 budget for increases in revenues and expenses related to grant programs.

Recommendation

Amend the Los Angeles - San Diego - San Luis Obispo Rail Corridor Agency's Fiscal Year 2020-21 revenue and expense grant programs by \$25 million.

Regular Calendar

7. **Fiscal Year 2021-22 Budget Amendment and Fiscal Years 2021-22 and 2022-23 Business Plan Amendment**

Jason Jewell

Overview

The Los Angeles - San Diego - San Luis Obispo Rail Corridor Agency's annual business plan submittal for fiscal year 2021-22 and 2022-23 was approved by the Board of Directors on March 15, 2021. Included in the approval was the draft budget request for fiscal year 2021-22. The business plan was submitted to the Secretary of the California State Transportation Agency on April 1, 2021, as required. To incorporate revised federal fiscal year 2021-22 revenue and expense estimates, the California State Transportation Agency allows for a revised budget and resubmittal of the business plan by June 30, 2021, for final approval.

Recommendations

- A. Amend the Los Angeles - San Diego - San Luis Obispo Rail Corridor Agency's Fiscal Year 2021-22 revenue and expense budget to reflect revised revenue and expenses in operating, administration, and grants programs.
- B. Amend Chapter 11 of the Los Angeles - San Diego - San Luis Obispo Rail Corridor Agency's business plan for fiscal years 2021-22 and 2022-23 to reflect the revised budget.



7. (Continued)

- C. Direct staff to submit the Los Angeles - San Diego - San Luis Obispo Rail Corridor Agency revised business plan for fiscal years 2021-22 and 2022-23 to the Secretary of the California State Transportation Agency for approval.
- D. Authorize the Managing Director to execute all Master Fund Transfer Agreement annual supplements for funds approved in the budget and revised business plan, as necessary.

8. **Authorization to Execute Amendment to Administrative Support Agreement with Orange County Transportation Authority**

Jason Jewell

Overview

The Los Angeles - San Diego - San Luis Obispo Rail Corridor Agency entered into an administrative support agreement with the Orange County Transportation Authority on November 21, 2013, to provide administrative services and daily management of the State supported Pacific Surfliner intercity passenger rail service operating in the Los Angeles - San Diego - San Luis Obispo rail corridor. The initial agreement expired on June 30, 2018, and was renegotiated for a new three-year term beginning July 1, 2018, through June 30, 2021, with two, three-year option terms. Staff is seeking authorization from the Board of Directors for the Managing Director to amend the administrative support agreement to exercise the first three-year option term through June 30, 2024.

Recommendation

Authorize the Managing Director to negotiate and amend the administrative support agreement to exercise the first three-year option term with the Orange County Transportation Authority, from July 1, 2021, through June 30, 2024.

9. **Continuation of the Interagency Transfer Agreement with the California Department of Transportation for Administration of the Pacific Surfliner Intercity Passenger Rail Service**

Jason Jewell

Overview

The interagency transfer agreement between the Los Angeles - San Diego - San Luis Obispo Rail Corridor Agency and the California Department of Transportation Division of Rail and Mass Transportation that enables the local administration and management of the state-supported Pacific Surfliner intercity passenger rail service expires on June 30, 2021. The agreement allows for two four-year options for renewal. Both the Los Angeles - San Diego - San Luis Obispo Rail Corridor Agency and the California Department of Transportation Division of Rail and



BOARD OF DIRECTORS AGENDA

Mass Transportation seek to exercise the first option term.

9. (Continued)

Recommendation

Authorize the Managing Director to negotiate and execute the first option term of the interagency transfer agreement between the California Department of Transportation Division of Rail and Mass Transportation and the Los Angeles - San Diego - San Luis Obispo Rail Corridor Agency to allow continued local administrative oversight and management for the state-supported Pacific Surfliner intercity passenger rail service for a four-year term beginning July 1, 2021.

Discussion Items

10. Pacific Surfliner Equipment Update

James D. Campbell

Staff will provide a presentation on the status of equipment being used on the Pacific Surfliner, including a summary of capital and maintenance costs, and ongoing efforts to identify and address equipment needs for the future.

11. Pacific Surfliner On-Time Performance Analysis First Quarter – Federal Fiscal Year 2020-21

Roger M. Lopez

Staff will provide a detailed analysis of Pacific Surfliner on-time performance during the first quarter of federal fiscal year 2020-21.

12. Managing Director's Report

13. Board Members' Report

14. Closed Session

There is no Closed Session scheduled.

15. Adjournment

The next regularly scheduled meeting of this Board will be held:

Thursday, September 1, 2021

10:00 a.m. - 12:30 p.m.

TBD



Call to Order

The May 17, 2021, Board of Directors (Board) meeting of the Los Angeles - San Diego – San Luis Obispo (LOSSAN) Rail Corridor Agency (Agency) was called to order by Chairman Reed at 11:17 a.m. at the Orange County Transportation Authority Headquarters, Board Room – Conference Room 07-08, 550 South Main Street, Orange, California.

Roll Call

The Deputy Clerk of the Board (DCOB) conducted an attendance Roll Call and announced there was a quorum of the Board of Directors (Board) as follows:

Directors Present: Tim Shaw, OCTA

Via teleconference:

Dana Reed, Chairman, RCTC
Gregg Hart, Vice Chairman, SBCAG
Mary Lou Echternach, Metro
Jewel Edson, NCTD
Joe Mosca, SANDAG
Al Murray, Immediate Past Chairman, OCTA
Andy Pease, SLOCOG
Jess Talamantes, Metro
Jim White, VCTD
Art Brown, SCAG, Ex-Officio
Andrew Cook, Ex-Officio
LaDonna DiCamillo, CHSRA, Ex-Officio

Directors Absent: Caylin Frank, SDMTS
Bryan MacDonald, Director, VCTC
Fred Strong, SLOCOG
Kyle Gradinger, Caltrans, Ex-Officio

Staff Present: Sahara Meisenheimer, LOSSAN Deputy Clerk of the Board
Gina Ramirez, LOSSAN Deputy Clerk of the Board

Via teleconference:

Donna DeMartino, Managing Director
James M. Donich, General Counsel



Pledge of Allegiance

The Pledge of Allegiance was led by Director Edson.

1. Public Comments

There were no Public Comments received.

Special Calendar

There were no Special Calendar Matters.

Consent Calendar (Items 2 through 10)

2. Approval of Minutes - March 15, 2021

A motion was made by Director Talamantes, seconded by Director Murray, and following a roll call vote, declared passed 10-0, to approve the minutes of the LOSSAN Agency Board of Directors meeting of March 15, 2021.

3. Approval of Minutes - Special Board Meeting on April 7, 2021

A motion was made by Director Talamantes, seconded by Director Murray, and following a roll call vote, declared passed 10-0, to approve the minutes of the Special LOSSAN Agency Board of Directors meeting of April 7, 2021.

4. The Los Angeles - San Diego - San Luis Obispo Rail Corridor Trends for the Fourth Quarter of Federal Fiscal Year 2019-20

A motion was made by Director Talamantes, seconded by Director Murray, and following a roll call vote, declared passed 10-0, to receive and file as an information item.

5. Fiscal Year 2020-21 Second Quarter Budget Status Report

A motion was made by Director Talamantes, seconded by Director Murray, and following a roll call vote, declared passed 10-0, to receive and file as an information item.



6. Fiscal Year 2020-21 Second Quarter Grant Reimbursement Status Report

A motion was made by Director Talamantes, seconded by Director Murray, and following a roll call vote, declared passed 10-0, to receive and file as an information item.

7. Consultant Selection to Prepare the Project Report and Environmental Document for the San Diego County Maintenance and Layover Facility Project

A motion was made by Director Talamantes, seconded by Director Murray, and following a roll call vote, declared passed 10-0, to:

- A. Approve the selection of WSP USA, Inc. as the firm to prepare the project report and environmental document for the San Diego County Maintenance and Layover Facility.
- B. Authorize the Managing Director to negotiate and execute Agreement No. L-1-0001 between the Los Angeles - San Diego - San Luis Obispo Rail Corridor Agency and WSP USA, Inc., to prepare the project report and environmental document for the San Diego County Maintenance and Layover Facility.

8. Amendment to Cooperative Agreement with the National Railroad Passenger Corporation for the Design Services in Support of the Expansion of the Pacific Surfliner Layover Facility in the City of Goleta

A motion was made by Director Talamantes, seconded by Director Murray, and following a roll call vote, declared passed 10-0, to authorize the Managing Director to negotiate and execute Amendment No. 3 to Cooperative Agreement No. L-9-0001 between the Los Angeles - San Diego - San Luis Obispo Rail Corridor Agency and the National Railroad Passenger Corporation in the amount of \$119,696, for the expansion of the Pacific Surfliner Layover Facility in the City of Goleta.

9. Agreement for Pacific Surfliner Digital Marketing Services

A motion was made by Director Talamantes, seconded by Director Murray, and following a roll call vote, declared passed 10-0, to:

- A. Approve the selection of GoSeeTell Network, doing business as Sparkloft Media, to provide digital marketing services for the Pacific Surfliner marketing program.



9. (Continued)

B. Authorize the Managing Director to negotiate and execute Agreement No. L-0-0016 between the Los Angeles - San Diego - San Luis Obispo Rail Corridor Agency and GoSeeTell Network, doing business as Sparkloft Media, in the not-to-exceed amount of \$199,984, for a one-year initial term with two, one-year option terms.

10. Proposed Adjustment to 2021 Board of Directors and Committee Meeting Schedule

This item was pulled by Director Shaw and a discussion ensued regarding the start time and if the meetings will be in-person for the remainder of the year. There is a strong possibility that the September Board Meeting will be held in-person in Santa Barbara.

A motion was made by Director Shaw, seconded by Director Murray, and following a roll call vote, declared passed 10-0, to approve adjustments to the timing of future Board of Directors, Executive Committee, and Technical Advisory Committee meeting schedules for the Los Angeles – San Diego – San Luis Obispo Rail Corridor Agency.

Regular Calendar

11. Los Angeles - San Diego - San Luis Obispo Rail Corridor Agency Fiscal Year 2019-20 Audit Recommendation

Jason Jewell, Finance and Administration Manager, presented a verbal report and a discussion ensued.

A motion was made by Director Murray, seconded by Director Mosca, and following a roll call vote, declared passed 10-0, to direct staff to implement the best practice recommendation of conducting civil background reviews as part of all pre-employment screenings for Los Angeles - San Diego - San Luis Obispo Rail Corridor Agency new hires.

Discussion Items

12. Pacific Surfliner On-Time Performance Analysis Fourth Quarter – Federal Fiscal Year 2019-20

Roger M. Lopez, Manager of Planning and Analysis, provided a PowerPoint presentation and a discussion ensued.



13. San Diego-LOSSAN Regional Rail Corridor Improvement Study Update

James D. Campbell, Program Manager, provided opening comments and introduced Linda Culp, Principal Planner of the San Diego Association of Governments (SANDAG), who presented a PowerPoint presentation. Following the PowerPoint presentation, a discussion ensued.

14. LOSSAN Agency Logo Update

Donna DeMartino, Managing Director, provided a PowerPoint presentation and discussed an agreement to combine the new LOSSAN Agency artwork with Amtrak's Pacific Surfliner mark for the co-branding.

Directors Brown, Edson, Pease, and Talamantes complimented the new logo.

15. Managing Director's Report

Donna DeMartino, Managing Director, provided a verbal report on the following:

- Acknowledgment to Linda Culp, Principal Planner of SANDAG, who is retiring after 29 years.
- Thanks to Chairman Reed for the briefings with the new Board Members.
- A memo on the Governor's Fiscal Year 2021-22 May Revision Proposal that was sent to the Board on Saturday, May 15, 2021.

A discussion ensued regarding on-time performance and when the state's requirements will change.

16. Board Members' Report

Director Mosca and Chairman Reed provided updates.

17. Closed Session

A Closed Session was held pursuant to Government Code Section 54957(b)(1) to evaluate the performance of Managing Director, Donna DeMartino.

There was no report out for the above noted Closed Session Item.

All members were present.



18. Adjournment

The meeting adjourned at 12:35 p.m.

The next regularly scheduled meeting of this Board will be held:

Monday, June 21, 2021

10:00 a.m. - 11:30 a.m.

Orange County Transportation Authority Headquarters

Board Room - Conference Room 07-08

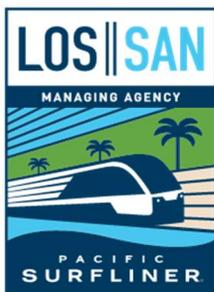
550 South Main Street

Orange, California

ATTEST

Dana Reed
LOSSAN Agency
Chairman

Sahara Meisenheimer
LOSSAN Agency
Deputy Clerk of the Board



June 21, 2021

To: Members of the Board of Directors
Donna DeMartino
From: Donna DeMartino, Managing Director
Subject: The Los Angeles – San Diego – San Luis Obispo Rail Corridor Trends for the First Quarter of Federal Fiscal Year 2020-21

Overview

A report on ridership, revenue, and on-time performance trends for passenger rail services on the Los Angeles – San Diego – San Luis Obispo rail corridor, including the Pacific Surfliner, Metrolink, and COASTER, covering the first quarter of federal fiscal year 2020-21.

Recommendation

Receive and file as an information item.

Background

The 351-mile Los Angeles – San Diego – San Luis Obispo (LOSSAN) rail corridor travels through a six-county coastal region in Southern California and is the busiest state-supported intercity passenger rail corridor in the United States. The LOSSAN rail corridor includes 41 stations and typically hosts more than 150 daily passenger trains and an annual ridership of more than 2.7 million on Pacific Surfliner intercity passenger rail trains and about 5.4 million on Metrolink and COASTER commuter trains.

Discussion

This report provides an update on the performance of the passenger rail services operating on the LOSSAN rail corridor by presenting the current trends of the service in three specific areas: usage (ridership and passenger miles), efficiency (revenue and farebox recovery), and quality (on-time performance (OTP) and customer satisfaction). The report includes the Pacific Surfliner intercity passenger rail service, as well as commuter rail service on Metrolink's Ventura County Line (VCL) and Orange County Line (OCL), and the North County Transit District's COASTER system. Amtrak national data is included for comparative purposes. The

reporting period is the first quarter of federal fiscal year (FFY) 2020-21, covering the months of October, November, and December 2020.

Coronavirus Pandemic

The coronavirus (COVID-19) pandemic has had significant global impacts on transit ridership and operations, including the three rail services operating on the LOSSAN rail corridor. Attributable ridership and revenue declines were observed at the end of February 2020, and drastic declines followed Governor Newsom’s safer-at-home order, effective March 15, 2020. Shortly thereafter, the Pacific Surfliner, COASTER, and Metrolink implemented temporary service reductions on their respective intercity and commuter passenger rail services. The Pacific Surfliner and COASTER began service reductions on March 23, 2020, and Metrolink reduced its service on March 26, 2020.

Usage

For the first quarter of FFY 2020-21, total LOSSAN rail corridor ridership on the three services was 255,878, an 87.2 percent decrease when compared to the same period of the previous year. A 24-month ridership chart for the LOSSAN rail corridor, with the specific performance of each service, can be found in Figure 1.1.

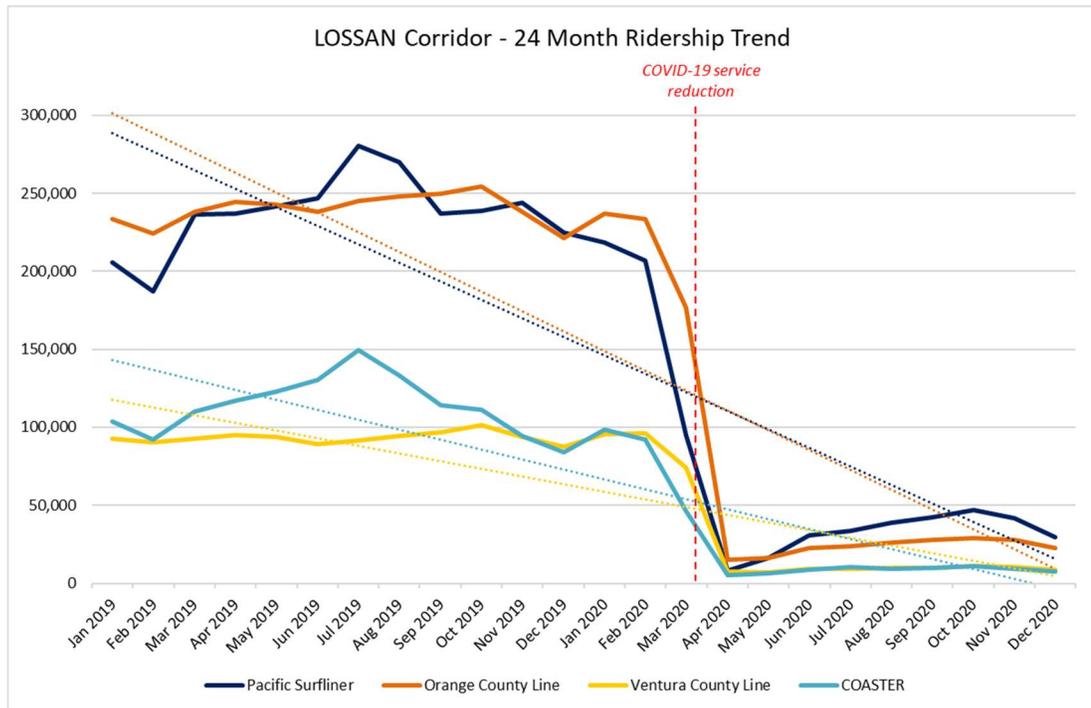


Figure 1.1

The 24 months of ridership data included in Figure 1.1 provide a more accurate indicator of the overall change in ridership along the corridor. Due to seasonal variances, a complete ridership trend is difficult to discern from a single 12-month period. Including 24 months of data accounts for the seasonal variation and provides sufficient information to allow for the development of a linear trendline for each service. A summary table of the ridership, revenue, and OTP for the LOSSAN rail corridor can be found in Attachment A. In addition to this overall corridor data, details on the performance of each service are provided below.

Pacific Surfliner

The overall decrease in LOSSAN rail corridor ridership includes ridership on the Pacific Surfliner (San Luis Obispo to San Diego) intercity passenger rail service, which decreased during the first quarter of FFY 2020-21 by 83.3 percent when compared to the same period last year, as is demonstrated in Figure 1.2. The low ridership is attributable to the reduced service and travel restrictions associated with the COVID-19 pandemic. The reported Pacific Surfliner ridership includes Metrolink and COASTER pass holders utilizing the Rail 2 Rail (R2R) Program, which allows Metrolink monthly pass holders and COASTER passengers to ride Pacific Surfliner trains within the stations identified on their valid fare media, subject to certain restrictions.

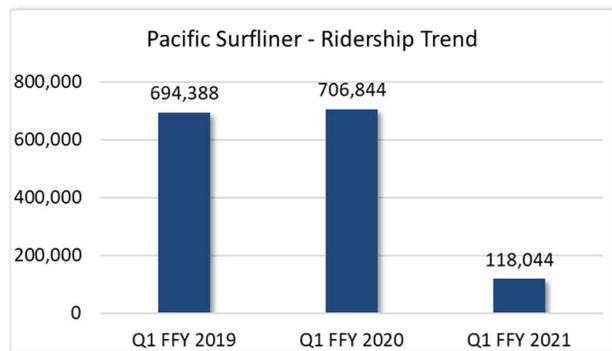


Figure 1.2

Metrolink

Overall LOSSAN rail corridor ridership was also negatively impacted by the ridership decrease on Metrolink's VCL, as demonstrated in Figure 1.3. The VCL, which operates between East Ventura and Los Angeles, saw a ridership decrease of 89.4 percent when compared to the first quarter of last year. The OCL, which operates between Los Angeles and Oceanside, saw an 88.8 percent decrease in ridership over the same report period in the prior year.

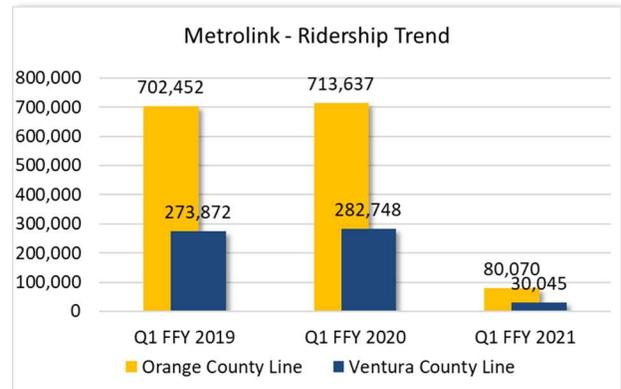


Figure 1.3

Metrolink pass holders riding Pacific Surfliner trains, utilizing the R2R Program, averaged 35 per weekday for the first quarter of FFY 2020-21, which is a decrease of 96.3 percent compared to the same period last year.¹

COASTER

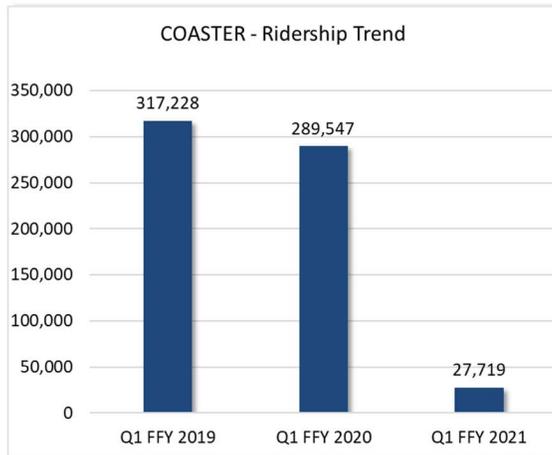


Figure 1.4

COASTER (providing commuter rail service between Oceanside and San Diego) ridership decreased by 90.4 percent during the first quarter of FFY 2020-21 when compared to the same period the prior year, as shown in Figure 1.4. During the first quarter of FFY 2020-21, there was an average of one COASTER pass holder per day on Pacific Surfliner trains, utilizing the R2R program. This was a decrease of 92.2 percent when compared to last year.

Amtrak System

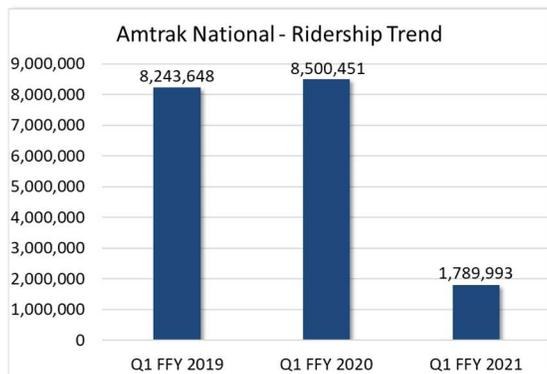


Figure 1.5

Not immune to the significant impacts of the COVID-19 pandemic, Amtrak service nationwide experienced a cumulative ridership decrease of 78.9 percent for the first quarter of FFY 2020-21 compared with the same period the prior year, as illustrated in Figure 1.5.

Amtrak’s Coast Starlight (Seattle to Los Angeles) saw ridership decrease by 69.6 percent in the first quarter compared with the same period last

year. The Capitol Corridor (Auburn/Sacramento to Oakland and San Jose) and the San Joaquins Corridor (Sacramento/Oakland to Bakersfield) are the other two California State-supported intercity passenger rail services operated by Amtrak, and although serving significantly different markets, do provide a comparison to the Pacific Surfliner service. Ridership on the Capitol Corridor decreased by 87 percent and San Joaquins ridership decreased by 69.2 percent in the first quarter compared to the same period last year.

¹ Metrolink R2R values are based on preliminary, unaudited data provided by Amtrak.

Passenger Miles

A passenger mile is defined as one passenger traveling one mile. As an example, 10 passengers, each traveling 100 miles, would generate 1,000 passenger miles. This metric depicts the growth in passenger usage and distance traveled.

The Pacific Surfliner generated over 11 million passenger miles during the first quarter of FFY 2020-21, which is an 81.8 percent decrease compared to the same period in the prior year. The decrease in passenger miles aligns with the overall decrease in ridership. Factoring in the average pounds of carbon dioxide emissions per passenger mile in a private automobile versus riding on passenger rail, those 11 million passenger miles resulted in a reduction of over 4,094 tons of greenhouse gases. The pollution avoided is equivalent to burning nearly 418,000 gallons of gasoline.

Efficiency

Revenue

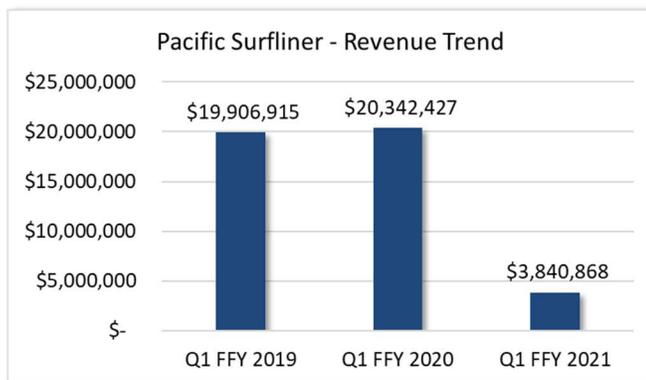


Figure 1.6

In correlation with the ridership decrease due to the COVID-19 pandemic, ticket revenue for the Pacific Surfliner also underperformed. For the first quarter of FFY 2020-21, overall revenue decreased by 81.1 percent when compared with the same period in the prior year, as shown in Figure 1.6.

For the Capitol Corridor, total revenue decreased by 85.1 percent, the San Joaquin rail corridor saw a decrease of 67.3 percent, and the Coast Starlight decreased by 67.6 percent in the first quarter, compared to last year.

Farebox Recovery

The Pacific Surfliner is legislatively required to achieve a minimum of 55 percent farebox recovery. As a performance measure, farebox recovery is normally calculated on an annual basis. Expenses throughout the year are not linear and can cause significant fluctuations in the farebox recovery ratio from quarter to quarter.

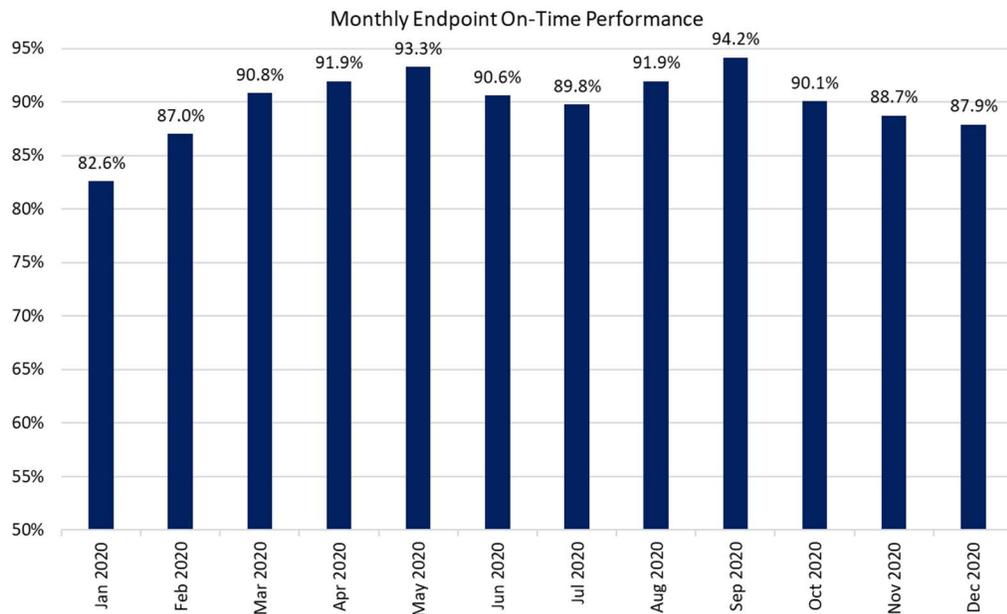
The California Department of Transportation Division of Rail and Mass Transportation (DMRT) usually reports quarterly to the California Transportation Commission (CTC) on all state-supported corridors via the *California Department of Transportation’s Intercity Passenger Rail Operations Report*. This report focuses on a rolling 12-month report period instead of the quarter. On December 2, 2020, Caltrans DMRT reported to the CTC on the 12 months ending June 30, 2020 (the most recent available data) and indicated that the Pacific Surfliner realized a 54.6 percent farebox recovery ratio for that time period.

Quality

OTP

The methodologies for calculating OTP vary significantly between intercity and commuter rail services. Commuter trains are considered late if trains arrive six or more minutes late to the terminal location. Pacific Surfliner trains are considered late if trains arrive 15 or more minutes after scheduled arrival times.

In the first quarter of FFY 2020-21, average endpoint Pacific Surfliner OTP was 88.9 percent, which was a fantastic 21.7 percent increase over the prior year. The significant service reduction that occurred in March 2020 lead to reduced train volumes throughout the LOSSAN corridor. As such, an improvement in OTP was anticipated. A monthly OTP trend for the Pacific Surfliner can be seen in Figure 1.7.



The

Figure 1.7

LOSSAN Rail Corridor Agency (Agency) will continue to work collaboratively with

the Corridor Improvement Team via quarterly meetings to ensure that OTP performance remains high as service is eventually restored.
Customer Satisfaction

Amtrak reports an Electronic Customer Satisfaction Index (eCSI) score monthly for all routes, in which a ‘very satisfied’ percentage is calculated out of 100 passengers via electronic survey. Unfortunately, for the first quarter, the reduced ridership lead to an insufficient number of respondents to accurately calculate the eCSI score. As ridership increases, this metric will return.

Additional Performance Indicators

Food and Beverage Sales

The LOSSAN Agency’s focus on improving service quality and the customer experience has prompted additional attention to the food and beverage selections offered in the Pacific Surfliner Café car. Continual effort is made to ensure that menu items are meeting the expectations of our passengers. As part of that effort, LOSSAN Agency staff closely monitors food and beverage sales to gauge the success of what is being offered and to highlight items that need to be adjusted.

<i>Sales Category</i>	<i>FFY20 Q1</i>	<i>FFY21 Q1</i>	<i>% Change</i>
Baked Goods	\$ 122,515	\$ 18,942	-84.5%
Beer	\$ 271,627	\$ 50,934	-81.2%
Beverages	\$ 365,515	\$ 70,710	-80.7%
Dairy Products	\$ 10,806	\$ 2,052	-81.0%
Fresh Prepared Foods	\$ 225,187	\$ 32,448	-85.6%
Liquor	\$ 153,650	\$ 31,395	-79.6%
Miscellaneous Merchandise	\$ 7,857	\$ 2,179	-72.3%
Packaged Snack Foods	\$ 990,664	\$ 101,111	-89.8%
Salads	\$ 16,072	\$ 840	-94.8%
Wine	\$ 478,269	\$ 65,469	-86.3%
Total Revenue	\$ 2,642,163	\$ 376,079	-85.8%

Figure 1.8

For the first quarter of FFY 2020-21, food and beverage sales decreased by 85.8 percent over the same quarter in the prior year. In addition to the decrease in ridership, Café car sales were impacted by the restrictions associated with indoor dining. The sales of salads and fresh prepared foods was discontinued to prevent losses associated with spoilage as a result of reduced demand. Subsequently, hot prepared food had to be temporarily suspended to ensure the safety and health of all involved by limiting the interactions necessary between the passengers and Café car attendants.

Various safety measures, including the installation of plexiglass barriers, have allowed for the return of microwavable food items. As these items return and ridership increases, we anticipate Café car revenue to follow the same trend. Details on the performance of each specific sales category are included in Figure 1.8.

Amtrak Thruway Bus Service

Pacific Surfliner rail service is supplemented by Amtrak's network of Thruway buses that connect passengers throughout the LOSSAN rail corridor. The bus routes function as part of the Pacific Surfliner service and include:

- Route 4: Los Angeles to Santa Barbara/Goleta. Two daily one-way trips.
- Route 17: Santa Barbara to San Luis Obispo to Oakland (where it connects with Capitol Corridor). Eleven daily one-way trips.
- Route 39: Fullerton to Palm Springs and Coachella Valley. Four daily one-way trips.

For the first quarter of FFY 2020-21, ridership on these three routes totaled 9,124 riders, which was a decrease of 64 percent when compared to the same period in the prior year (25,364 riders).

Summary

This report provides an update of trends for the usage, efficiency, and quality of the passenger rail services on the Los Angeles – San Diego – San Luis Obispo rail corridor, including the Pacific Surfliner, Metrolink and COASTER, for the first quarter of federal fiscal year 2020-21. During the first quarter, total Los Angeles – San Diego – San Luis Obispo rail corridor ridership decreased by 87.2 percent, compared to the same period last year. Ridership on the Pacific Surfliner decreased by 83.3 percent, and revenue realized an 81.1 percent decline when compared to the same period last year.

Attachment

- A. Los Angeles – San Diego – San Luis Obispo Rail Corridor Performance Summary, First Quarter Federal Fiscal Year 2020-21

Prepared by:

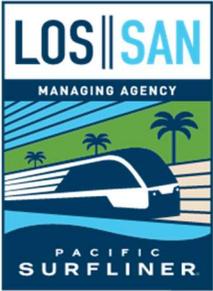


Roger M. Lopez
Manager, Planning and Analysis
(714) 560-5438

**Los Angeles – San Diego – San Luis Obispo Rail Corridor Performance Summary
First Quarter Federal Fiscal Year 2020-21**

<u>Service</u>	<u>Ridership (total)</u>	<u>Ridership - Growth Over Same Quarter Previous Year</u>	<u>Revenue (total)</u>	<u>Revenue - Growth Over Same Quarter Previous Year</u>	<u>Endpoint OTP (3 mo. avg)</u>
Pacific Surfliner	118,044	-83.3%	\$ 3,840,868	-81.1%	88.9%
Metrolink Ventura County Line	30,045	-89.4%	---	---	97.0%
Metrolink Orange County Line	80,070	-88.8%	---	---	95.3%
COASTER	27,719	-90.4%	---	---	94.8%
LOSSAN Total/Average	255,878	-87.2%	---	---	---

Amtrak Nationwide	1,789,993	-78.9%	\$ 124,130,506	-80.9%	86.1%
Capitol Corridor	59,185	-87.0%	\$ 1,392,644	-85.1%	91.2%
San Joaquin	82,798	-69.2%	\$ 2,803,733	-67.3%	82.5%
Coast Starlight	32,639	-69.6%	\$ 3,537,088	-67.6%	84.7%



June 21, 2021

To: Members of the Board of Directors
Donna DeMartino

From: Donna DeMartino, Managing Director

Subject: Approval to Release Request for Proposals for On-Call Construction Management Services for the Los Angeles – San Diego – San Luis Obispo Rail Corridor Agency

Overview

Staff has developed a request for proposals to initiate a competitive procurement process to retain a qualified firm to provide on-call construction management services for the Los Angeles – San Diego – San Luis Obispo Rail Corridor Agency.

Recommendations

- A. Approve the proposed evaluation criteria and weightings for Request for Proposals 1-3489 to provide on-call construction management services for the Los Angeles – San Diego – San Luis Obispo Rail Corridor Agency.
- B. Approve the release of Request for Proposals 1-3489 to provide on-call construction management services for the Los Angeles – San Diego – San Luis Obispo Rail Corridor Agency.

Discussion

Since 2016, the Los Angeles – San Diego – San Luis Obispo (LOSSAN) Rail Corridor Agency (Agency) has received a total of \$216,476,374 in funding through the Transit and Intercity Rail Capital Program, State Rail Assistance funding, and programmed State Transportation Improvement Plan and Proposition 1B funds for the planning, design, and construction of various capital projects along the LOSSAN rail corridor. Several of the projects being led by the LOSSAN Agency are currently in design and will soon be ready for construction. Construction of the Goleta Layover Facility Expansion is scheduled to begin late in Fiscal Year (FY) 2021-22, and construction activity for the Central Coast Layover Facility is anticipated to begin in FY 2022-23. The San Diego County Maintenance and Layover Facility project will also soon be starting preliminary engineering, with construction anticipated to begin in FY 2024-25. In addition to these, there are several smaller projects that will be led by the LOSSAN Agency,

which include station improvements, facility rehabilitation projects, and other enhancements that will benefit passenger rail service and system safety.

The LOSSAN Agency is seeking a qualified construction management firm to assist in the management and delivery of these projects during pre-construction, construction, and post-construction activities. The LOSSAN Agency is obligated to deliver these projects consistent with the programmed funding and within scope, schedule, and budget. The selected construction management firm will provide technical expertise and staff assistance to help manage this effort.

These services will be funded with the programmed state grant funding awarded for the projects.

Procurement Approach

The LOSSAN Board of Directors (Board)-approved contracting and procurement policy requires that the Board approve the release of any request for proposals (RFP) over \$100,000, and approve the evaluation criteria and weightings. Staff is submitting for Board approval the draft RFP and evaluation criteria and weights, which will be used to evaluate the proposals received in response to the RFP. The proposed evaluation criteria and weights are as follows:

- Qualifications of the Firm 25 percent
- Staffing and Project Organization 40 percent
- Work Plan 35 percent

In developing the criteria weightings, several factors were considered. Staff assigned 25 percent to qualifications of the firm who must be knowledgeable in the specific areas identified in the scope of work and capable of supporting the necessary level of effort over the term of the contract. Staff proposes assigning the greatest level of importance to the staffing and project organization criterion at 40 percent, as the project manager, subconsultant teams, and the key team members must demonstrate their experience and ability to work with the railroads, as well as local regulatory and environmental agencies. Additionally, staff's ability to manage and support a variety of capital programs along the LOSSAN rail corridor is critical to timely project delivery. The work plan is assigned an overall weighting of 35 percent as the technical approach and understanding of the projects are critical to developing realistic schedules and work approaches. As this is an architectural and engineering procurement, price is not an evaluation criterion pursuant to state and federal laws.

Additionally, the selected firm and subconsultants will be precluded, for the term of the contract, from proposing on engineering, technical services, and/or

Approval to Release Request for Proposals for On-Call Construction Management Services for the Los Angeles – San Diego – San Luis Obispo Rail Corridor Agency **Page 3**

construction related work for projects which the firm and subconsultants would oversee on behalf of the LOSSAN Agency.

This RFP will be released upon Board approval of these recommendations. The resulting agreement is anticipated to be for an initial term of five years, with a two-year option term.

Fiscal Impact

Funding for this project is included in the LOSSAN Agency's FY 2021-22 budget and is funded with a combination of approved administrative funds and other various state grant funds.

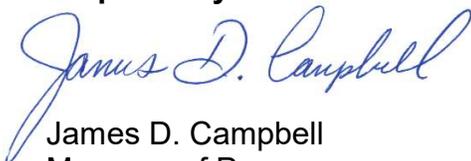
Summary

Board of Directors approval is requested to release Request for Proposals 1-3489 to provide on-call construction management services for the Los Angeles – San Diego – San Luis Obispo Rail Corridor Agency, as well as approval of evaluation criteria and weights.

Attachment

- A. Draft Request for Proposals (RFP) 1-3489, On-Call Construction Management Services for the LOSSAN Agency

Prepared by:



James D. Campbell
Manager of Programs
714-560-5390

DRAFT REQUEST FOR PROPOSALS (RFP) 1-3489

**ON-CALL CONSTRUCTION
MANAGEMENT SERVICES FOR THE
LOSSAN AGENCY**



**ORANGE COUNTY TRANSPORTATION AUTHORITY
ON BEHALF OF:
LOS ANGELES-SAN DIEGO-SAN LUIS OBISPO RAIL CORRIDOR
AGENCY**

**550 South Main Street
P.O. Box 14184
Orange, CA 92863-1584
(714) 560-6282**

Key RFP Dates

Issue Date:	June 21, 2021
Pre-Proposal Conference Date:	June 30, 2021
Question Submittal Date:	July 1, 2021
Proposal Submittal Date:	July 20, 2021
Interview Date:	August 10, 2021

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NOTICE OF REQUEST FOR PROPOSALS

(RFP): 1-3489: “On-Call CONSTRUCTION MANAGEMENT SERVICES FOR LOSSAN AGENCY”

TO: ALL OFFERORS

FROM: ORANGE COUNTY TRANSPORTATION AUTHORITY

On behalf of the Los Angeles-San Diego-San Luis Obispo (LOSSAN) Rail Corridor Agency (Agency), the Orange County Transportation Authority (Authority) invites proposals from qualified consultants to **provide construction management services to the LOSSAN Agency.**

Offerors are advised that Authority is now accepting proposals electronically in response to this procurement.

Proposals must be submitted, electronically, through the following URL link: <http://www.octa.net/Proposal Upload Link>, at or before 2:00 p.m. on July 20, 2021. Offerors are instructed to visit the link, select “RFP 1-3489” from the drop-down menu and follow the instructions as prompted to upload proposal. Proposals must be submitted electronically at the link stated above and by the specified date and time.

Proposals and supplemental information to proposals received after the date and time specified above will be returned to the Offerors unopened.

To prevent potential conflicts of interest CONSULTANT, including all subconsultants (at any tier), are precluded from participating (at any tier) on construction-related work for projects which they are overseeing on behalf of LOSSAN AGENCY. Additionally, the firm currently providing Program Management Consultant services, including all subconsultants (at any tier), for LOSSAN AGENCY is precluded from submitting a proposal in response to this RFP. Offerors are advised that the evaluation of conflicts of interest situations with regards to team composition will be evaluated on a case-by-case basis.

Firms interested in obtaining a copy of this Request for Proposals (RFP) may do so by downloading the RFP from CAMM NET at <https://cammnet.octa.net>.

All firms interested in doing business with the LOSSAN Agency are required to register their business on-line at CAMM NET. The website can be found at <https://cammnet.octa.net>. From the site menu, click on CAMM NET to register.

To receive all further information regarding this RFP 1-3489, firms and subconsultants must be registered on CAMM NET with at least one of the following commodity codes for this solicitation selected as part of the vendor's on-line registration profile:

<u>Category:</u>	<u>Commodity:</u>
Construction	Construction Management Services Railroad Inspection Services
Professional Consulting Professional Services	Environmental Consulting Engineering - Environmental Inspection - Testing & Analysis Land Surveying

A pre-proposal conference will be held via Skype teleconference on June 30, 2021, at 9:00 a.m. Prospective Offerors may call in using the following the following credentials:

- Call-in Number: (714) 560-5666
- Conference ID: 236238

A copy of the presentation slides and pre-proposal conference registration sheet(s) will be issued via addendum prior to the date of the pre-proposal conference. All prospective Offerors are encouraged to call into the pre-proposal conference.

Offerors are asked to submit written statements of technical qualifications and describe in detail their work plan for completing the work specified in the Request for Proposal. **No Cost Proposal or estimate of work hours are to be included in this phase of the RFP process.**

The Authority has established **August 10, 2021**, as the date to conduct interviews. All prospective Offerors will be asked to keep this date available. Offerors are encouraged to subcontract with small businesses to the maximum extent possible.

All Offerors will be required to comply with all applicable equal opportunity laws and regulations.

The award of this contract is subject to receipt of federal, state and/or local funds adequate to carry out the provisions of the proposed agreement including the identified Scope of Work.

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SECTION I: INSTRUCTIONS TO OFFERORS

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SECTION I. INSTRUCTIONS TO OFFERORS**A. PRE-PROPOSAL CONFERENCE**

A pre-proposal conference will be held via Skype teleconference on June 30, 2021, at 9:00 a.m. Prospective Offerors may call in using the following credentials:

- Call-in Number: (714) 560-5666
- Conference ID: 236238

A copy of the presentation slides and pre-proposal conference registration sheet(s) will be issued via addendum prior to the date of the pre-proposal conference. All prospective Offerors are encouraged to call-into the pre-proposal conference.

B. EXAMINATION OF PROPOSAL DOCUMENTS

By submitting a proposal, Offeror represents that it has thoroughly examined and become familiar with the work required under this RFP and that it is capable of performing quality work to achieve the LOSSAN Agency's objectives.

C. ADDENDA

The Authority reserves the right to revise the RFP documents. Any Authority changes to the requirements will be made by written addendum to this RFP. Any written addenda issued pertaining to this RFP shall be incorporated into the terms and conditions of any resulting Agreement. The Authority will not be bound to any modifications to or deviations from the requirements set forth in this RFP as the result of oral instructions. Offerors shall acknowledge receipt of addenda in their proposals. Failure to acknowledge receipt of Addenda may cause the proposal to be deemed non-responsive to this RFP and be rejected.

D. AUTHORITY CONTACT

All communication and/or contacts with Authority staff regarding this RFP are to be directed to the following Contract Administrator:

Irene Green, Senior Contract Administrator
Contracts Administration and Materials Management Department
600 South Main Street
P.O. Box 14184
Orange, CA 92863-1584
Phone: 714.560.5317, Fax: 714.560.5792
Email: igrreen@octa.net

Commencing on the date of the issuance of this RFP and continuing until award of the contract or cancellation of this RFP, no proposer, subcontractor, lobbyist or agent hired by the proposer shall have any contact or communications regarding this RFP with any Authority's staff; member of the evaluation committee for this RFP; or any contractor or consultant involved with the procurement, other than the Contract Administrator named above or unless expressly permitted by this RFP. Contact includes face-to-face, telephone, electronic mail (e-mail) or formal written communication. Any proposer, subcontractor, lobbyist or agent hired by the proposer that engages in such prohibited communications may result in disqualification of the proposer at the sole discretion of the Authority. igreen@octa.net

E. CLARIFICATIONS

1. Examination of Documents

Should an Offeror require clarifications of this RFP, the Offeror shall notify the Authority in writing in accordance with Section D.2. below. Should it be found that the point in question is not clearly and fully set forth, the Authority will issue a written addendum clarifying the matter which will be sent to all firms registered on CAMM NET under the commodity codes specified in this RFP.

2. Submitting Requests

- a. All questions, including questions that could not be specifically answered at the pre-proposal conference must be put in writing and must be received by the Authority no later than **5:00 p.m., on July 1, 2021**.
- b. Requests for clarifications, questions and comments must be clearly labeled, "Written Questions". The Authority is not responsible for failure to respond to a request that has not been labeled as such.
- c. The following methods of delivering written questions are acceptable as long as the questions are received no later than the date and time specified above:

Email: igreen@octa.net

3. Authority Responses

Responses from the Authority will be posted on CAMM NET, no later than **July 7, 2021**. Offerors may download responses from CAMM NET at <https://cammnet.octa.net>, or request responses be sent via U.S. Mail by emailing or faxing the request to Irene Green, Senior Contract Administrator.

To receive email notification of Authority responses when they are posted on CAMM NET, firms and subconsultants must be registered on CAMM NET with at least one of the following commodity codes for this solicitation selected as part of the vendor's on-line registration profile:

Revise as previously included

Category:

Construction

Professional Consulting

Professional Services

Commodity:

Construction Management
Services

Railroad

Inspection Services

Environmental Consulting

Engineering - Environmental

Inspection - Testing & Analysis

Land Surveying

Inquiries received after 5:00 p.m. on July 1, 2021 will not be responded to.

F. SUBMISSION OF PROPOSALS

Offeror is responsible for ensuring third-party deliveries arrive at the time and place as indicated in this RFP.

1. Date and Time

Offerors are advised that Authority is now accepting proposals electronically in response to this procurement.

Proposals must be submitted, electronically, through the following URL link: <http://www.octa.net/Proposal Upload Link>, at or before 2:00 p.m. on July 20, 2021. Offerors are instructed to visit the link, select "RFP 1-3263" from the drop-down menu and follow the instructions as prompted to upload proposal. Proposals must be submitted electronically at the link stated above and by the specified date and time.

Proposals and supplemental information to proposals received after the date and time specified above will be rejected and returned to Offeror unopened.

2. Acceptance of Proposals

- a. The Authority reserves the right to accept or reject any and all proposals, or any item or part thereof, or to waive any informalities or irregularities in proposals.
- b. The Authority reserves the right to withdraw or cancel this RFP at

any time without prior notice and the Authority makes no representations that any contract will be awarded to any Offeror responding to this RFP.

- c. The Authority reserves the right to issue a new RFP for the project.
- d. The Authority reserves the right to postpone proposal openings for its own convenience.
- e. Each proposal will be received with the understanding that acceptance by the Authority of the proposal to provide the services described herein shall constitute a contract between the Offeror and Authority which shall bind the Offeror on its part to furnish and deliver at the prices given and in accordance with conditions of said accepted proposal and specifications.
- f. The Authority reserves the right to investigate the qualifications of any Offeror, and/or require additional evidence of qualifications to perform the work.
- g. Submitted proposals are not to be copyrighted.

G. PRE-CONTRACTUAL EXPENSES

The Authority shall not, in any event, be liable for any pre-contractual expenses incurred by Offeror in the preparation of its proposal. Offeror shall not include any such expenses as part of its proposal.

Pre-contractual expenses are defined as expenses incurred by Offeror in:

- 1. Preparing its proposal in response to this RFP;
- 2. Submitting that proposal to the Authority;
- 3. Negotiating with the Authority any matter related to this proposal; or
- 4. Any other expenses incurred by Offeror prior to date of award, if any, of the Agreement.

H. JOINT OFFERS

Where two or more firms desire to submit a single proposal in response to this RFP, they should do so on a prime-subcontractor basis rather than as a joint venture. The Authority intends to contract with a single firm and not with multiple firms doing business as a joint venture.

I. TAXES

Offerors' proposals are subject to State and Local sales taxes. However, the Authority is exempt from the payment of Federal Excise and Transportation Taxes.

Offeror is responsible for payment of all taxes for any goods, services, processes and operations incidental to or involved in the contract.

J. PROTEST PROCEDURES

The Authority has on file a set of written protest procedures applicable to this solicitation that may be obtained by contacting the Contract Administrator responsible for this procurement. Any protests filed by an Offeror in connection with this RFP must be submitted in accordance with the Authority's written procedures.

K. CONTRACT TYPE

It is anticipated that the Agreement resulting from this solicitation, if awarded, will be a time and expense contract with fully burdened labor rates and anticipated expenses for work specified in the scope of work, included in the RFP as Exhibit A.

L. PREVAILING WAGES

Certain labor categories under this project are subject to prevailing wages as identified in the State of California Labor Code commencing in Section 1770 et.seq., and all applicable Federal requirements respecting prevailing wages.

It is required that all mechanics and laborers employed or working at the site be paid not less than the basic hourly rates of pay and fringe benefits as shown in the current minimum wage schedules. The proposer to whom a contract for the work is awarded by the Authority shall comply with the provision of the California Labor Code, including, without limitation, the obligation to pay the general prevailing rates of wages in the locality in which the work is to be performed in accordance with, without limitation, Sections 1773.1, 1774, 1775 and 1776 of the California Labor Code governing employment of apprentices.

Copies of the prevailing rates of per diem wages are on file at the Authority's principal office at 550 S. Main Street, Orange, CA 92868 and are available to any interested party on request.

M. CONFLICT OF INTEREST

All Offerors responding to this RFP must avoid organizational conflicts of interest which would restrict full and open competition in this procurement. An organizational conflict of interest means that due to other activities, relationships or contracts, an Offeror is unable, or potentially unable to render impartial assistance or advice to the Authority; an Offeror's objectivity in performing the work identified in the Scope of Work is or might be otherwise impaired; or an Offeror has an unfair competitive advantage. Conflict of Interest issues must be fully disclosed in the Offeror's proposal.

All Offerors must disclose in their proposal and immediately throughout the course of the evaluation process if they have hired or retained an advocate to lobby Authority staff or the Board of Directors on their behalf.

Offerors hired to perform services for the Authority are prohibited from concurrently acting as an advocate for another firm who is competing for a contract with the Authority, either as a prime or subcontractor.

N. PREVAILING WAGES

Certain labor categories under this project are subject to prevailing wages as identified in the State of California Labor Code commencing in Section 1770 et.seq., and all applicable Federal requirements respecting prevailing wages.

It is required that all mechanics and laborers employed or working at the site be paid not less than the basic hourly rates of pay and fringe benefits as shown in the current minimum wage schedules. The proposer to whom a contract for the work is awarded by the Authority shall comply with the provision of the California Labor Code, including, without limitation, the obligation to pay the general prevailing rates of wages in the locality in which the work is to be performed in accordance with, without limitation, Sections 1773.1, 1774, 1775 and 1776 of the California Labor Code governing employment of apprentices.

Copies of the prevailing rates of per diem wages are on file at the Authority's principal office at 550 S. Main Street, Orange, CA 92868 and are available to any interested party on request.

O. CODE OF CONDUCT

All Offerors agree to comply with the Authority's Code of Conduct as it relates to Third-Party contracts which is hereby referenced and by this reference is incorporated herein. All Offerors agree to include these requirements in all of its subcontracts.

O. PROHIBITION

To prevent potential conflicts of interest CONSULTANT, including all subconsultants (at any tier), are precluded from participating (at any tier) on construction-related work for projects which they are overseeing on behalf of LOSSAN AGENCY. Additionally, the firm currently providing Program Management Consultant services, including all subconsultants (at any tier), for LOSSAN AGENCY is precluded from submitting a proposal in response to this RFP. Offerors are advised that the evaluation of conflicts of interest situations with regards to team composition will be evaluated on a case-by-case basis.

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SECTION II: PROPOSAL CONTENT

SECTION II. PROPOSAL CONTENT

A. PROPOSAL FORMAT AND CONTENT

1. Format

Proposals should be typed with a standard 12-point font, double-spaced and submitted on 8 1/2" x 11" size paper, using a single method of fastening. Charts and schedules may be included in 11"x17" format. Proposals should not include any unnecessarily elaborate or promotional materials. Proposals should not exceed fifty (50) pages in length, excluding any appendices, cover letters, resumes, or forms.

2. Letter of Transmittal

The Letter of Transmittal shall be addressed to Irene Green, Senior Contract Administrator and must, at a minimum, contain the following:

- a. Identification of Offeror that will have contractual responsibility with the Authority. Identification shall include legal name of company, corporate address, telephone and fax number, and email address. Include name, title, address, email address, and telephone number of the contact person identified during period of proposal evaluation.
- b. Identification of all proposed subcontractors including legal name of company, whether the firm is a Disadvantaged Business Enterprise (DBE), contact person's name and address, phone number and fax number, and email address, relationship between Offeror and subcontractors, if applicable.
- c. Acknowledgement of receipt of all RFP addenda, if any.
- d. A statement to the effect that the proposal shall remain valid for a period of not less than 120 days from the date of submittal.
- e. Signature of a person authorized to bind Offeror to the terms of the proposal.
- f. Signed statement attesting that all information submitted with the proposal is true and correct.

3. Technical Proposal

- a. Qualifications, Related Experience and References of Offeror

This section of the proposal should establish the ability of Offeror to satisfactorily perform the required work by reasons of experience in

performing work of a similar nature; demonstrated competence in the services to be provided; strength and stability of the firm; staffing capability; workload; record of meeting schedules on similar projects; and supportive client references.

Offeror to:

- (1) Provide a brief profile of the firm, including the types of services offered; the year founded; form of the organization (corporation, partnership, sole proprietorship); number, size and location of offices; and number of employees.
- (2) Provide a general description of the firm's financial condition and identify any conditions (e.g., bankruptcy, pending litigation, planned office closures, impending merger) that may impede Offeror's ability to complete the project.
- (3) Describe the firm's experience in performing work of a similar nature to that solicited in this RFP and highlight the participation in such work by the key personnel proposed for assignment to this project.
- (4) Identify subcontractors by company name, address, contact person, telephone number, email, and project function. Describe Offeror's experience working with each subcontractor.
- (5) Identify all firms hired or retained to provide lobbying or advocating services on behalf of the Offeror by company name, address, contact person, telephone number and email address. This information is required to be provided by the Offeror immediately during the evaluation process, if a lobbyist or advocate is hired or retained.
- (6) Provide as a minimum three (3) references for the projects cited as related experience, and furnish the name, title, address, telephone number, and email address of the person(s) at the client organization who is most knowledgeable about the work performed. Offeror may also supply references from other work not cited in this section as related experience.

b. Proposed Staffing and Project Organization

This section of the proposal should establish the method, which will be used by the Offeror to manage the project as well as identify key personnel assigned.

Offeror to:

- (1) Identify key personnel proposed to perform the work in the specified tasks and include major areas of subcontract work. Include the person's name, current location, proposed position for this project, current assignment, level of commitment to that assignment, availability for this assignment and how long each person has been with the firm.
- (2) Furnish brief resumes (not more than two [2] pages each) for the proposed Project Manager and other key personnel that includes education, experience, and applicable professional credentials.
- (3) Indicate adequacy of labor resources utilizing a table projecting the labor-hour allocation to the project by individual task.
- (4) Include a project organization chart, which clearly delineates communication/reporting relationships among the project staff.
- (5) Include a statement that key personnel will be available to the extent proposed for the duration of the project acknowledging that no person designated as "key" to the project shall be removed or replaced without the prior written concurrence of the Authority.

c. Work Plan

Offeror should provide a narrative, which addresses the Scope of Work, and shows Offeror's understanding of LOSSAN Agency's needs and requirements.

Offeror to:

- (1) Describe the approach to completing the tasks specified in the Scope of Work. The approach to the work plan shall be of such detail to demonstrate the Offeror's ability to accomplish the project objectives and overall schedule.
- (2) Outline sequentially the activities that would be undertaken in completing the tasks and specify who would perform them.
- (3) Furnish a project schedule for completing the tasks in terms of elapsed weeks.
- (4) Identify methods that Offeror will use to ensure quality control as well as budget and schedule control for the project.

- (5) Identify any special issues or problems that are likely to be encountered in this project and how the Offeror would propose to address them.
- (6) Offeror is encouraged to propose enhancements or procedural or technical innovations to the Scope of Work that do not materially deviate from the objectives or required content of the project.

d. Exceptions/Deviations

State any technical and/or contractual exceptions and/or deviations from the requirements of this RFP, including the Authority's technical requirements and contractual terms and conditions set forth in the Scope of Work (Exhibit A) and Proposed Agreement (Exhibit B), using the form entitled "Proposal Exceptions and/or Deviations" included in this RFP. This Proposal Exceptions and/or Deviations form (Exhibit G) must be included in the original proposal submitted by the Offeror. If no technical or contractual exceptions and/or deviations are submitted as part of the original proposal, Offerors are deemed to have accepted the Authority's technical requirements and contractual terms and conditions set forth in the Scope of Work (Exhibit A) and Proposed Agreement (Exhibit B). Offerors will not be allowed to submit the Proposal Exceptions and/or Deviations form (Exhibit G) or any technical and/or contractual exceptions after the proposal submittal date identified in the RFP. Exceptions and/or deviations submitted after the proposal submittal date will not be reviewed by Authority.

All exceptions and/or deviations will be reviewed by the Authority and will be assigned a "pass" or "fail" status. Exceptions and deviations that "pass" do not mean that the Authority has accepted the change but that it is a potential negotiable issue. Exceptions and deviations that receive a "fail" status means that the requested change is not something that the Authority would consider a potential negotiable issue. Offerors that receive a "fail" status on their exceptions and/or deviations will be notified by the Authority and will be allowed to retract the exception and/or deviation and continue in the evaluation process. Any exceptions and/or deviation that receive a "fail" status and the Offeror cannot or does not retract the requested change may result in the firm being eliminated from further evaluation.

4. Cost and Price Proposal

Offerors are asked to submit only the technical qualifications as requested in the RFP. **No cost proposal or work hours are to be included in this phase of the RFP process.** Upon completion of the initial evaluations and interviews, if conducted, the highest ranked Offeror will be asked to submit a detailed cost proposal and negotiations will commence based on both the cost and technical proposals.

5. Appendices

Information considered by Offeror to be pertinent to this project and which has not been specifically solicited in any of the aforementioned sections may be placed in a separate appendix section. Offerors are cautioned, however, that this does not constitute an invitation to submit large amounts of extraneous materials. Appendices should be relevant and brief.

B. FORMS

1. Campaign Contribution Disclosure Form

In conformance with the statutory requirements of the State of California Government Code Section 84308, part of the Political Reform Act and Title 2, California Code of Regulations 18438 through 18438.8, regarding campaign contributions to members of appointed Board of Directors, Offeror is required to complete and sign the Campaign Contribution Disclosure Form provided in this RFP and submit as part of the proposal.

This form **must** be completed regardless of whether a campaign contribution has been made or not and regardless of the amount of the contribution.

The prime contractor, subconsultants, lobbyists and agents are required to report all campaign contributions made from the proposal submittal date up to and until the Board of Directors makes a selection.

Offeror is required to submit only **one** copy of the completed form(s) as part of its proposal, and it must be included in only the **original** proposal.

2. Status of Past and Present Contracts Form

Offeror shall complete and sign the form entitled "Status of Past and Present Contracts" provided in this RFP and submit as part of its proposal. Offeror shall identify the status of past and present contracts where the firm has either provided services as a prime vendor or a subcontractor during the past five (5) years in which the contract has been the subject of or may be

involved in litigation with the contracting authority. This includes, but is not limited to, claims, settlement agreements, arbitrations, administrative proceedings, and investigations arising out of the contract. Offeror shall have an ongoing obligation to update the Authority with any changes to the identified contracts and any new litigation, claims, settlement agreements, arbitrations, administrative proceedings, or investigations that arise subsequent to the submission of Offeror's proposal.

A separate form must be completed for each identified contract. Each form must be signed by the Offeror confirming that the information provided is true and accurate. Offeror is required to submit one copy of the completed form(s) as part of its proposals, and it should be included in only the original proposal.

3. Safety Specifications (Exhibit E)

Offerors shall comply with Safety Specifications Level 3 as included in this RFP as Exhibit E, during the term of the awarded Agreement.

4. Proposal Exceptions and/or Deviations Form

Offerors shall complete the form entitled "Proposal Exceptions and/or Deviations" provided in this RFP and submit it as part of the original proposal. For each exception and/or deviation, a new form should be used, identifying the exception and/or deviation and the rationale for requesting the change. Exceptions and/or deviations submitted after the proposal submittal date will not be reviewed nor considered by the Authority.

SECTION III: EVALUATION AND AWARD

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SECTION III. EVALUATION AND AWARD

A. EVALUATION CRITERIA

The Authority will evaluate the offers received based on the following criteria:

1. **Qualifications of the Firm** **25%**

 Technical experience in performing work of a closely similar nature; strength and stability of the firm; strength, stability, experience and technical competence of subcontractors; assessment by client references.
2. **Staffing and Project Organization** **40%**

 Qualifications of project staff, particularly key personnel and especially the Project Manager; key personnel's level of involvement in performing related work cited in "Qualifications of the Firm" section; logic of project organization; adequacy of labor commitment; concurrence in the restrictions on changes in key personnel.
3. **Work Plan** **35%**

 Depth of Offeror's understanding of LOSSAN Agency's requirements and overall quality of work plan; logic, clarity and specificity of work plan; appropriateness of resource allocation among the tasks; reasonableness of proposed schedule; utility of suggested technical or procedural innovations.

B. EVALUATION PROCEDURE

An evaluation committee will be appointed to review all proposals received for this RFP. The committee is comprised of LOSSAN Agency staff and may include outside personnel. The committee members will evaluate the written proposals using criteria identified in Section III A. A list of top-ranked proposals, firms within a competitive range, will be developed based upon the totals of each committee members' score for each proposal.

During the evaluation period, the LOSSAN Agency may interview some or all of the proposing firms. The LOSSAN Agency has established **August 10, 2021**, as the date to conduct interviews. All prospective Offerors are asked to keep this date available. No other interview dates will be provided, therefore, if an Offeror is unable to attend the interview on this date, its proposal may be eliminated from further discussion. The interview may consist of a short presentation by the Offeror after which the evaluation committee will ask questions related to the firm's proposal and qualifications.

At the conclusion of the evaluation process, the evaluation committee will recommend to the LOSSAN Board of Directors, the Offeror with the highest final ranking or a short list of top ranked firms within the competitive range whose proposal(s) is most advantageous to the LOSSAN Agency.

C. AWARD

The LOSSAN Agency will evaluate the proposals received and will submit the proposal considered to be the most competitive to the LOSSAN's Board of Directors for consideration and selection. At the same time the recommended Offeror will be asked to submit a sealed price proposal. In conjunction with its action of selecting a firm, the LOSSAN's Board of Directors will authorize staff to negotiate a contract price and other terms and conditions. The Board will also grant staff the ability to terminate negotiations with the selected Offeror if no satisfactory agreement can be reached and to begin negotiations with the next highest-ranked Offeror until a satisfactory agreement has been achieved.

The LOSSAN Agency reserves the right to award its total requirements to one Offeror or to apportion those requirements among several Offerors as the LOSSAN Agency may deem to be in its best interest. In addition, negotiations may or may not be conducted with Offerors; therefore, the proposal submitted should contain Offeror's most favorable terms and conditions, since the selection and award may be made without discussion with any Offeror.

The selected Offeror will be required to submit to the Authority's Accounting department a current IRS W-9 form prior to commencing work.

D. NOTIFICATION OF AWARD AND DEBRIEFING

Offerors who submit a proposal in response to this RFP shall be notified via CAMM NET of the contract award. Such notification shall be made within three (3) business days of the date the contract is awarded.

Offerors who were not awarded the contract may obtain a debriefing concerning the strengths and weaknesses of their proposal. Unsuccessful Offerors, who wish to be debriefed, must request the debriefing in writing or electronic mail and the Authority must receive it within three (3) business days of notification of the contract award.

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EXHIBIT A: SCOPE OF WORK

EXHIBIT B: PROPOSED AGREEMENT

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EXHIBIT C: STATUS OF PAST AND PRESENT CONTRACTS FORM

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STATUS OF PAST AND PRESENT CONTRACTS FORM

On the form provided below, Offeror/Bidder shall list the status of past and present contracts where the firm has either provided services as a prime vendor or a subcontractor during the past five (5) years in which the contract has been the subject of or may be involved in litigation with the contracting authority. This includes, but is not limited to, claims, settlement agreements, arbitrations, administrative proceedings, and investigations arising out of the contract.

A separate form must be completed for each contract. Offeror/Bidder shall provide an accurate contact name and telephone number for each contract and indicate the term of the contract and the original contract value. Offeror/Bidder shall also provide a brief summary and the current status of the litigation, claims, settlement agreements, arbitrations, administrative proceedings, or investigations. If the contract was terminated, list the reason for termination.

Offeror/Bidder shall have an ongoing obligation to update the Authority with any changes to the identified contracts and any new litigation, claims, settlement agreements, arbitrations, administrative proceedings, or investigations that arise subsequent to the submission of the bid. Each form must be signed by an officer of the Offeror/Bidder confirming that the information provided is true and accurate.

Project city/agency/other:	
Contact Name:	Phone:
Project Award Date:	Original Contract Value:
Term of Contract:	
(1) Litigation, claims, settlements, arbitrations, or investigations associated with contract:	
(2) Summary and Status of contract:	
(3) Summary and Status of action identified in (1):	
(4) Reason for termination, if applicable:	

By signing this Form entitled "Status of Past and Present Contracts," I am affirming that all of the information provided is true and accurate.

Name

Signature

Title

Date

EXHIBIT D: CAMPAIGN CONTRIBUTION DISCLOSURE FORM

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CAMPAIGN CONTRIBUTION DISCLOSURE FORM

Information Sheet

LOS ANGELES-SAN DIEGO-SAN LUIS OBISPO RAIL CORRIDOR AGENCY

The attached Campaign Contribution Disclosure Form must be completed by applicants for, or persons who are the subject of, any proceeding involving a license, permit, or other entitlement for use pending before the Board of Directors of LOSSAN or any of its affiliated agencies. (Please see next page for definitions of these terms.)

IMPORTANT NOTICE

Basic Provisions of Government Code Section 84308

- A. If you are an applicant for, or the subject of, any proceeding involving a license, permit, or other entitlement for use, you are prohibited from making a campaign contribution of more than \$250 to any board member or his or her alternate. This prohibition begins on the date your application is filed or the proceeding is otherwise initiated, and the prohibition ends three months after a final decision is rendered by the Board of Directors. In addition, no board member or alternate may solicit or accept a campaign contribution of more than \$250 from you during this period.
- B. These prohibitions also apply to your agents, and, if you are a closely held corporation, to your majority shareholder as well. These prohibitions also apply to your subcontractor(s), joint venturer(s), and partner(s) in this proceeding. Also included are parent companies and subsidiary companies directed and controlled by you, and political action committees directed and controlled by you.
- C. You must file the attached disclosure form and disclose whether you or your agent(s) have in the aggregate contributed more than \$250 to any board member or his or her alternate during the 12-month period preceding the filing of the application or the initiation of the proceeding.
- D. If you or your agent have in the aggregate contributed more than \$250 to any individual board member or his/or her alternate during the 12 months preceding the decision on the application or proceeding, that board member or alternate must disqualify himself or herself from the decision. However, disqualification is not required if the board member or alternate returns the campaign contribution within 30 days from the time the director knows, or should have known, about both the contribution and the fact that you are a party in the proceeding. The Campaign Contribution Disclosure Form should be completed and filed with your proposal, or with the first written document you file or submit after the proceeding commences.

1. A proceeding involving "a license, permit, or other entitlement for use" includes all business, professional, trade and land use licenses and permits, and all other entitlements for use, including all entitlements for land use, all contracts (other than competitively bid, labor or personal employment contracts), and all franchises.
2. Your "agent" is someone who represents you in connection with a proceeding involving a license, permit or other entitlement for use. If an individual acting as an agent is also acting in his or her capacity as an employee or member of a law, architectural, engineering, consulting firm, or similar business entity, both the business entity and the individual are "agents."
3. To determine whether a campaign contribution of more than \$250 has been made by you, campaign contributions made by you within the preceding 12 months must be aggregated with those made by your agent within the preceding 12 months or the period of the agency, whichever is shorter. Contributions made by your majority shareholder (if a closely held corporation), your subcontractor(s), your joint venturer(s), and your partner(s) in this proceeding must also be included as part of the aggregation. Campaign contributions made to different directors or their alternates are not aggregated.
4. A list of the members and alternates of the Board of Directors is attached.

This notice summarizes the major requirements of Government Code Section 84308 of the Political Reform Act and California Code of Regulations, Title 2 Sections 18438-18438.8.

LOS ANGELES-SAN DIEGO-SAN LUIS OBISPO RAIL CORRIDOR AGENCY
CAMPAIGN CONTRIBUTION DISCLOSURE FORM

RFP Number: _____ RFP Title: _____

Was a campaign contribution made to any LOSSAN Board Member within the preceding 12 months, regardless of dollar amount of the contribution by either the proposing firm, proposed subconsultants and/or agent/lobbyist? Yes _____ No _____

If no, please sign and date below.

If yes, please provide the following information:

Prime Contractor Firm Name: _____

Contributor or Contributor Firm's Name: _____

Contributor or Contributor Firm's Address: _____

Is Contributor:

- The Prime Contractor Yes _____ No _____
- Subconsultant Yes _____ No _____
- Agent/Lobbyist hired by Prime to represent the Prime in this RFP Yes _____ No _____

Note: Under the State of California Government Code section 84308 and California Code of Regulations, Title 2, Section 18438, campaign contributions made by the Prime Contractor and the Prime Contractor's agent/lobbyist who is representing the Prime Contractor in this RFP must be aggregated together to determine the total campaign contribution made by the Prime Contractor.

Identify the Board Member(s) to whom you, your subconsultants, and/or agent/lobbyist made campaign contributions, the name of the contributor, the dates of contribution(s) in the preceding 12 months and dollar amount of the contribution. Each date must include the exact month, day, and year of the contribution.

Name of Board Member: _____

Name of Contributor: _____

Date(s) of Contribution(s): _____

Amount(s): _____

Name of Board Member: _____

Name of Contributor: _____

Date(s) of Contribution(s): _____

Amount(s): _____

Date: _____

Signature of Contributor

Print Firm Name

Print Name of Contributor

**LOS ANGELES-SAN DIEGO-SAN LUIS OBISPO RAIL CORRIDOR AGENCY
AND AFFILIATED AGENCIES**

Board of Directors

Dana Reed, Chairman
Gregg Hart, Vice Chairman
Priya Bhat-Patel, Director
Mary Lou Echternach, Director
Jewel Edson, Director
Caylin Frank, Director
Raymond Gregory, Director
Michael Hennessey, Director
Kellie Hinze, Director
Bryan MacDonald, Director
Joe Mosca, Director
Joseph L. Muller, Director
Al Murray, Director
Jimmy Paulding, Director
Andy Pease, Director
David Perry, Director
Bill Sandke, Director
Tim Shaw, Director
Fred Strong, Director
Jess Talamantes, Director
Jim White, Director
Das Williams, Director

EXHIBIT E: SAFETY SPECIFICATIONS

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EXHIBIT F: PROPOSAL EXCEPTIONS AND/OR DEVIATIONS

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PROPOSAL EXCEPTIONS AND/OR DEVIATIONS

The following form shall be completed for each technical and/or contractual exception or deviation that is submitted by Offeror for review and consideration by Authority. The exception and/or deviation must be clearly stated along with the rationale for requesting the exception and/or deviation. If no technical or contractual exceptions or deviations are submitted as part of the original proposal, Offerors are deemed to have accepted Authority's technical requirements and contractual terms and conditions set forth in the Scope of Work (Exhibit A) and Proposed Agreement (Exhibit C). Offerors will not be allowed to submit this form or any contractual exceptions and/or deviation after the proposal submittal date identified in the RFP. Exceptions and/or deviations submitted after the proposal submittal date will not be reviewed by Authority.

Offeror: _____

RFP No.: _____ RFP Title: _____

Deviation or Exception No. : _____

Check one:

- Scope of Work (Technical) _____
- Proposed Agreement (Contractual) _____

Reference Section/Exhibit: _____ Page/Article No. _____

Complete Description of Deviation or Exception:

Rationale for Requesting Deviation or Exception:

Area Below Reserved for Authority Use Only:

_____ _____ _____



June 21, 2021

To: Members of the Board of Directors
Donna DeMartino

From: Donna DeMartino, Managing Director

Subject: Amendment to Agreement for Project Report and Environmental Documentation Services for the Central Coast Layover Facility Expansion Project

Overview

On January 30, 2019, the Los Angeles – San Diego – San Luis Obispo Rail Corridor Agency Board of Directors approved an agreement with HDR Engineering, Inc., to prepare the project report and environmental document for the Central Coast Layover Facility in the City of San Luis Obispo. An amendment to the existing agreement is necessary to complete the work for preliminary design of the facility.

Recommendation

Authorize the Managing Director to negotiate and execute Amendment No. 2 to Agreement No. L-9-0004 between the Los Angeles – San Diego – San Luis Obispo Rail Corridor Agency and HDR Engineering, Inc. in the amount of \$228,069, for additional site investigations and design features for the project report and environmental document for the Central Coast Layover Facility expansion project in the City of San Luis Obispo. This will increase the maximum cumulative obligation of the agreement to a total contract value of \$2,233,657.

Discussion

As part of the effort to advance service expansion and enhancement goals for the Pacific Surfliner intercity passenger rail service, the Los Angeles – San Diego – San Luis Obispo (LOSSAN) Rail Corridor Agency (Agency) is managing efforts to expand the storage and maintenance capacity for the Pacific Surfliner in the City of San Luis Obispo. The Central Coast Layover Facility (Project) is necessary to support these corridor-wide efforts.

On January 30, 2019, the LOSSAN Agency Board of Directors (Board), authorized LOSSAN Agency staff to negotiate and execute an agreement with

Amendment to Agreement for Project Report and Environmental Documentation Services for the Central Coast Layover Facility Expansion Project **Page 2**

HDR Engineering, Inc. (HDR) to perform preliminary engineering and environmental documentation services for the Project. The agreement with HDR included a site selection study, to review a list of compatible locations for the new facility, to evaluate these sites, and to recommend a preferred location.

The recommended location for the Project is located on Union Pacific Railroad property where an old turn of the 20th century railroad roundhouse and locomotive facility was once located. Much of the foundation of the former facility is buried underground and additional site investigation is necessary to research the previous facility and how the remaining foundations may impact construction at this location.

LOSSAN Agency staff have also requested additional design features not originally included in the 35 percent design for Phase 1. These additional features include an inspection pit and associated canopy to improve the facility maintenance and inspection capabilities and help improve equipment utilization for the Pacific Surfliner, along with landscaping and a pedestrian trail to better align the Project with local active transportation plans based on input from the City of San Luis Obispo. These requests have expanded the scope of the overall design of the Project.

The additional site investigation and design features are not in the original budget approved by the LOSSAN Agency Board. To complete the project report and environmental document for the Project, staff requests an amendment to Agreement No. L-9-0004 to provide additional funding in the amount of \$228,069.

Procurement Approach

The procurement was handled in accordance with LOSSAN Agency's Board-approved procedures for architectural and engineering services which conform to both state and federal laws. On January 30, 2019, the Board approved an agreement with HDR, in the amount of \$2,005,588. This agreement has been previously amended as shown in Attachment A.

Staff requested a cost proposal from HDR for the level of effort required for the additional site investigation and design features. The cost proposal was reviewed by LOSSAN project staff and found to be fair and reasonable for the tasks to be performed.

Proposed Amendment No. 2 to Agreement No. L-9-0004, in the amount of \$228,069, is to provide additional funding for the requested services. Amendment No. 2 will bring the total contract value to \$2,233,657.

Amendment to Agreement for Project Report and Environmental Documentation Services for the Central Coast Layover Facility Expansion Project **Page 3**

Fiscal Impact

Funding for this amendment is included in LOSSAN's Fiscal Year 2021-22 Budget using State Transportation Improvement Funds.

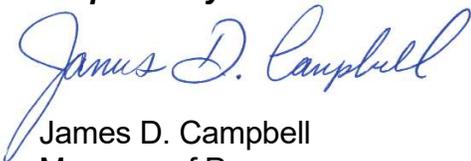
Summary

Staff is recommending the Board of Directors authorize the Managing Director to negotiate and execute Amendment No. 2 to Agreement No. L-9-0004 between the Los Angeles – San Diego – San Luis Obispo Rail Corridor Agency and HDR Engineering, Inc. in the amount of \$228,069, for additional site investigations and design features for the project report and environmental document for the Central Coast Layover Facility Expansion Project in the City of San Luis Obispo. This amendment will increase the maximum cumulative obligation of the agreement to a total contract value of \$2,233,657.

Attachment

- A. HDR Engineering, Inc., Agreement No. L-9-0004 Fact Sheet

Prepared by:



James D. Campbell
Manager of Programs
(714) 560-5390

**HDR Engineering, Inc.
Agreement No. L-9-0004 Fact Sheet**

1. January 30, 2019, Agreement No. L-9-0004, \$2,005,588, approved by the Los Angeles – San Diego – San Luis Obispo (LOSSAN) Rail Corridor Agency (Agency) Board of Directors (Board).
 - The agreement was executed on May 29, 2019 to prepare a Project Report and Environmental Documentation for the Central Coast Layover Facility in the City of San Luis Obispo to support the corridor-wide service expansion and enhancement goals for the Pacific Surfliner.
2. October 26, 2020, Amendment No. 1 to Agreement No. L-9-0004, \$0, approved by LOSSAN Agency staff.
 - To extend term of the agreement from November 30, 2020 to December 31, 2021.
3. June 21, 2021, Amendment No. 2 to Agreement No. L-9-0004, \$228,069, pending LOSSAN Board approval.
 - To expand the scope of work to include additional site investigations and design services requested by LOSSAN Agency staff to better address equipment servicing needs and integration with existing community plans.

Total committed to HDR Engineering, Inc. after approval of Amendment No. 2 to Agreement No. L-9-0004: \$2,233,657.



June 21, 2021

To: Members of the Board of Directors
From: Donna DeMartino, Managing Director
Subject: Fiscal Year 2020-21 Budget Amendment

Overview

The Los Angeles – San Diego – San Luis Obispo Rail Corridor Agency's fiscal year 2020-21 budget and the Business Plan for Fiscal Year 2020-21 and Fiscal Year 2021-22 were approved by the Board of Directors on May 18, 2020. The California State Transportation Agency approved the administrative and marketing components of the fiscal year 2020-21 budget on July 9, 2020, and the operations component on September 23, 2020. The fiscal year 2020-21 budget was amended on November 16, 2020, to include the Amtrak Federal Fiscal Year 2020-21 operating forecast and funding levels approved by the California State Transportation Agency, as well as revisions to the administrative, marketing and grant budgets. Staff is seeking Board of Director's approval to amend the fiscal year 2020-21 budget for increases in revenues and expenses related to grant programs.

Recommendations

Amend the Los Angeles – San Diego – San Luis Obispo Rail Corridor Agency's Fiscal Year 2020-21 revenue and expense grant programs by \$25 million.

Background

The development of the Los Angeles – San Diego – San Luis Obispo (LOSSAN) Rail Corridor Agency's (Agency) fiscal year (FY) 2020-21 budget and the business plan for FY 2020-21 and FY 2021-22 was significantly impacted due to the coronavirus (COVID-19) pandemic. The final business plan was scheduled to be approved at the March 18, 2020, Board of Directors (Board) meeting. However, as a result of pandemic-related restrictions the March 2020 Board meeting was canceled. In the weeks that followed, it became apparent that the annual budget request would need to be adjusted to reflect the reduction of service as well as funding constraints imposed by the State. Staff began working with Amtrak to develop revised operating revenue and expense estimates as well as coordinated with Amtrak, the State, and the two other California State-supported routes on cost savings measures. A timeline of fiscal year 2020-21 budget activity is highlighted on the next page.

On May 18, 2020, the Board approved the May 1, 2020, submittal of the LOSSAN Agency FY 2020-21 budget and the FY's 2020-21 and 2021-22 Business Plan and directed staff to return in September 2020 with an updated budget request once revised cost estimates were received by Amtrak.

On July 10, 2020, the California State Transportation Agency (CalSTA) provided early approval of the administrative, marketing, and minor capital programs elements of the FY 2020-21 budget.

On September 21, 2020, the Board directed staff to return in November 2020 with a revised operating budget consistent with the revenue and expense estimates provided by Amtrak.

On September 23, 2020, CalSTA provided approval for the estimated funding necessary to cover the first four months of federal FY (FFY) Amtrak operating net expenses (October 2020 through January 2021). This short-term funding approval was provided with the understanding that the State and the LOSSAN Agency will closely monitor expenses and revenues and coordinate on additional funding requests as the FY progresses.

On November 16, 2020, the Board approved an amendment to the FY 2020-21 revenue and expense budget to reflect the revised Amtrak operating revenue and expense budget and State-approved operating funding levels, as well as revised administrative, marketing, and grants budgets.

Discussion

The LOSSAN Agency's FY 2020-21 amended operating budget includes \$17,120,000 for net Amtrak operating costs. This amount reflects reduced levels of service and assumes Amtrak will continue to apply federal funding credits through the Coronavirus Response and Relief Supplemental Appropriations Act of 2021 and the American Rescue Plan Act of 2021 through the first quarter of FFY 2021-22. The FY 2020-21 amended budget includes \$6,363,017 for administrative services, \$1,240,390 for marketing services, and \$43,479,057 for various grant programs.

Grant Programs Budget

A budget amendment for FY 2020-21 is necessary for the grant programs due to the acceleration of capital projects along the northern end of the corridor. It is important to note that this is not an increase to the project budgets, only a change in the timing of the project cash flows. No budget amendment is necessary for the operations, administration, or marketing components of the budget.

The FY 2020-21 current grant programs working (amended) budget is \$43,479,057. The proposed amendment to both revenues and expenses includes an increase of \$25,000,000, from \$43,479,057 to \$68,479,057 to support an accelerated implementation schedule by Union Pacific Railroad (UPRR) to design and construct capital improvement projects on the northern end of the corridor. UPRR anticipates many of these projects to be completed 18-24 months earlier than previously expected. These improvements are necessary to implement two additional roundtrips north of Los Angeles. The projects are included in an agreement between the LOSSAN Agency and UPRR, which was authorized by the Board on February 18, 2020. UPRR has accelerated the work on several of the projects through the remainder of FY 2020-21, including the Replacement of Pre-1949 Rail, Replacement Ties, the Los Alamos Creek Bridge (Narlon) replacement, Upgrade of Non-Powered Switches, and the Installation of Centralized Traffic Control (Goleta to San Luis Obispo). Staff has coordinated with UPRR on the additional work anticipated to be completed on these projects through the remainder of FY 2020-21, which is currently estimated to be \$25,000,000. These projects are fully funded by 2016 and 2018 Transit and Intercity Rail Capital Program grant funding.

A summary of the proposed FY 2020-21 budget amendment is presented in the table below. A more detailed summary of the proposed FY 2020-21 budget amendment is presented in Attachment A.

Revenues	Fiscal Year (FY) 2020-21 Adopted Budget'	November 16, 2021 Budget Amendment	June 21, 2021 Proposed Budget Amendment	FY 2020-21 Working Budget
Total Revenues Available for Amtrak Operating Expenses	\$ 50,567,505	\$ (33,447,505)	\$ -	\$ 17,120,000
Total State Minor Projects Revenues	\$ 500,000	\$ (500,000)	\$ -	\$ -
Total State and Grant Administration and Marketing Funding	\$ 10,071,172	\$ (2,467,765)	\$ -	\$ 7,603,407
Total Grant Programs Revenues	\$ 19,682,000	\$ 23,797,057	\$ 25,000,000	\$ 68,479,057
Total Revenue Budget	\$ 80,820,677	\$ (12,618,213)	\$ 25,000,000	\$ 93,202,464

Expenses	Fiscal Year (FY) 2020-21 Adopted Budget'	November 16, 2021 Budget Amendment	June 21, 2021 Proposed Budget Amendment	FY 2020-21 Working Budget
Net Amtrak Operating Expenses	\$ 50,567,505	\$ (33,447,505)	\$ -	\$ 17,120,000
Total Minor Projects Expenses	\$ 500,000	\$ (500,000)	\$ -	\$ -
Total State Administration and Marketing Expenses	\$ 10,071,172	\$ (2,467,765)	\$ -	\$ 7,603,407
Total Grant Programs Expenses	\$ 19,682,000	\$ 23,797,057	\$ 25,000,000	\$ 68,479,057
Total Expense Budget	\$ 80,820,677	\$ (12,618,213)	\$ 25,000,000	\$ 93,202,464

Summary

The proposed Fiscal Year 2020-21 proposed budget amendment increases the Los Angeles – San Diego – San Luis Obispo Rail Corridor Agency Fiscal Year 2020-21 grant programs revenue and expense budget by \$25,000,000.

Attachment

- A. Fiscal Year 2020-21 Proposed Budget Amendment, Revenues and Expense Detail

Prepared by:

A handwritten signature in black ink, appearing to read 'J. Jewell', is written over a light gray rectangular background.

Jason Jewell
Finance and Administration Manager
(714) 560-5688

**Fiscal Year 2020-21 Proposed Budget Amendment
Revenues and Expense Detail**

Revenues	Fiscal Year (FY) 2020-21 Adopted Budget¹	November 16, 2021 Budget Amendment	June 21, 2021 Proposed Budget Amendment	FY 2020-21 Working Budget
State Funding for Net Amtrak Operating Expenses	\$ 49,210,230	\$ (39,251,191)	\$ -	\$ 9,959,039
Use of Prior Year Operating Funds ²	\$ -	\$ 3,719,426	\$ -	\$ 3,719,426
Use of Fiscal Year 2020 Operating Reserve	\$ -	\$ 3,341,535	\$ -	\$ 3,341,535
Transit Connectivity and Integration	\$ 180,000	\$ (180,000)	\$ -	\$ -
Net State Operating Subsidy Revenues Subtotal	\$ 49,390,230	\$ (32,370,230)	\$ -	\$ 17,020,000
Reimbursement From Other Agencies	\$ 1,177,275	\$ (1,152,275)	\$ -	\$ 25,000
Interest Revenue	\$ -	\$ 75,000	\$ -	\$ 75,000
Total Revenues Available for Amtrak Operating Expenses	\$ 50,567,505	\$ (33,447,505)	\$ -	\$ 17,120,000
State Funding for Minor Projects	\$ 500,000	\$ (500,000)	\$ -	\$ -
Total State Minor Projects Revenues	\$ 500,000	\$ (500,000)	\$ -	\$ -
State Administrative Funding	\$ 6,830,782	\$ (863,327)	\$ -	\$ 5,967,455
Grant Programs - Reimbursement for Administrative Costs ³	\$ -	\$ 395,562	\$ -	\$ 395,562
State Marketing Funding	\$ 3,240,390	\$ (2,000,000)	\$ -	\$ 1,240,390
Total State and Grant Administration and Marketing Funding	\$ 10,071,172	\$ (2,467,765)	\$ -	\$ 7,603,407
State Other - Transit & Intercity Rail Capital Program Grants (TIRCP) ⁴	\$ 13,582,000	\$ 7,568,000	\$ 25,000,000	\$ 46,150,000
State Other - California Transit Security Grant Program (CTSG) ⁵	\$ -	\$ 3,000,000	\$ -	\$ 3,000,000
State Rail Assistance (SRA) ⁶	\$ 5,100,000	\$ (3,994,980)	\$ -	\$ 1,105,020
State Other - Goods Movement Emission Reduction Program (Prop 1B) ⁷	\$ -	\$ 17,126,000	\$ -	\$ 17,126,000
State Transportation Improvement Program Revenue (STIP) ⁸	\$ 1,000,000	\$ 98,037	\$ -	\$ 1,098,037
Total Grant Programs Revenues	\$ 19,682,000	\$ 23,797,057	\$ 25,000,000	\$ 68,479,057
Total Revenue Budget	\$ 80,820,677	\$ (12,618,213)	\$ 25,000,000	\$ 93,202,464
Expenses				
	Fiscal Year (FY) 2020-21 Adopted Budget¹	November 16, 2021 Budget Amendment	June 21, 2021 Proposed Budget Amendment	FY 2020-21 Working Budget
Net Amtrak Operating Expenses	\$ 50,387,505	\$ (33,387,505)	\$ -	\$ 17,000,000
Transit Connectivity and Integration	\$ 180,000	\$ (60,000)	\$ -	\$ 120,000
Net Amtrak Operating Expenses	\$ 50,567,505	\$ (33,447,505)	\$ -	\$ 17,120,000
Minor Projects Expense	\$ 500,000	\$ (500,000)	\$ -	\$ -
Total Minor Projects Expenses	\$ 500,000	\$ (500,000)	\$ -	\$ -
Administrative Expenses	\$ 6,830,782	\$ (467,765)	\$ -	\$ 6,363,017
Marketing Expense	\$ 3,240,390	\$ (2,000,000)	\$ -	\$ 1,240,390
Total State Administration and Marketing Expenses	\$ 10,071,172	\$ (2,467,765)	\$ -	\$ 7,603,407
Grant Programs - Transit & Intercity Rail Capital Program (TIRCP) ⁴	\$ 13,582,000	\$ 7,568,000	\$ 25,000,000	\$ 46,150,000
Grant Programs - California Transit Security Grant Program (CTSG) ⁵	\$ -	\$ 3,000,000	\$ -	\$ 3,000,000
Grant Programs - State Rail Assistance Projects - Services (SRA) ⁶	\$ 5,100,000	\$ (3,994,980)	\$ -	\$ 1,105,020
Grant Programs - Goods Movement Emission Reduction Program (Prop 1B) ⁷	\$ -	\$ 17,126,000	\$ -	\$ 17,126,000
Grant Programs - State Transportation Improvement Program Projects (STIP) ⁸	\$ 1,000,000	\$ 98,037	\$ -	\$ 1,098,037
Total Grant Programs Expenses	\$ 19,682,000	\$ 23,797,057	\$ 25,000,000	\$ 68,479,057
Total Expense Budget	\$ 80,820,677	\$ (12,618,213)	\$ 25,000,000	\$ 93,202,464

¹Fiscal Year 2020-21 covers July 1, 2020 through June 30, 2021.

²Includes as needed emergency bus bridges not to exceed maximum of \$120,000.

³Reimbursement for Administrative costs includes grant funding of \$57,750 for the San Diego Layover Facility (TIRCP), \$13,824 for the Goleta Layover Facility (TIRCP), and \$323,988 for the Central Coast Layover Facility (STIP).



June 21, 2021

To: Members of the Board of Directors
Donna DeMartino
From: Donna DeMartino, Managing Director
Subject: Fiscal Year 2021-22 Budget Amendment and Fiscal Years 2021-22 and 2022-23 Business Plan Amendment

Overview

The Los Angeles – San Diego – San Luis Obispo Rail Corridor Agency’s annual business plan submittal for fiscal year 2021-22 and 2022-23 was approved by the Board of Directors on March 15, 2021. Included in the approval was the draft budget request for fiscal year 2021-22. The business plan was submitted to the Secretary of the California State Transportation Agency on April 1, 2021, as required. To incorporate revised federal fiscal year 2021-22 revenue and expense estimates, the California State Transportation Agency allows for a revised budget and resubmittal of the business plan by June 30, 2021, for final approval.

Recommendations

- A. Amend the Los Angeles – San Diego – San Luis Obispo Rail Corridor Agency’s Fiscal Year 2021-22 revenue and expense budget to reflect revised revenue and expenses in operating, administration, and grants programs.
- B. Amend Chapter 11 of the Los Angeles – San Diego – San Luis Obispo Rail Corridor Agency’s business plan for fiscal years 2021-22 and 2022-23 to reflect the revised budget.
- C. Direct staff to submit the Los Angeles – San Diego – San Luis Obispo Rail Corridor Agency revised business plan for fiscal years 2021-22 and 2022-23 to the Secretary of the California State Transportation Agency for approval.
- D. Authorize the Managing Director to execute all Master Fund Transfer Agreement annual supplements for funds approved in the budget and revised business plan, as necessary.

Background

On March 15, 2021, the Los Angeles – San Diego – San Luis Obispo (LOSSAN) Rail Corridor Agency (Agency) Board of Directors (Board) approved the LOSSAN Agency’s annual business plan for fiscal year (FY) 2021-22 and FY 2022-23 including the LOSSAN Agency FY 2021-22 budget. Included in the budget is funding for administrative and marketing services in the amount of \$8,215,547, as well as \$30,807,380, for net train operations (including cost sharing revenue for retimed trains and transit connectivity programs), and \$500,000 for minor projects. The adopted budget also includes revenues and expenses related to grant programs in the amount of \$74,022,000. The adopted budget for Amtrak operations was based on preliminary cost estimates available at the time of adoption and consistent with Board approved budget assumptions.

Discussion

The LOSSAN Agency’s FY 2021-22 adopted operating budget includes \$31,699,200 for net Amtrak operating costs. This amount reflects an estimated \$98,899,200 in total Amtrak operating expenses, less \$67,200,000 in estimated total revenue. The budget also includes a revenue contribution assumption of \$941,820 from the Santa Barbara County Association of Governments pending the re-introduction of peak-period service into Santa Barbara and Goleta. Additional expenses and revenues for \$500,000 are included for minor capital projects, consistent with prior year approved amounts.

The FY 2021-22 adopted budget includes \$6,615,547 for administrative services and \$1,600,000 for marketing services. Additionally, the budget includes \$74,022,000 for various grant programs.

Net Amtrak Operating Budget

The total proposed amendment reflects an increase in net Amtrak operating expenses and State funding for net Amtrak operating expenses of \$4,700,800. This includes a reduction of operating costs of \$6,899,200 offset by a reduction of operating revenue of \$20,100,000. The net Amtrak operating expense increase also assumes that Amtrak will have remaining American Rescue Plan Act federal funds to credit to the Pacific Surfliner through November 2021. No additional federal funding relief is assumed at this time for the remainder of FY 2021-22.

The adopted budget was based on preliminary estimates available at the time and assumed 80 percent of pre-pandemic operating service levels. The revised operating estimate assumes a more conservative return of ridership and revenue at 55 percent of the prior year. The expenses assume service change increases to add three additional roundtrips between San Diego and Los Angeles. Staff has been coordinating with Amtrak, the California Department of Transportation (Caltrans),

Division of Rail and Mass Transportation (DRMT), and the two other California Joint Powers Authority partners on service restoration planning and revenue and expense forecasting. Future service modifications, including the capacity for additional service, are currently being reviewed for feasibility, equipment availability, and funding. Additionally, the Amtrak FY 2021-22 expense and revenue forecast, which is typically provided on March 31st of every year, is anticipated to be received in mid-June 2021. Once received, staff plans on thoroughly reviewing the forecast and will continue to coordinate with Amtrak and Caltrans DRMT on future service restoration. Staff will bring back to the Board any budget adjustments as necessary for FY 2021-22 as new information becomes available.

No modifications are proposed for the FY 2022-23 budget. The FY 2022-23 budget will be brought to the Board for annual approval as part of the FY 2022-23 and FY 2023-24 Annual Business Plan.

Administrative Funds

The proposed FY 2021-22 budget amendment for administrative expenses is an increase of \$413,860. The adopted budget assumed no administrative employee performance-based salary increases, consistent with prior year budget assumptions; however, the managing agency, the Orange County Transportation Authority (OCTA), is currently including employee performance-based salary increases as part of OCTA's FY 2021-22 Budget. The LOSSAN Agency will use grant funding reimbursements to offset direct administrative costs and other administrative costs associated with grant related projects. Grant funding reimbursements that reduce the use of administrative funds will be reconciled on a bi-annual basis and will reduce the next scheduled administrative funds payment to the LOSSAN Agency.

Grant Programs

The proposed FY 2020-21 budget amendment for grant programs revenues and expenses includes an increase of \$7,844,000 associated with Transit and Intercity Rail Capital Program (TIRCP) and Proposition 1B grant programs (Prop 1B). The increase in TIRCP is \$4,744,000 and is for the completion of the timetable and corridor-wide network integration and strategic investment planning projects, and host railroad access fees to support increased frequencies on the northern end of the corridor. The increase in Prop 1B of \$3,100,000 is primarily to fund station security and safety projects.

A summary of the proposed FY 2021-22 budget amendment is presented in Attachment A, and a summary of the overall proposed FY 2021-22 and FY 2022-23 Business Plan amendment and funding request from the State is presented in Attachment B.

Summary

The proposed Fiscal Year 2021-22 budget amendment increases the Los Angeles – San Diego – San Luis Obispo Rail Corridor Agency Fiscal Year 2021-22 net operating revenue and expense budget by \$4,700,800. The proposed amendment increases administration revenues and expenses by \$413,860 and increases net grant revenues and expenses by \$7,844,000. Upon Board approval, LOSSAN Staff will submit an updated Fiscal Year 2021-22 and Fiscal Year 2022-23 Business Plan to the California State Transportation Agency.

Attachments

- A. Fiscal Year 2020-21 Proposed Budget Amendment, Revenues and Expense Detail
- B. Fiscal Year 2021-22 and Fiscal Year 2022-23 Proposed Business Plan Amendment

Prepared by:



Jason Jewell
Finance and Administration Manager
(714) 560-5688

**Fiscal Year 2020-21 Proposed Budget Amendment
Revenues and Expense Detail**

Revenues	Fiscal Year (FY) 2021-22 Adopted Budget (3/15/21)¹	FY 2021-22 Proposed Budget Amendment	FY 2021-22 Final Budget
State Funding for Net Amtrak Operating Expenses Transit Connectivity and Integration ²	\$ 29,815,560 \$ 50,000	\$ 4,700,800 \$ -	\$ 34,516,360 \$ 50,000
Net State Operating Subsidy Revenues Subtotal	\$ 29,865,560	\$ 4,700,800	\$ 34,566,360
Reimbursement From Other Agencies Interest Revenue	\$ 941,820 \$ -	\$ - \$ -	\$ 941,820 \$ -
Total Revenues Available for Amtrak Operating Expenses	\$ 30,807,380	\$ 4,700,800	\$ 35,508,180
State Funding for Minor Projects	\$ 500,000	\$ -	\$ 500,000
Total State Minor Projects Revenues	\$ 500,000	\$ -	\$ 500,000
State Administrative Funding State Marketing Funding	\$ 6,615,547 \$ 1,600,000	\$ 413,860 \$ -	\$ 7,029,407 \$ 1,600,000
Total State and Grant Administration and Marketing Funding	\$ 8,215,547	\$ 413,860	\$ 8,629,407
State Other - Transit & Intercity Rail Capital Program Grants (TIRCP) ³ State Rail Assistance (SRA) ⁴ State Other - Proposition 1B ⁵ State Transportation Improvement Program Revenue (STIP) ⁶	\$ 46,744,000 \$ 5,858,000 \$ 19,720,000 \$ 1,700,000	\$ 4,744,000 \$ - \$ 3,100,000 \$ -	\$ 51,488,000 \$ 5,858,000 \$ 22,820,000 \$ 1,700,000
Total Grant Programs Revenues	\$ 74,022,000	\$ 7,844,000	\$ 81,866,000
Total Revenue Budget	\$ 113,544,927	\$ 12,958,660	\$ 126,503,587
Expenses	Fiscal Year (FY) 2020-21 Adopted Budget¹	June 21, 2021 Proposed Budget Amendment	FY 2020-21 Working Budget
Net Amtrak Operating Expenses Transit Connectivity and Integration ²	\$ 30,757,380 \$ 50,000	\$ 4,700,800 \$ -	\$ 35,458,180 \$ 50,000
Net Amtrak Operating Expenses	\$ 30,807,380	\$ 4,700,800	\$ 35,508,180
Minor Projects Expense	\$ 500,000	\$ -	\$ 500,000
Total Minor Projects Expenses	\$ 500,000	\$ -	\$ 500,000
Administrative Expenses Marketing Expense	\$ 6,615,547 \$ 1,600,000	\$ 413,860 \$ -	\$ 7,029,407 \$ 1,600,000
Total State Administration and Marketing Expenses	\$ 8,215,547	\$ 413,860	\$ 8,629,407
State Other - Transit & Intercity Rail Capital Program Grants (TIRCP) ³ State Rail Assistance (SRA) ⁴ State Other - Proposition 1B ⁵ State Transportation Improvement Program Revenue (STIP) ⁶	\$ 46,744,000 \$ 5,858,000 \$ 19,720,000 \$ 1,700,000	\$ 4,744,000 \$ - \$ 3,100,000 \$ -	\$ 51,488,000 \$ 5,858,000 \$ 22,820,000 \$ 1,700,000
Total Grant Programs Expenses	\$ 74,022,000	\$ 7,844,000	\$ 81,866,000
Total Expense Budget	\$ 113,544,927	\$ 12,958,660	\$ 126,503,587

¹Fiscal Year 2020-21 covers July 1, 2021 through June 30, 2022.

² Includes as needed emergency bus bridges not to exceed maximum of \$50,000.

Fiscal Year 2021-22 and Fiscal Year 2022-23 Proposed Business Plan Amendment

	Fiscal Year (FY) 2021-22 ¹			FY 2022-23		
	Fiscal Year (FY) 2021-22 Adopted Budget (3/15/21)	FY 2021-22 Proposed Amendment	FY 2021-22 Final Budget	FY 2022-23 Proposed Budget (3/15/21)	FY 2022-23 Proposed Amendment	FY 2022-23 Final Budget
Operating						
Amtrak Operating Costs	\$ 98,899,200	\$ (6,499,200)	\$ 92,400,000	\$ 98,899,200	\$ -	\$ 98,899,200
Amtrak Operating Revenue	\$ (67,200,000)	\$ 20,200,000	\$ (47,000,000)	\$ (67,200,000)	\$ -	\$ (67,200,000)
Less Amtrak Federal Funding	\$ -	\$ (9,000,000)	\$ (9,000,000)	\$ -	\$ -	\$ -
Net Amtrak Operating Costs (Expenses Less Revenues)	\$ 31,699,200	\$ 4,700,800	\$ 36,400,000	\$ 31,699,200	\$ -	\$ 31,699,200
Cost Sharing Revenue (retimed trains)	\$ (941,820)	\$ -	\$ (941,820)	\$ (1,177,275)	\$ -	\$ (1,177,275)
Transit Connectivity and Integration	\$ 50,000	\$ -	\$ 50,000	\$ 50,000	\$ -	\$ 50,000
Net Amtrak Operating Funds Request	\$ 30,807,380	\$ 4,700,800	\$ 35,508,180	\$ 30,571,925	\$ -	\$ 30,571,925
Administrative and Marketing						
Administration	\$ 6,615,547	\$ 413,860	\$ 7,029,407	\$ 7,008,574	\$ -	\$ 7,008,574
Marketing	\$ 1,600,000	\$ -	\$ 1,600,000	\$ 2,000,000	\$ -	\$ 2,000,000
Net Administrative and Marketing Funds Request	\$ 8,215,547	\$ 413,860	\$ 8,629,407	\$ 9,008,574	\$ -	\$ 9,008,574
Total Operating, Administration and Marketing Funds Request	\$ 39,022,927	\$ 5,114,660	\$ 44,137,587	\$ 40,080,499	\$ -	\$ 40,080,499
Supplemental Allocations						
Minor Projects Funding Request	\$ 500,000	\$ -	\$ 500,000	\$ 500,000	\$ -	\$ 500,000

¹Fiscal Year 2021-22 covers July 1, 2021 through June 30, 2022.



June 21, 2021

To: Members of the Board of Directors

From: Donna DeMartino, Managing Director *Donna DeMartino*

Subject: Authorization to Execute Amendment to Administrative Support Agreement with Orange County Transportation Authority

Overview

The Los Angeles – San Diego – San Luis Obispo Rail Corridor Agency entered into an administrative support agreement with the Orange County Transportation Authority on November 21, 2013, to provide administrative services and daily management of the State supported Pacific Surfliner intercity passenger rail service operating in the Los Angeles – San Diego – San Luis Obispo rail corridor. The initial agreement expired on June 30, 2018, and was renegotiated for a new three-year term beginning July 1, 2018 through June 30, 2021, with two, three-year option terms. Staff is seeking authorization from the Board of Directors for the Managing Director to amend the administrative support agreement to exercise the first three-year option term through June 30, 2024.

Recommendation

Authorize the Managing Director to negotiate and amend the administrative support agreement to exercise the first three-year option term with the Orange County Transportation Authority, from July 1, 2021 through June 30, 2024.

Background

Senate Bill (SB) 1225, signed into law in September 2012, authorized the Los Angeles – San Diego – San Luis Obispo (LOSSAN) Rail Corridor Agency (Agency) to assume administrative responsibility for the state-supported Pacific Surfliner intercity passenger rail service. After a competitive process, the Orange County Transportation Authority (OCTA) was selected to serve as the Managing Agency. On November 21, 2013, the LOSSAN Agency entered into an administrative support agreement (ASA) with OCTA to provide administrative services and daily management of the State-supported Pacific Surfliner intercity passenger rail service. The ASA spanned the Start-Up and Initial terms and expired on June 30, 2018. On June 18, 2018, the LOSSAN Board of Directors (Board) authorized the Managing Director to execute an

updated administrative support agreement with the Orange County Transportation Authority for a term of three years with two, three-year option terms. An amendment is necessary to exercise the first option term to allow OCTA to continue to provide administrative support as the LOSSAN Managing Agency.

Discussion

OCTA has served as the LOSSAN Managing Agency since November 2013, providing dedicated staff to the LOSSAN Agency as well as administrative support services. In this capacity, the LOSSAN Agency has achieved or advanced a number of key goals and initiatives, including:

- Successfully negotiating and executing the first interagency transfer agreement (ITA) with the California Department of Transportation and the first amended ITA
- Ensuring year over year increases in Pacific Surfliner ridership, revenue and farebox recovery, prior to the Coronavirus (COVID-19) pandemic
- Negotiating favorable operating agreements with Amtrak for the provision of the Pacific Surfliner intercity passenger rail service and connecting Thruway bus service
- Developing and managing a balanced annual administrative and operating budget
- Developing and obtaining approval for annual business plans
- Increasing service with the implementation of the 12th roundtrip between Los Angeles and San Diego
- Implementing key improvements to the passenger experience and marketing programs
- Developing first- and last-mile connectivity options
- Successfully navigating and managing the service through the COVID-19 pandemic
- Successfully pursuing over \$379 million in grant funds

In coordination and agreement with OCTA, LOSSAN Agency staff has refined language in the scope of work to better reflect the actual duties that are being performed on a day-to-day basis to support the LOSSAN Agency. The ASA assumes that the LOSSAN Agency's administrative, marketing, and operating budgets will continue to be fully funded by the State of California with no financial commitment from the LOSSAN member agencies. Insurance and indemnification assumptions for the ASA will remain unchanged.

Summary

The current administrative support agreement between the Orange County Transportation Authority and the Los Angeles – San Diego – San Luis Obispo Rail Corridor Agency expires on June 30, 2021. LOSSAN Agency staff is seeking authorization from the Board of Directors for the Managing Director to exercise the first three-year option term of the administrative support agreement with the Orange County Transportation Authority to allow for the continuance of managing agency services.

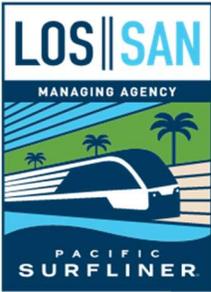
Attachment

None.

Prepared by:



Jason Jewell
Finance and Administration Manager
(714) 560-5688



June 21, 2021

To: Members of the Board of Directors

From: Donna DeMartino, Managing Director *Donna DeMartino*

Subject: Continuation of the Interagency Transfer Agreement with the California Department of Transportation for Administration of the Pacific Surfliner Intercity Passenger Rail Service

Overview

The interagency transfer agreement between the Los Angeles – San Diego – San Luis Obispo Rail Corridor Agency and the California Department of Transportation Division of Rail and Mass Transportation that enables the local administration and management of the state-supported Pacific Surfliner intercity passenger rail service expires on June 30, 2021. The agreement allows for two four-year options for renewal. Both the Los Angeles – San Diego – San Luis Obispo Rail Corridor Agency and the California Department of Transportation Division of Rail and Mass Transportation seek to exercise the first option term.

Recommendation

Authorize the Managing Director to negotiate and execute the first option term of the interagency transfer agreement between the California Department of Transportation Division of Rail and Mass Transportation and the Los Angeles – San Diego – San Luis Obispo Rail Corridor Agency to allow continued local administrative oversight and management for the state-supported Pacific Surfliner intercity passenger rail service for a four-year term beginning July 1, 2021.

Background

Senate Bill (SB) 1225, signed into law in September 2012, authorized the Los Angeles – San Diego – San Luis Obispo (LOSSAN) Rail Corridor Agency (Agency) to assume administrative oversight and management responsibility for the state-supported Pacific Surfliner intercity passenger rail service. On June 29, 2015, the LOSSAN Agency entered into the initial interagency transfer agreement (ITA) with the State of California (State) to formally transfer administrative and management responsibilities to the LOSSAN Agency. The initial ITA was amended on June 30, 2018, to allow the LOSSAN Agency to continue to administer and manage the State-supported

Pacific Surfliner intercity passenger rail service for a period of three years, with two four-year option terms. The first amended ITA will expire on June 30, 2021. Both the LOSSAN Agency and the State wish to exercise the first option term to allow for the LOSSAN Agency to continue administrative and management responsibilities of the Pacific Surfliner intercity passenger rail service.

Discussion

Recognizing the significant benefits achieved through local administration and management of the State-supported Pacific Surfliner intercity passenger rail service, the State and the LOSSAN Agency desire to continue the respective roles identified in the interagency transfer agreement. The LOSSAN Agency and the State have coordinated a thorough review of the agreement and have identified and agreed to several changes that further define cost savings from interest earnings and allow for the State to provide the LOSSAN Agency with greater flexibility for the use of surplus operating funds.

In addition, the LOSSAN Agency and the State have identified several other areas within the agreement that will require further updates. These areas have been discussed between the parties and include updates to the definitions, the uniform performance metrics, and the responsibilities for facility related projects. The LOSSAN Agency and the State have committed to discussing and fully resolving these items by December 31, 2021. Any proposed amendment to the agreement will be brought back to the Board of Directors, as necessary.

Summary

The Los Angeles – San Diego – San Luis Obispo Rail Corridor Agency is providing effective and efficient management of the state-supported Pacific Surfliner intercity passenger rail service through the interagency transfer agreement. Both the Los Angeles – San Diego – San Luis Obispo Rail Corridor Agency and the State of California Department of Transportation wish to continue the agreement. Staff is seeking approval from the Board of Directors to negotiate and execute the first option term of the interagency transfer agreement.

Attachment

None.

Prepared by:



Jason Jewell
Finance and Administration Manager
(714) 560-5688



Pacific Surfliner Equipment Update

Board of Directors | June 21, 2021



Pacific Surfliner Equipment

- The Pacific Surfliner service has been utilizing bi-level cars since 2000
- 39 custom Surfliner cars were purchased new by Amtrak and 10 cars by Caltrans between 1998-2001 for specific use on the Pacific Surfliner service
- Over the years, as ridership grew, additional cars were needed to lengthen trainsets and add more service
- The additional cars were leased from Amtrak's long-distance bi-level Superliner fleet

Pacific Surfliner Equipment

In February 2020, the Pacific Surfliner fleet consisted of:

- 10 Caltrans-owned bi-level Surfliner cars (Cal II)
- 39 Amtrak-owned bi-level Surfliner cars (Cal II)
- 20 Amtrak-owned bi-level Superliner cars
- 17 Amtrak-owned single-level Amfleet / Horizon cars



Bi-Level Surfliner Cars



Bi-Level Superliner Cars



Single-Level Horizon Cars

Pacific Surfliner Equipment

The fleet also included two different locomotive types:

- General Electric (GE) P-40 & P-42 Genesis Tier 0 Locomotives (Amtrak-owned)
- Siemens SC-44 Charger Tier 4 Locomotives (Caltrans-owned)



Pacific Surfliner Equipment Reduction

March 2020 - ridership dropped significantly due to the COVID-19 pandemic.

Level of service was reduced 50-percent

Fleet size was reduced 29-percent

October 2019 - March 2020	March 2020 – May 2021
14 - SC-44 Charger Locomotives	14 - SC-44 Charger Locomotives
4* - GE P-40 / P-42 Genesis Locomotives	0 - GE P-40 / P-42 Genesis Locomotives
16 - Superliner Coach	9 - Superliner Coach
4 - Superliner Coach / Baggage	0 - Superliner Coach / Baggage
16 - Horizon	0 - Horizon
1 - Amfleet	0 - Amfleet
11 - Surfliner Coach / Baggage	11 - Surfliner Coach / Baggage
18 - Surfliner Coach	21 - Surfliner Coach
10 - Surfliner Café	10 - Surfliner Café
10 - Surfliner Business Class	10 - Surfliner Business Class
18 Locomotives 86 Cars	14 Locomotives 61 Cars

Pacific Surfliner Equipment Maintenance

Equipment costs are broken down into two primary agreements:

- Equipment Capital Agreement (Caltrans responsibility)
 - *Annual leases*
 - *FRA required 4-Year inspections and servicing*
- Operating Agreement (LOSSAN responsibility)
 - *Daily and annual inspections and preventative or defective maintenance*

Additional agreements or amendments can also be executed with Amtrak by LOSSAN or Caltrans for special projects such as business class refreshes, center aisle carpet, etc.

Pacific Surfliner Equipment Maintenance

Equipment Capital Agreement

- Contract between **Caltrans** and Amtrak
- Includes annual leases for Amtrak-owned equipment
- 4-Year inspection and servicing at Beech Grove, Indiana
- Over the past four years, the equipment capital agreement has averaged \$8.5 million / year

	FY 2016-17	FY 2017-18	FY 2018-19	FY 2019-20
Annual Costs	\$10,348,688	\$9,909,945	\$6,649,598	\$6,965,358
Avg. Monthly Cost	\$862,391	\$825,829	\$554,133	\$580,447

Pacific Surfliner Equipment Reduction

Amtrak 4-Year Servicing is not an overhaul

Amtrak 4-Year Servicing



Average Cost / Car: \$435K

True Overhaul



Average Cost / Car: \$625K

Pacific Surfliner Equipment Maintenance

Preventative Maintenance and Inspections

- Funded through the annual operating agreement between the **LOSSAN Agency** and Amtrak
- Includes the daily, 92-day, 180-day, and 1-year servicing
- Over the past four years, the maintenance cost has averaged about \$9.9 million per year

	FY 2016-17	FY 2017-18	FY 2018-19	FY 2019-20
Annual Costs	\$8,396,089	\$9,310,935	\$11,030,552	\$10,858,128
Avg. Monthly Cost	\$669,674	\$775,911	\$919,213	\$904,844

Pacific Surfliner Equipment Maintenance

Total cost for maintaining and servicing the Pacific Surfliner fleet over the past four years has averaged about \$18.4 million per year

	FY 2016-17	FY 2017-18	FY 2018-19	FY 2019-20
Annual Capital Costs	\$10,348,688	\$9,909,945	\$6,649,598	\$6,965,358
Annual Maint. Costs	\$8,396,089	\$9,310,935	\$11,030,552	\$10,858,128
Total Cost	\$18,744,777	\$19,220,880	\$17,680,150	\$17,823,486

Equipment Needs Going Forward

In partnership with the State and the JPA's, we are pursuing two paths to lower costs and meet equipment needs in the future

Path 1: Review and Refine Maintenance Practices

- Bring fleet into a State of Good Repair
- Control and lower escalating costs



Equipment Needs Going Forward

Path 2: Define Future Equipment Needs

- Insufficient equipment currently available to restore pre-COVID service
- Reviewing alternatives for acquiring additional equipment for the Pacific Surfliner
 - *Purchase and overhaul / rebuild other compatible cars*
 - *Procure new cars to replace aging Pacific Surfliner fleet*

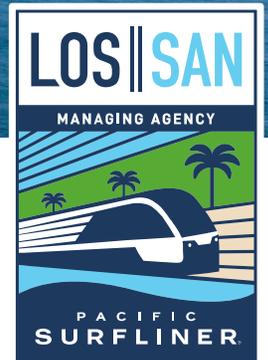


QUESTIONS?



Pacific Surfliner On-Time Performance Analysis First Quarter – Federal Fiscal Year 2020-21

Board of Directors | June 21, 2021

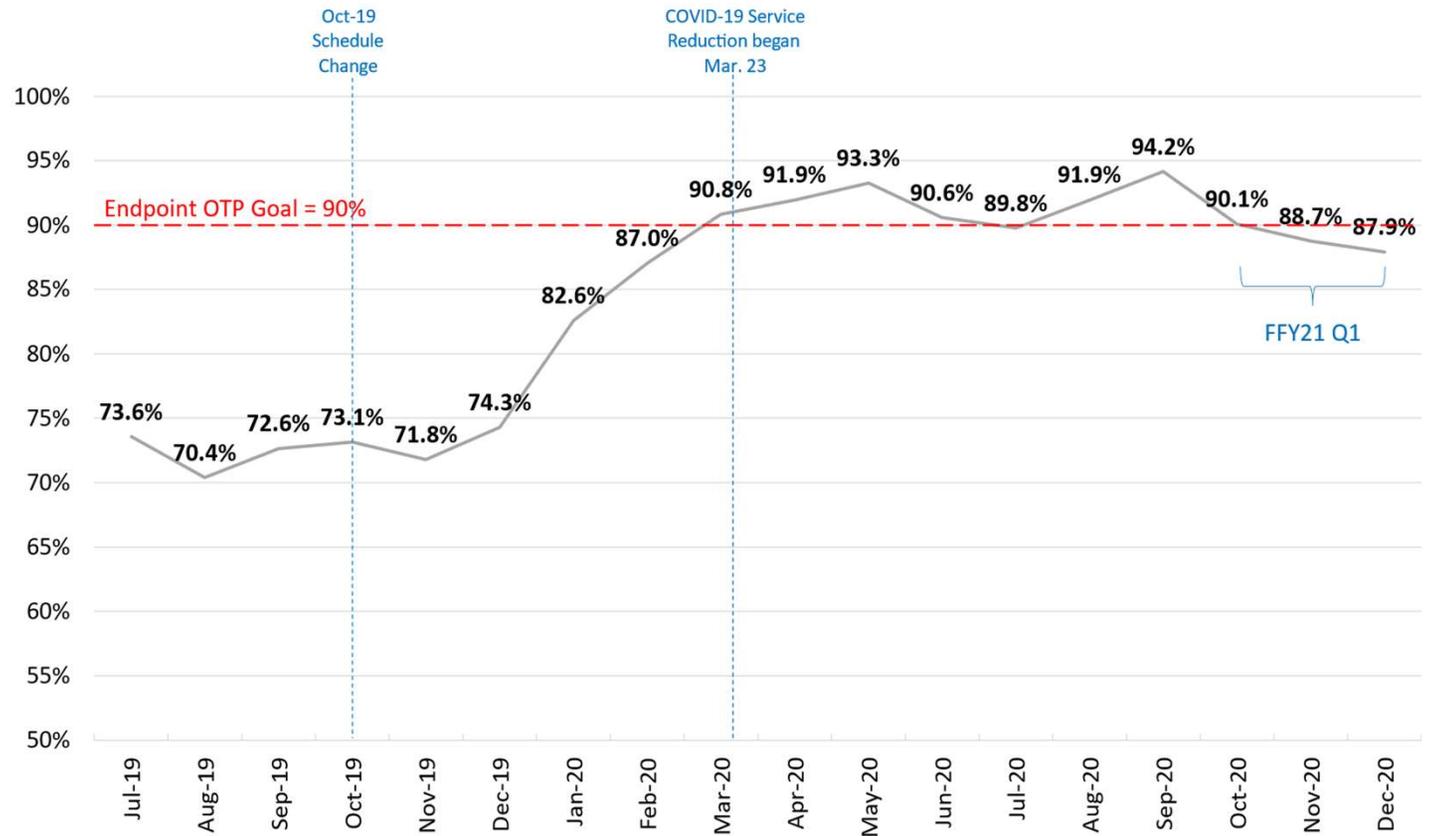


Monthly Average Customer OTP



OTP: On-Time Performance
FFY: Federal Fiscal Year

Monthly Average Endpoint OTP



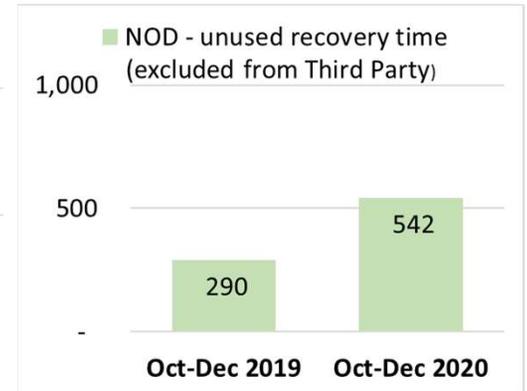
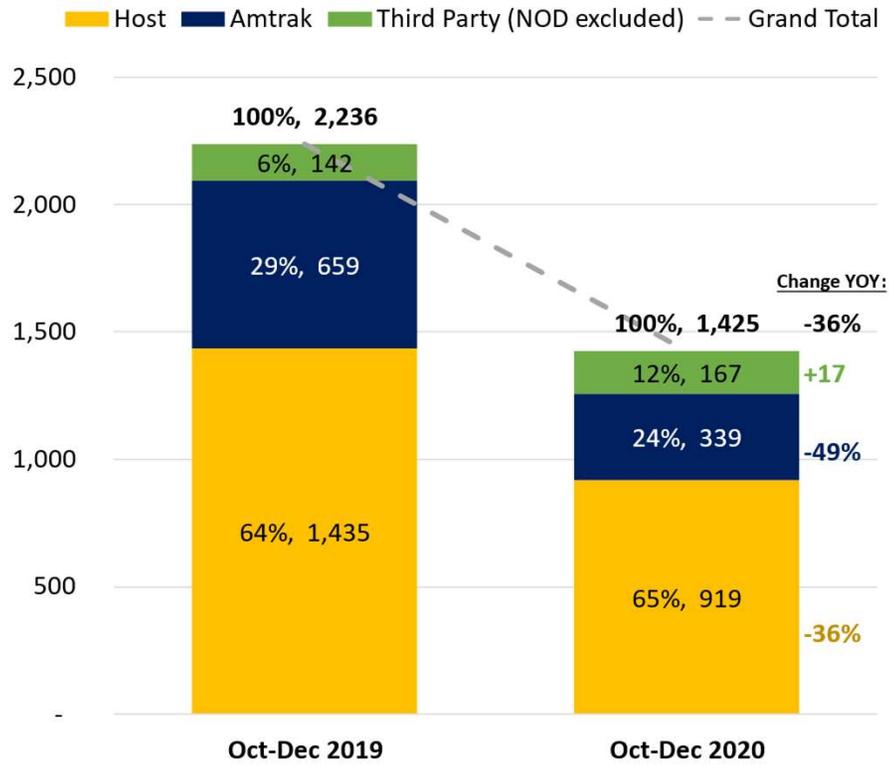
OTP: On-Time Performance
FFY: Federal Fiscal Year

FFY21 Q1 Average Endpoint OTP by Train

Train	Oct-20	Nov-20	Dec-20	3 Month Average
572		100.0%		100.0%
591		100.0%		100.0%
1572		100.0%		100.0%
1591		100.0%		100.0%
1564	100.0%	100.0%	100.0%	100.0%
564	95.5%	100.0%	95.5%	97.0%
767	100.0%	90.0%	95.5%	95.2%
768	87.1%	100.0%	96.8%	94.6%
796	93.5%	96.7%	90.3%	93.5%
1767	100.0%	90.0%	88.9%	93.0%
579	83.9%	93.3%	96.8%	91.3%
580	87.1%	90.0%	93.5%	90.2%
1584	77.8%	90.0%	100.0%	89.3%
584	86.4%	85.0%	95.5%	88.9%
593	90.3%	86.7%	83.9%	87.0%
785	96.8%	80.0%	80.6%	85.8%
774	96.8%	66.7%	87.1%	83.5%
777	83.9%	86.7%	77.4%	82.7%
763	80.6%	86.7%	61.3%	76.2%
System Average	90.1%	88.7%	87.9%	88.9%

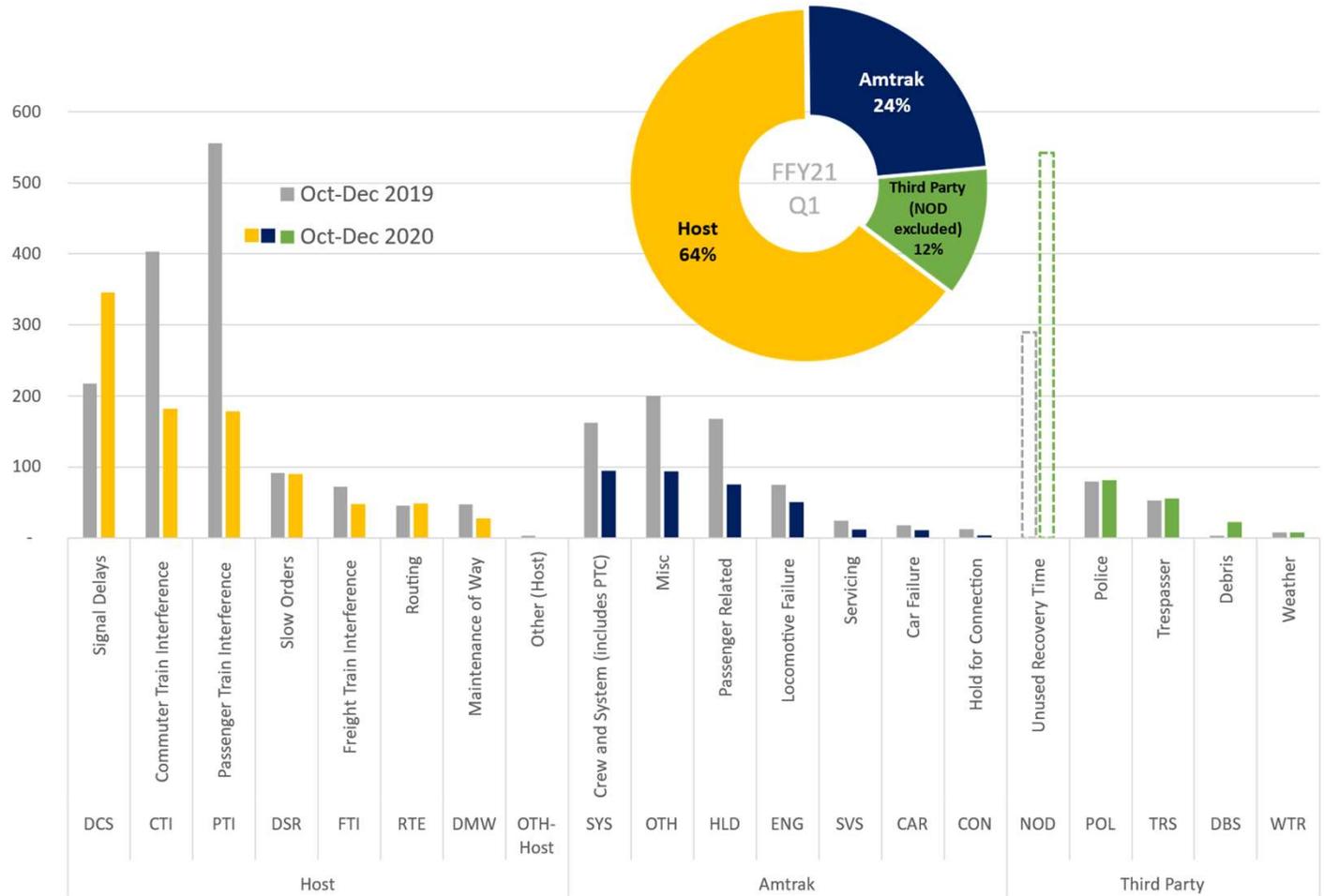
Delays by Responsible Party

(Per 10K Train Miles)
FFY20 Q1 v. FFY21 Q1

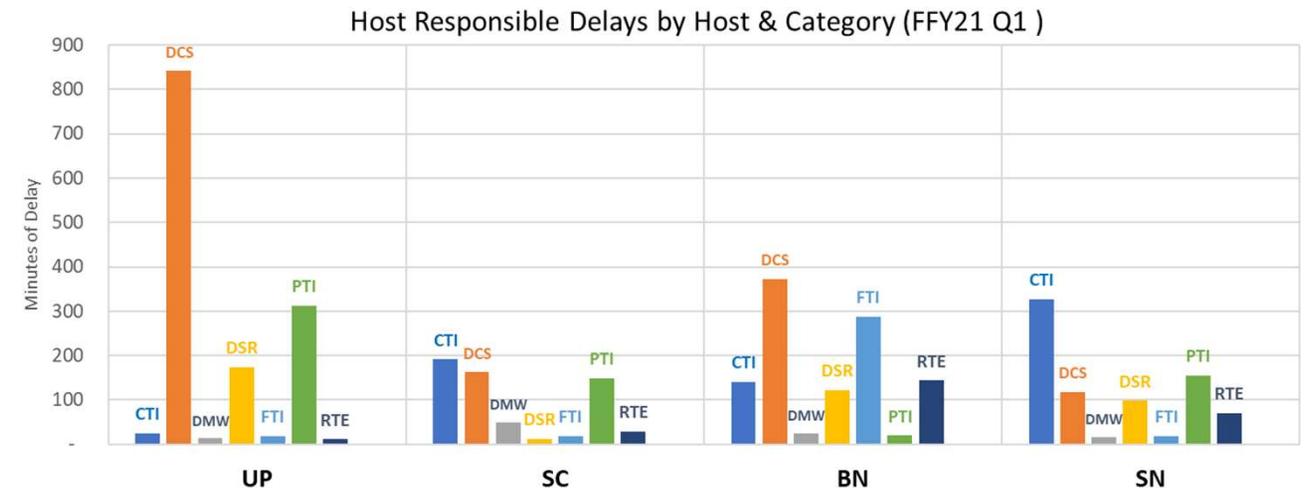
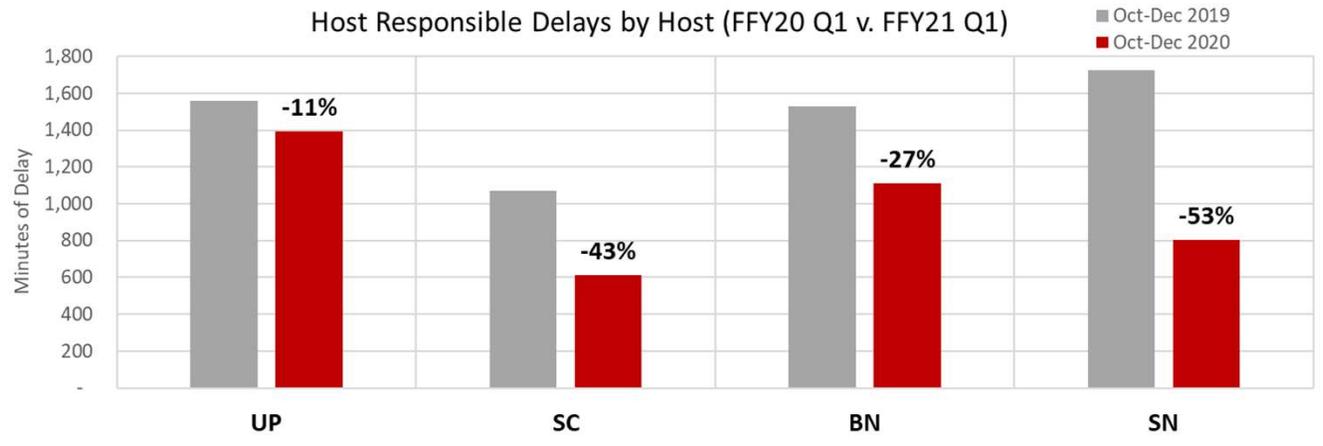


Delays by Category & Responsible Party

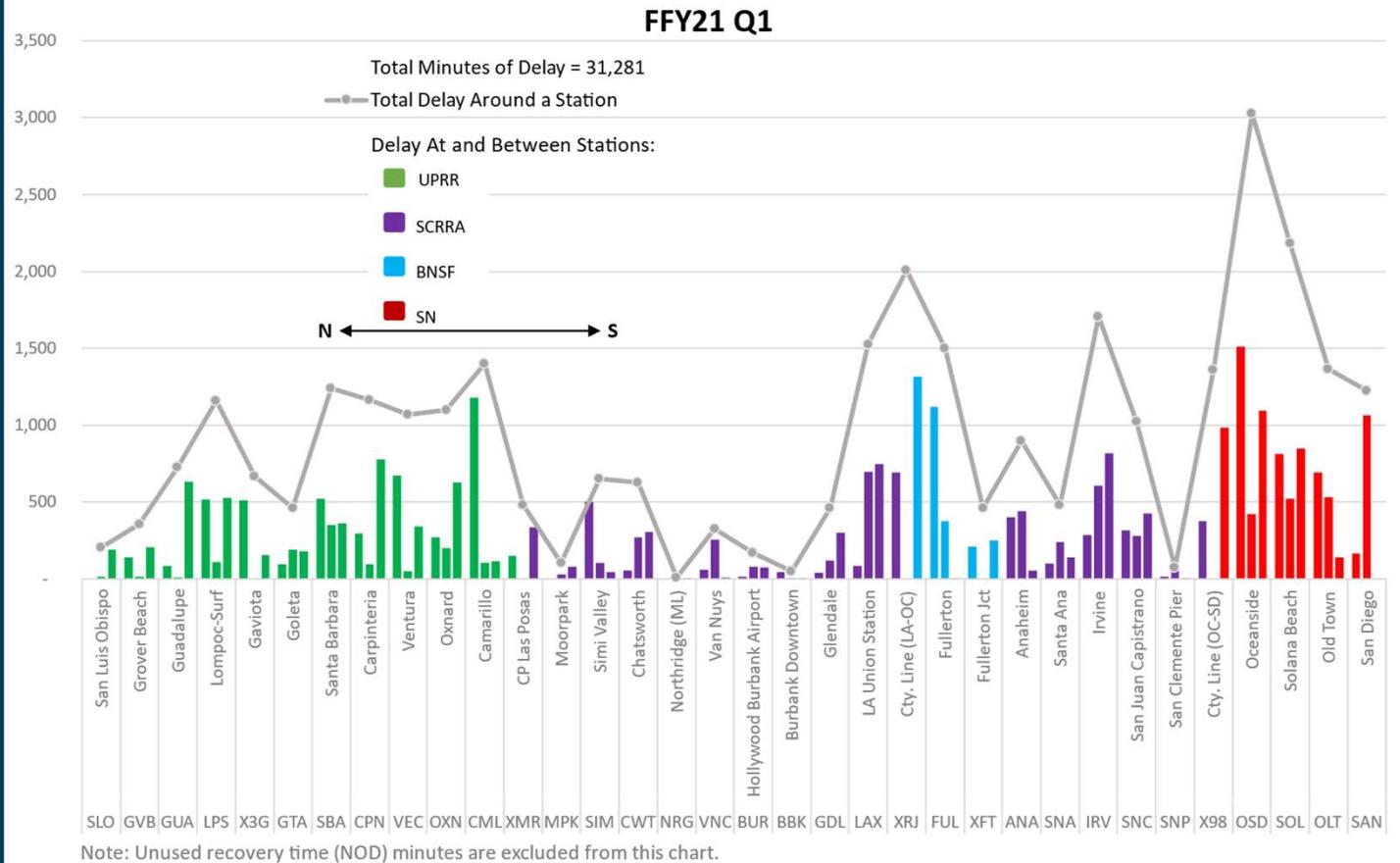
(Per 10K Train Miles)
FFY20 Q1 v. FFY21 Q1



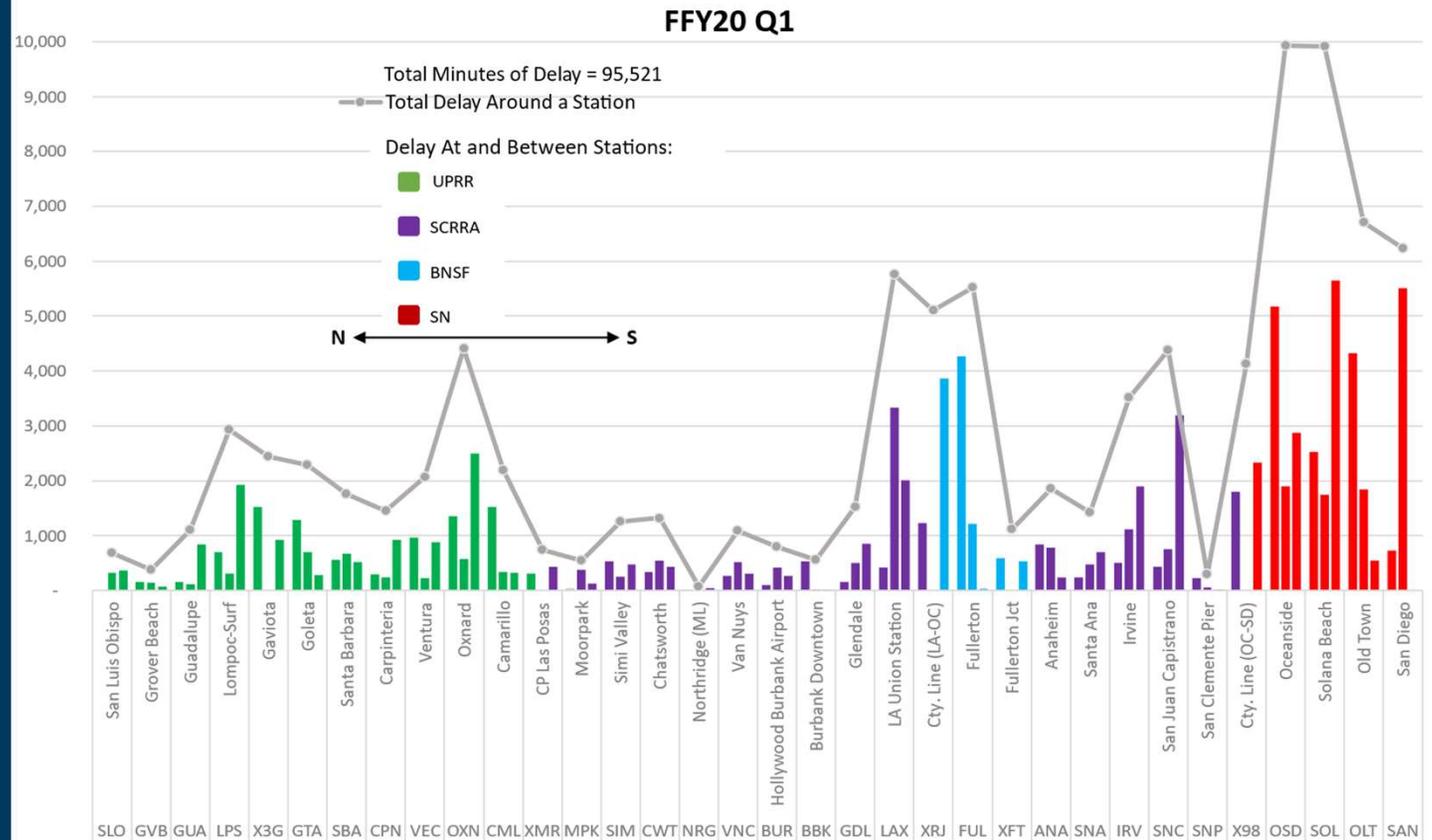
Host Responsible Delays per 10K Train Miles



Total Delay Minutes By Location (Current)



Total Delay Minutes By Location (Previous)



Note: Unused recovery time (NOD) minutes are excluded from this chart.

Conclusions FFY21 Q1

- Systemwide customer OTP continues to be above the 75percent (%) goal during COVID-19 reduced service schedule, performing at 86% or above throughout Q1.
- Host and Amtrak delay minutes per 10K train miles decreased by 36% and 49% respectively, year over year. Third party (excluding NOD) increased by 17%.
- Overall, total minutes of delay per 10K train miles decreased by 36% in FFY21 Q1 v. FFY20 Q1.

QUESTIONS?