Tri-Valley San Joaquin Valley
REGIONAL RAIL AUTHORITY

Board of Directors Meeting Packet

June 11, 2025 at 2 p.m.

Dublin City Council Chambers

100 Civic Plaza, Dublin, CA 94568

Tri-Valley – San Joaquin Valley
REGIONAL RAIL AUTHORITY

AGENDA FOR REGULAR BOARD MEETING
Wednesday, June 11, 2025 at 2:00 p.m.
Dublin City Council Chambers
100 Civic Plaza, Dublin, CA 94568

TELECONFERENCE LOCATIONS

Conference Room
1215 W Center Street, 102
Manteca 95337

MEETING PROCEDURE

This Board of Directors meeting will be conducted in person.

Public comments will be accepted via email and in person. Emailed public comments will be accepted until 5:00 p.m. on the day before the meeting at comments@valleylinkrail.com. Please include "Public Comment", the meeting date and the agenda item to which your comment applies in the subject line. In the body of the email please include your name. A list of the public comments submitted by the deadline will be read during public comment and copies of correspondence will be posted on the Authority's website along with other meeting material.

In-person public comment speakers must submit a "Speaker/Comment Card" to the secretary prior to the Public Comment portion of the agenda. No speaker cards will be accepted after the close of Public Comment.

Public comments will be subject to the regular two-minute time restriction.

There will be zero tolerance for any person addressing the Board making profane, offensive, and disruptive remarks, or engaging in loud, boisterous, or other disorderly conduct, that disrupts the orderly conduct of the public meeting.

Upon request, the Tri-Valley-San Joaquin Valley Regional Rail Authority will provide written agenda materials in appropriate alternative formats, or disability-related modification or accommodation, including auxiliary aids or services, to enable individuals with disabilities to participate in public meetings. A speech-to-text option (live transcription) is now available on all Zoom meetings. Live transcription currently only supports English, and the accuracy of the feature depends on many variables, such as but not limited to background noise, volume and clarity of the speaker's voice, lexicons and dialects. Requests for any other reasonable accommodation should be submitted in writing, and must include your name, mailing address, phone number and brief description of the requested materials and the preferred alternative format or auxiliary aid or service at least 2 working days before the meeting. Requests should be sent to: comments@valleylinkrail.com.

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Listen and view meeting online:

- Live on Zoom from a PC, Mac, iPad, iPhone or Android device click the link below:
  https://zoom.us/j/93548110883
  Password: **ValleyLink**

  Please note there is no option to make public comment by video conference. Please see instructions below on making public comments.

Listen via telephone to the meeting:

- For audio access to the meeting by telephone, use the dial-in information below:
  Dial: 1 (669) 900-6833
  Webinar ID: 935-4811-0883
  Password: **898381**

  Please note there is no option to make public comment by telephone access. Please see instructions below on making public comments.

Written comments:

- Send public comments prior to the meeting by email, to comments@valleylinkrail.com

  If you are submitting public comment via email, please do so by 5:00 p.m. the day before the meeting to comments@valleylinkrail.com.

  Please include "Public Comment" and include the date and the agenda item to which your comment applies in the subject line. In the body of the email please include your full name. A list of the public comments received by the deadline will be read during public comment, and letters will be posted on the Authority's website along with other meeting material.

In-Person Comments:

Speakers must submit a "Speaker/Comment Card" to the secretary prior to the Public Comment portion of the agenda. No speaker cards will be accepted after the close of Public Comment. Speakers are limited to 2 minutes at the discretion of the board chair.

TRI-VALLEY – SAN JOAQUIN VALLEY REGIONAL RAIL AUTHORITY

AGENDA FOR REGULAR BOARD MEETING
Wednesday, June 11, 2025 at 2:00 p.m.
Dublin City Council Chambers
100 Civic Plaza Dublin, CA 94568

1. Call to Order and Pledge of Allegiance

2. Roll Call of Members and Confirmation of Quorum

3. Public Hearing Regarding Staff Vacancies (AB 2561)

4. Public Comments:
   Members of the public may address the Board on any issues not listed on the agenda that are within the purview of the Authority. Comments on matters that are listed on the agenda may be made at the time the Board is considering each item. Time limits on public comments may be established by the Chair.

5. Consent Agenda – **ACTION**
   Recommend approval of all items on Consent Agenda as follows:

   a. Minutes of May 14, 2025 Board of Directors Meeting
   b. Treasurer's Report for April 2025
   c. Resolution R10-2025 to Adopt the Fiscal Year 2026 Budget
   d. Resolution R05-2025 to Extend Terms of Employee Agreements
   e. Resolution R06-2025 to Execute Employment Agreement - Wil Ridder
   f. Resolution R07-2025 to Negotiate Contract Addendum 2 with Gray-Bowen-Scott for Program Management Support Services
   g. Resolution R08-2025 to Negotiate Agreement Addendum 2 with AECOM for Alternative Delivery Support Services

6. Approval of Delivery Strategy for Valley Link–Dublin/Pleasanton to Mountain House Project – **ACTION**

7. Approve State Legislative Update and Revised SJCOG SB 125 Funding Request – **ACTION**

8. Approve Resolution R09-2025 Adopting Revised Procurement Policy for Construction Manager/General Contractor (CM/GC) Procurement Methodology – **ACTION**

9. Executive Director's Report – **INFORMATION**

10. Directors' Discussion – Comments, Questions and Agenda Requests

11. Upcoming Meeting Details – The next regular meeting is scheduled for 2 p.m. on August 13, 2025 at Mountain House Chambers, 251 East Main Street, Mountain House, CA 95391

12. Adjourn

AGENDA

ITEM 3

Tri-Valley San Joaquin Valley
REGIONAL RAIL AUTHORITY

STAFF REPORT

SUBJECT: Public Hearing Regarding Staff Vacancies (AB 2561)

FROM: Kevin Sheridan, Executive Director/CEO

DATE: June 11, 2025

Action Requested

Staff requests that the Board of Directors hold a public hearing to receive any comments on the Authority's current vacancies and retention and hiring policies as required by Assembly Bill 2561 (2024).

Background/Discussion

California State Assembly Bill (AB) 2561 was approved on September 22, 2024, and added §3502.3 to the Government Code. This law requires public agencies to present the status of their vacancies in a public hearing before their governing body at least once per fiscal year. The presentation must be made prior to the adoption of a final budget for the fiscal year. This law is primarily aimed at allowing employee bargaining units (for agencies that have them) to provide comments on hiring policies.

This report is presented to comply with §3502.3 of the Government Code. Currently the Authority has one vacancy for the position of Deputy Executive Director/Program Manager that is not filled.

The Authority must also address the retention efforts currently employed by the agency. The Authority has no issues regarding employee retention. The Authority must also identify any changes to policies, procedures or recruitment activities that negatively impact the entity's efforts to reduce its vacancies. No such changes have been identified.

Attachments

1. AB 2561

BACK TO AGENDA

ATTACHMENT 1

Assembly Bill No. 2561

CHAPTER 409

An act to add Section 3502.3 to the Government Code, relating to public employment.

[Approved by Governor September 22, 2024. Filed with Secretary of State September 22, 2024.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2561, McKinnor. Local public employees: vacant positions.

Existing law, the Meyers-Milias-Brown Act (act), authorizes local public employees, as defined, to form, join, and participate in the activities of employee organizations of their own choosing for the purpose of representation on matters of labor relations. The act requires the governing body of a public agency to meet and confer in good faith regarding wages, hours, and other terms and conditions of employment with representatives of recognized employee organizations and to consider fully presentations that are made by the employee organization on behalf of its members before arriving at a determination of policy or course of action.

This bill would, as specified, require a public agency to present the status of vacancies and recruitment and retention efforts at a public hearing at least once per fiscal year, and would entitle the recognized employee organization to present at the hearing. If the number of job vacancies within a single bargaining unit meets or exceeds 20% of the total number of authorized full-time positions, the bill would require the public agency, upon request of the recognized employee organization, to include specified information during the public hearing. By imposing new duties on local public agencies, the bill would impose a state-mandated local program. The bill would also include related legislative findings.

The California Constitution requires local agencies, for the purpose of ensuring public access to the meetings of public bodies and the writings of public officials and agencies, to comply with a statutory enactment that amends or enacts laws relating to public records or open meetings and contains findings demonstrating that the enactment furthers the constitutional requirements relating to this purpose.

This bill would make legislative findings to that effect.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement shall be made pursuant to these statutory provisions for costs mandated by the state pursuant to this act, but would recognize that a local agency or school district may pursue any available remedies to seek reimbursement for these costs.

Digest Key

Vote: majority   Appropriation: no   Fiscal Committee: yes   Local Program: yes

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BACK TO AGENDA

Bill Text

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. The Legislature finds and declares as follows:

(a) Job vacancies in local government are a widespread and significant problem for the public sector affecting occupations across wage levels and educational requirements.

(b) High job vacancies impact public service delivery and the workers who are forced to handle heavier workloads, with understaffing leading to burnout and increased turnover that further exacerbate staffing challenges.

(c) There is a statewide interest in ensuring that public agency operations are appropriately staffed and that high vacancy rates do not undermine public employee labor relations.

SEC. 2. Section 3502.3 is added to the Government Code, to read:

3502.3. (a) (1) A public agency shall present the status of vacancies and recruitment and retention efforts during a public hearing before the governing board at least once per fiscal year.

(2) If the governing board will be adopting an annual or multiyear budget during the fiscal year, the presentation shall be made prior to the adoption of the final budget.

(3) During the hearing, the public agency shall identify any necessary changes to policies, procedures, and recruitment activities that may lead to obstacles in the hiring process.

(b) The recognized employee organization for a bargaining unit shall be entitled to make a presentation at the public hearing at which the public agency presents the status of vacancies and recruitment and retention efforts for positions within that bargaining unit.

(c) If the number of job vacancies within a single bargaining unit meets or exceeds 20 percent of the total number of authorized full-time positions, the public agency shall, upon request of the recognized employee organization, include all of the following information during the public hearing:

(1) The total number of job vacancies within the bargaining unit.

(2) The total number of applicants for vacant positions within the bargaining unit.

(3) The average number of days to complete the hiring process from when a position is posted.

(4) Opportunities to improve compensation and other working conditions.

(d) This section shall not prevent the governing board from holding additional public hearings about vacancies.

(e) The provisions of this section are severable. If any provision of this section or its application is held invalid, the invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.

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(f) For purposes of this section, "recognized employee organization" has the same meaning as defined in subdivision (a) of Section 3501.

SEC. 3. The Legislature finds and declares that Section 2 of this act, which adds Section 3502.3 to the Government Code, furthers, within the meaning of paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution, the purposes of that constitutional section as it relates to the right of public access to the meetings of local public bodies or the writings of local public officials and local agencies. Pursuant to paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution, the Legislature makes the following findings:

It is in the public interest, and it furthers the purposes of paragraph (7) of subdivision (b) of Section (3) of Article I of the California Constitution, to ensure that information concerning public agency employment is available to the public.

SEC. 4. No reimbursement shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code for costs mandated by the state pursuant to this act. It is recognized, however, that a local agency or school district may pursue any remedies to obtain reimbursement available to it under Part 7 (commencing with Section 17500) and any other law.

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ITEM 5 A

BACK TO AGENDA

Tri-Valley San Joaquin Valley Regional Rail Authority
Minutes of Board Meeting on May 14, 2025
Mountain House Chambers
251 East Main Street, Mountain House, CA 95391

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1. **Call to Order and Pledge of Allegiance**
The meeting of the Board of Directors was called to order by Chair Robert Rickman at 2:00 p.m. Chair Robert Rickman led the Pledge of Allegiance.

2. **Roll Call of Members and Confirmation of Quorum**
Members Present - In-Person
Director Paul Akinjo, City of Lathrop *(joined during item #4)*
Director Bernice King-Tingle, City of Mountain House
Director Regina Lackey, City of Manteca
Director Michael McCorriston, City of Dublin
Director Jeff Nibert, City of Pleasanton
Director Leo Zuber, ACE/SJRRC
Vice Chair, John Marchand, City of Livermore
Chair Robert Rickman, San Joaquin County
Members Present – Remote
Director David Haubert, Alameda County
Director Melissa Hernandez, BART
Director Jeff Nibert, City of Pleasanton
Director Karen Stepper, City of Danville
Director Julie Testa, LAVTA
Members Absent
Director Mark Armstrong, City of San Ramon
Director Christina Fugazi, City of Stockton

3. **Public Comments**
Public comment was heard from Dale Brandes.

4. **Consent Agenda – ACTION**
Motion to approve all items on Consent as follows:
    a. Minutes of February 12, 2025, Board of Directors Meeting
    b. Treasurer's Reports for January, February, and March 2025
    c. Draft FY2026 Budget
    d. Human Resources Policy Update

Item 4.b was pulled for discussion. Directors discussed all items. There was no public comment. A motion was made to approve all items as presented.

Motion: McCorriston/Zuber
Aye: Akinjo, Haubert, Hernandez, King-Tingle, Marchand, McCorriston, Nibert, Rickman, Stepper, Testa, Zuber
Nay: None
Abstain: None
Absent: Armstrong, Fugazi
Motion Passed

BACK TO AGENDA

Tri-Valley San Joaquin Valley Regional Rail Authority
Minutes of Board Meeting on May 14, 2025
Mountain House Chambers
251 East Main Street, Mountain House, CA 95391

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5. **Project Status Update – INFORMATION**
A presentation was made by Deputy Director, Wil Ridder, updating the board on Valley Link's project delivery progress and status. Ridder recognized that the Phase 1 project, spanning from Dublin/Pleasanton to Mountain House with four stations and 22 miles of track, has completed key environmental and design milestones, although rising construction costs and funding gaps remain challenges. Potential value engineering measures could reduce costs by up to $500 million, but limitations to secure additional regional and state funding due to competing needs of other major transit projects with cost increases as well as operating shortfalls on existing transit services are requiring staff to consider project optimization, including additional construction phasing. Ridder noted that staff would be bringing back an action to the Board on a revised delivery strategy in June 2025. Directors discussed this item. There was no public comment

6. **Executive Director's Report – INFORMATION**
Executive Director/CEO Kevin Sheridan gave an oral report on some challenges regarding Valley Link as of May 2025. Sheridan noted the increase in the cost of hydrogen within the last two years and mentioned other agencies that were opting out of hydrogen-run models to consider alternative clean energy methods for Zero Emissions Vehicle technology, and the Authority still can pursue efforts to study and build a hydrogen facility. The main goal of Valley Link is to create connectivity between ACE and BART. The current project environmental document from Dublin/Pleasanton to Mountain House is an initial phase of the project and will help relieve congestion in the Altamont Corridor. Directors discussed this item. There was no public comment.

7. **Directors' Discussion – Comments, Questions and Agenda Requests**
Chair Rickman congratulated Director Haubert for the Alameda County Transportation Commission's (ACTC) appointment of their new Executive Director, Tony Tavares. Director Haubert thanked Chair Rickman for his service in running the board meetings.

8. **Upcoming Meeting Details**
The next regular meeting is scheduled for June 11, 2025 at 2 p.m. at Dublin City Council Chambers, 100 Civic Plaza Dublin, CA 94568.

9. **Adjourn to CLOSED SECTION**
The meeting adjourned to closed session at 3:20 p.m.

10. **Reconvene to OPEN SESSION**
The meeting reconvened to open session at 3:38 p.m. There were no reportable actions.

11. **Meeting Adjourn**
The meeting adjourned without any objections at 3:38 p.m.

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ITEM 5 B

Tri-Valley – San Joaquin Valley
REGIONAL RAIL AUTHORITY

Staff Report

SUBJECT: Treasurer’s Report for April 2025

FROM: Tamara Edwards, Director of Finance

DATE: June 11, 2025

Action Requested
Staff requests that the Tri-Valley – San Joaquin Valley Regional Rail Authority Board accept the Treasurer’s Reports for April 2025.

Background/Discussion
The Treasurer’s Report shows all expenses and revenues for the month(s) stated above, as well as the year-to-date totals.

The fund balance reflected on both the balance sheet and the expense report is the difference between the revenue received and the expenses. As the Rail Authority’s funding is all on a reimbursement basis this will be reflected as a negative amount (expenses higher than revenues) until year end when accruals are done, at which time the fund balance will be zero. Additionally, as all the Rail Authority’s funding is on a reimbursement basis LAVTA continues to provide the cash flow for the Rail Authority which is reflected in the funds due to LAVTA line item.

Attachments:
1. April 2025 Treasurer’s Report

BACK TO AGENDA

ATTACHMENT 1

Tri-Valley San Joaquin Regional Rail Authority
BALANCE SHEET
FOR THE PERIOD ENDING:
April 30, 2025

ASSETS:

106	MONEY MARKET ACCOUNT	756,348	
107	CD	1,000,000	
108	CASH-GENERAL CHECKING	269,349	
120	ACCOUNTS RECEIVABLE	268,579	
150	PREPAID EXPENSES	0	
111	NET PROPERTY COSTS	6,610	
	TOTAL ASSETS		**2,300,886**

LIABILITIES:

205	ACCOUNTS PAYABLE	86,041	
20501	DUE TO LAVTA	2,929,055	
22110	PAYROLL CLEARING	719	
211	PRE-PAID REVENUE	3,944,565	
22000	FIT	(1,519)	
22010	SIT	(4,647)	
22020	FICA	(3,670)	
22030	SDI	0	
22090	Worker's Comp	29,784	
22100	457	235	
	TOTAL LIABILITIES		**6,980,564**

FUND BALANCE:

301	FUND RESERVE	0	
304	GRANTS, DONATIONS, PAID-IN CAPITAL	0	
30401	SALE OF BUSES & EQUIPMENT	0	
	FUND BALANCE	(4,679,677)	
	TOTAL FUND BALANCE		**-4,679,677**
	TOTAL LIABILITIES & FUND BALANCE		**2,300,886**
	Difference		$0.00

BACK TO AGENDA

Tri-Valley San Joaquin Regional Rail Authority
REVENUE REPORT
FOR THE PERIOD ENDING:
April 30, 2025

ACCOUNT	DESCRIPTION	BUDGET	CURRENT MONTH	YEAR TO DATE	BALANCE AVAILABLE	PERCENT BUDGET EXPENDED
	MTC-Bridge Tolls	20,144,000	1,051,032	3,170,985	16,973,015	15.7%
	State Budget Act of 2022	2,500,000	0	0	2,500,000	0.0%
	TIRCP	3,000,000	0	66,764	2,933,236	2.2%
	Interest	0	0	5,365	(5,365)	0.0%
	TOTAL REVENUE	**25,644,000**	**1,051,032**	**3,243,113**	**22,400,887**	**12.6%**

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Tri-Valley San Joaquin Regional Rail Authority
EXPENDITURE REPORT
April 30, 2025

ACCOUNT	DESCRIPTION	BUDGET	CURRENT MONTH	YEAR TO DATE	BALANCE AVAILABLE	PERCENT BUDGET EXPENDED
Direct Labor and Benefits						
	Executive Director	271,275	27,260	285,455	(14,180)	105.23%
	Deputy Executive Director	213,600	21,351	218,531	(4,931)	102.31%
	Executive Assistant	97,875	9,994	103,970	(6,095)	106.23%
	Finance Director	42,600	17,500	21,000	21,600	49.30%
	Manager of Policy, Planning, and Environmental	197,760	18,971	197,897	(137)	100.07%
	Rail Engineering, and Construction Project Manager	212,640	20,399	213,425	(785)	100.37%
	Employee Benefits	296,850	3,907	44,005	252,845	14.82%
	Other LAVTA Administrative Support Activities	10,400	0	0	10,400	0.00%
	TOTAL - Direct Labor	**1,343,000**	**119,381**	**1,084,284**	**258,716**	**80.74%**
Consultants/seconded staff						
	General Engineering Consultants	18,800,000	148,315	4,803,106	13,996,894	25.55%
	Environmental Clearance	2,250,000	0	482,247	1,767,753	21.43%
	Administrative Support	50,000	0	27,543	22,457	55.09%
	Program Management Support Services	1,000,000	0	827,168	172,832	82.72%
	Government Relations/Marketing	240,000	18,833	157,360	82,640	65.57%
	Equity/Community Engagement	250,000	26,715	53,631		
	Real Estate Consultant Project Manager	500,000	12,053	148,008		
	Alternative Delivery Support Services	350,000	0	0	350,000	0.00%
	Financial Advisory Services	50,000	0	0	50,000	0.00%
	TOTAL - Consultants	**23,490,000**	**205,916**	**6,499,063**	**16,990,937**	**27.67%**
Other Direct Costs						
	Legal	150,000	19,504	169,374	(19,374)	112.92%
	Insurance	42,000	0	12,911	29,089	30.74%
	Audits	25,000	0	11,200	13,800	44.80%
	Line of Credit	125,000	0	0	125,000	0.00%
	Office space/furnishings	137,500	7,154	75,063	62,437	54.59%
	Travel/Mileage/Mis	2,500	40	2,516	(16)	100.65%
	Professional Development	500	0	162	338	32.40%
	Memberships	8,500	0	8,900	(400)	104.71%
	Information Technology/Software	20,000	1,585	21,513	(1,513)	107.57%
	BART	100,000	0	18,825	81,175	18.82%
	SJRRC	50,000	0	14,587	35,413	29.17%
	ACTC	100,000	0	3,709	96,291	3.71%
	UPRR	50,000	0	0	50,000	0.00%
	TOTAL OTHER DIRECT COSTS	**811,000.00**	**28,282.41**	**338,758.93**	**472,241**	**41.77%**
	TOTAL OPERATING EXPENDITURES	**25,644,000**	**353,579**	**7,922,105**	**17,721,895**	**30.89%**
	LAVTA Expense		0	0		
	FUND BALANCE (OPERATING)		**697,453**	**(4,678,992)**		

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ITEM 5C

Tri-Valley ⅄ San Joaquin Valley
REGIONAL RAIL AUTHORITY

STAFF REPORT

SUBJECT: Approve Resolution R10-2025 to Adopt the Fiscal Year 2026 Budget

FROM: Wil Ridder, Deputy Director

DATE: June 11, 2025

Action Requested

Staff requests that the Board of Directors approve Resolution R10-2025 to adopt the Fiscal Year (FY) 2026 Budget.

Background/Discussion

The Tri-Valley – San Joaquin Valley Regional Rail Authority continues to receive funding from the allocations of funds approved by the Metropolitan Transportation Commission to advance the Valley Link Project. These funds are received on a reimbursement basis. In FY 2026 these funds will continue to be augmented by the State budget funds approved by the legislature in 2023 and State Transit and Intercity Rail Capital Program (TIRCP) funds allocated by the California Transportation Commission (CTC) in December 2023. The budget for FY 2026 will continue to focus on the Project Approval and Environmental Documentation (PA&ED) work in the I-580 corridor, federal environmental clearance, 30% design, and Federal Transit Administration (FTA) requirements under the Capital Investment Grants (CIG) Program.

Authority staff recognize that the FY 2026 Budget includes only TIRCP funds for consultant services previously awarded or planned for award by June 2025. As additional consultant awards are recommended for Board approval, staff will bring back to the Board budget amendments to add these expenses and revenues.

Attached are the anticipated revenues and expenses that make up the FY 2026 Budget. The direct labor and benefits expenses for Authority staff include an approximate 5% increase in salaries and benefits including a 2.7% cost-of-living adjustment based on the December 2024 San Francisco Bay Area Consumer Price Index (CPI-U 12-month). Below is a brief description of the revenues and expenses:

Revenues

MTC Allocation
MTC provided a multi-year allocation of bridge toll funds in June of 2020 in the amount of $46.8 million to perform the project development work as noted above in the staff report. These bridge toll funds were augmented in October 2024 with the MTC allocation of an additional $3 million.

State Budget Funding
The State legislature approved $5 million to the Authority for the Valley Link rail project as part of the FY 2023 State Budget (Assembly Bill 179) for environmental and preliminary engineering activities.

State Transit and Intercity Rail Capital Program (TIRCP) Funding

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The California Transportation Commission (CTC) allocated $25 million to the Authority for the Valley Link rail project for environmental and preliminary engineering activities.

Expenses

Executive Director/CEO
Executive Director and Chief Executive Officer for the Authority

Deputy Director
Oversees or a wide variety of critical roles within the agency.

Chief Financial Officer
The Chief Financial Officer for the Authority is also the Finance Director for the Livermore Amador Valley Transit Authority (LAVTA) and is paid a stipend for duties performed as Chief Financial Officer of the Authority.

Director, Policy Planning and Environmental
Provides policy planning and environmental analysis, key role in the Authority for all policy and environmental reviews and related consultant contract management.

Director, Rail Engineering, Construction, and Operations
Provides program management contract oversight over rail engineering and construction, key role in the Authority for all engineering reviews and related consultant contract management.

Executive Assistant
The Executive Assistant provides a wide variety of support and administrative activities for the agency.

General Engineering Consultant
WSP/PGH Wong is under contract to complete the preliminary engineering necessary for Caltrans Project Approval and Environmental Document (PA&ED) within the State's right of way (I-580) and off highway system rail engineering (30% design). This effort includes the work to support the environmental document for the initial operating phase and meet the requirements under the FTA Capital Investment Grants (CIG) Program. The Authority is budgeting $13.8 million dollars to complete this effort in FY 2026.

Environmental Clearance
AECOM is under contract to complete the National Environmental Policy Act (NEPA) process to meet the requirements under both the Caltrans Project Approval and Environmental Document (PA&ED) process and the FTA Capital Investment Grants (CIG) Program. The Authority has budgeted $3.5 million to complete this effort in FY 2026.

Program Management Support Services
Gray Bowen Scott is under contract to provide Program Management Support Services. The Authority is budgeting $1.44 million for these services in FY 2026.

Government Relations/Marketing
Support for regional advocacy is provided by ap advisors. Support for State advocacy and State funding opportunities is provided by Khouri Consulting.

Community Outreach
MIG is under contract to provide community outreach services. The Authority is budgeting $50,000 for these services in FY 2026.

Real Estate Consultant Project Manager

Monument Right of Way is under contract to serve as the Authority's Real Estate Consultant Project Manager. The Authority is budgeting $460,000 for these services in FY 2026.

Alternative Delivery Support Services
AECOM is under contract to provide Alternative Delivery Support Services. The Authority is budgeting $1,560,000 for these services in FY 2026.

Financial Advisory Services
Support for financial advisory and planning services is provided by PFM Financial Advisors on an on-call basis.

Insurance
The Authority carries liability insurance for the agency.

Financial Audits
Each year the Authority financial statements are audited to ensure the Board that the financial documents are accurately prepared and represented.

Legal and Legal Supplemental
General Counsel is provided by Mr. Michael Conneran of Hanson Bridgett LLP. Legal services have been used extensively to review the environmental work ongoing by the agency and to prepare and review contracts and Authority policies and procedures.

Line of Credit
Thus far, cash flow management has been provided through the Livermore Amador Valley Transit Authority (LAVTA). Staff anticipate the need for a line of credit as more significant work is performed by consultants.

Office Space/Furnishings/Office Supplies/Utilities
The Authority leases an office suite as provided within the MTC allocation of funds for the project. This line item covers costs associated with effective day-to-day operations.

Travel/Mileage/Meetings
This budget item is set up for meetings that require staff travel. Included in this line item are the costs associated with meetings, including Authority Board meetings.

Professional Development
This budget item is set up for staff development, training and related activities.

Memberships
This budget item is set up for corporate memberships.

Information Technology/Software
This budget item is set up for computer software and information technology support.

BART/SJRRC/ACTC/UPRR
Included in the June 2020 MTC allocation and 2023 State Budget earmark are funds to reimburse key partner agencies that are critical in the planning and delivery of Valley Link. For FY 2026 these agencies are anticipated to include Bay Area Rapid Transit (BART), San Joaquin Regional Rail Commission (SJRRC), Alameda County Transportation Commission (ACTC) and the Union Pacific Railroad (UPRR).

Fiscal Impact

BACK TO AGENDA

Adoption of the FY 2026 Budget will authorize the expenditure of up to $23.7 million in funding provided by MTC and the State for Valley Link project development activities.

Recommendation

Approve Resolution R10-2025 to adopt the FY 2026 Budget

Attachments:

1. FY 2026 Revenues and Expenses
2. Resolution R10-2025

BACK TO AGENDA

ATTACHMENT 1

TRI-VALLEY — SAN JOAQUIN VALLEY REGIONAL RAIL AUTHORITY
FISCAL YEAR 2026 BUDGET

REVENUES		
MTC Allocation	$	9,731,000.00
State Budget Funding	$	1,389,000.00
State TIRCP Funding	$	12,565,420.00
Grand Total Revenues	**$**	**23,685,420.00**
EXPENSES		
Direct Labor and Benefits		
Executive Director/CEO	$	391,500.00
Deputy Director	$	309,000.00
Director, Rail Engineering, Construction and Operations	$	288,000.00
Director, Policy Planning and Environmental	$	268,000.00
Chief Financial Officer	$	42,600.00
Executive Assistant	$	138,500.00
Other LAVTA Administrative Support Activities	$	10,400.00
Total	**$**	**1,448,000.00**
Consultants		
General Engineering Consultant	$	13,800,000.00
Environmental Clearance	$	3,500,000.00
Administrative Support	$	50,000.00
Program Management Support Services	$	1,440,000.00
Government Relations/Marketing	$	240,000.00
Community Outreach	$	50,000.00
Real Estate Consultant Project Manager	$	460,000.00
Alternative Delivery Support Services	$	1,560,000.00
Financial Advisory Services	$	50,000.00
Total	**$**	**21,150,000.00**
Other Direct Costs		
Insurance	$	42,000.00
Financial Audits (incl software)	$	35,800.00
Legal / Legal Supplemental	$	290,000.00
Line-of-Credit	$	125,000.00
Office Space/Furnishings/Office Supplies/Utilities	$	127,120.00
Travel/Mileage/Meetings	$	2,500.00
Professional Development	$	500.00
Memberships	$	8,500.00
Information Technology/Software	$	20,000.00
BART	$	94,000.00
SJRRC	$	50,000.00
ACTC	$	192,000.00
UPRR	$	100,000.00
Total	**$**	**1,087,420.00**
Grand Total Expenses	**$**	**23,685,420.00**

BACK TO AGENDA

ATTACHMENT 2

Tri-Valley San Joaquin Valley
REGIONAL RAIL AUTHORITY

RESOLUTION NO. R10-2025

* * *

RESOLUTION OF THE BOARD OF DIRECTORS OF THE TRI-VALLEY-SAN JOAQUIN VALLEY REGIONAL RAIL AUTHORITY ADOPTING THE FISCAL YEAR 2026 BUDGET

WHEREAS, the Legislature adopted AB 758, establishing the Tri-Valley-San Joaquin Valley Regional Rail Authority (Authority) under California Public Utilities Code Section 132651 *et seq*., to plan, develop and deliver cost-effective and responsive transit connectivity between the Bay Area Rapid Transit District's rapid transit system in the Tri-Valley and the Altamont Corridor Express commuter rail service;

WHEREAS, as required by AB 758, the Authority prepared and delivered an initial Project Feasibility Report to the Legislature on June 30, 2019 to explore the improvement of transit connectivity between the Tri-Valley and San Joaquin Valley;

WHEREAS, pursuant to the final Project Feasibility Report, the Authority has been engaged in the design and environmental activities to advance the Valley Link Project (Project) towards construction and eventual operation;

WHEREAS, on June 24, 2020 the Authority secured $46.8 million in Assembly Bill 1171 funds from the Metropolitan Transportation Commission (MTC) for project development activities;

WHEREAS, on June 23, 2023 the Authority entered into a $5 million Funds Transfer Agreement in Assembly Bill 179 State Budget funds from the California Department of Transportation (Caltrans) for project development activities;

WHEREAS, on December 7, 2023 the Authority secured $25 million in Transit and Intercity Rail Capital Program (TIRCP) funds from the California Transportation Commission (CTC) for project development activities;

WHEREAS, on October 23, 2024 the Authority secured an additional $3 million in Assembly Bill 1171 funds from the Metropolitan Transportation Commission (MTC) for project development activities;

BACK TO AGENDA

WHEREAS, the budget for FY 2026 funds project development activities including the Project Approval and Environmental Documentation (PA&ED) work in the I-580 corridor, federal environmental clearance, 30% design, and Federal Transit Administration (FTA) requirements under the Capital Investment Grants (CIG) Program;

WHEREAS, the direct labor and benefits expenses for Authority staff include a 5% increase in salaries and benefits including a 2.7% cost-of-living adjustment based on the December 2024 San Francisco Bay Area Consumer Price Index (CPI-U 12-month); and

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Tri-Valley-San Joaquin Valley Regional Rail Authority hereby adopts the FY 2026 Budget authorizing the expenditure of up to $23,685,420 in funding provided by MTC and the State for Valley Link project development activities.

APPROVED AND PASSED, this 11th day of June 2025.

____
Robert Rickman, Chair

ATTEST:

____
Kevin Sheridan, Executive Director/CEO

APPROVED AS TO FORM:

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Michael Conneran, Legal Counsel

BACK TO AGENDA

AGENDA

ITEM 5D

Tri-Valley San Joaquin Valley
REGIONAL RAIL AUTHORITY

Staff Report

SUBJECT: Approve Resolution R05-2025 Authorizing the Executive Director to Extend Terms of Employee Agreements with the Authority's Director of Rail Engineering and Construction; Director of Policy, Planning and Environmental and Executive Management Assistant to June 30, 2026.

FROM: Kevin Sheridan, Executive Director/CEO

DATE: June 11, 2025

Action Requested

Staff requests that the Board of Directors (Board) authorize the Executive Director to extend the terms of the employment agreements with three employees to June 30, 2026, in a form approved by legal counsel. The three employee agreement extensions apply to Bill O'Hair (Director of Rail Engineering and Construction, Marianne Payne (Director of Policy, Planning, and Environmental) and Candice Kendall (Executive Management Assistant).

Background/Discussion

Previously, the Authority authorized the Executive Director to execute employee agreements with three employees. The agreement's term limits were set for an initial twenty-four-month period, with provisions to extend the term limits should the parties desire. As the employee agreement term limits have expired, staff are recommending extending the employee agreements to June 30, 2026. The Executive Director discussed extending the employee agreement term limits with each of the three staff members and all are amenable to extending the agreement's term limits to June 30, 2026. The employees name, position, and current salaries are as follows:

- Bill O'Hair, Director—Rail Engineering and Construction, $209,869.
- Marianne Payne, Director—Policy, Planning, and Environmental, $193,725.
- Candice Kendall—Executive Management Assistant, $92,250.

Bill, Marianne, and Candice have continued to serve the Authority as highly qualified professionals within each of their key positions, delivering key project milestones and managing multiple consultant contracts.

Fiscal Impact

None. The cost to extend the Employment Agreement term limits is within the Authority's existing FY 2026 budget

Recommended Action

Authorize the Executive Director to extend the terms of the employee agreements for the Authority's Director of Rail Engineering and Construction, Director of Policy, Planning and Environmental, and Executive Management Assistant to June 30, 2026, in a form approved by legal counsel.

Attachments

1. Resolution R05-2025

BACK TO AGENDA

ATTACHMENT 1

Tri-Valley San Joaquin Valley
REGIONAL RAIL AUTHORITY

RESOLUTION NO. R05-2025

* * *

RESOLUTION OF THE BOARD OF DIRECTORS OF THE TRI-VALLEY-SAN JOAQUIN VALLEY REGIONAL RAIL AUTHORITY AUTHORIZING THE EXECUTIVE DIRECTOR TO EXTEND, UNTIL JUNE 30, 2026, THE TERM OF THE EMPLOYMENT CONTRACTS OF THE AUTHORITY'S DIRECTOR OF RAIL ENGINEERING AND CONSTRUCTION, DIRECTOR OF POLICY, PLANNING AND ENVIRONMENTAL AND EXECUTIVE MANAGEMENT ASSISTANT

WHEREAS, the Legislature adopted AB 758, establishing the Tri-Valley-San Joaquin Valley Regional Rail Authority (Authority) under California Public Utilities Code Section 132651 *et seq*., to plan, develop and deliver cost-effective and responsive transit connectivity between the Bay Area Rapid Transit District's rapid transit system in the Tri-Valley and the Altamont Corridor Express commuter rail service;

WHEREAS, as required by AB 758, the Authority prepared and delivered an initial Project Feasibility Report to the Legislature on June 30, 2019 to explore the improvement of transit connectivity between the Tri-Valley and San Joaquin Valley; and

WHEREAS, pursuant to the final Project Feasibility Report, the Authority has been engaged in the design and environmental activities to advance the Valley Link Rail Project (Project) towards construction and eventual operation; and

WHEREAS, the Authority has executed employment agreements with its Director of Rail Engineering and Construction, Director of Policy, Planning and Environmental, and Executive Management Assistant, all of which it desires to extend until June 30, 2026.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Tri-Valley-San Joaquin Valley Regional Rail Authority hereby authorizes the Executive Director to extend, until June 30, 2026, the Employment Agreements with Authority's Director of Rail Engineering and Construction, Director of Policy, Planning and Environmental, and Executive Management Assistant, for the amounts stated in the staff report, all in a form approved by legal counsel.

BACK TO AGENDA

BE IT FURTHER RESOLVED that the Executive Director is authorized to take such additional actions necessary continue the employment of these individuals.

APPROVED AND PASSED, this 11th day of June 2025.

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Robert Rickman, Chair

ATTEST:

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Kevin Sheridan, Executive Director

AGENDA

ITEM 5E

BACK TO AGENDA

Tri-Valley San Joaquin Valley
REGIONAL RAIL AUTHORITY

STAFF REPORT

SUBJECT: Resolution R06-2025 Authorizing the Executive Director to Execute an Employment Agreement with Wiliam "Wil" Ridder as the Authority's Deputy Executive Director/Program Manager

FROM: Kevin Sheridan, Executive Director/CEO

DATE: June 11, 2025

Action Requested
Staff requests that the Board of Directors (Board) authorize the Executive Director to execute an Employment Agreement with Wil Ridder as the Authority's Deputy Executive Director/Program Manager, in a form approved by legal counsel.

Background/Discussion
The Authority's Deputy Executive Director/Program Manager position has been vacant since February 2022 when the Deputy Executive Director/Program Manager was promoted to Executive Director. Mr. Ridder, who is currently serving as the Authority's Deputy Director/Financial Planning and Programming, has a contract term that was extended last year and is set to expire. As the Deputy Director, Wil has also been serving in the role of the Authority's Deputy Executive Director/Program Manager. Staff is now requesting the Board's authorization to allow the Executive Director to execute an Employment Agreement with Mr. Ridder to officially serve in the position of the Deputy Executive Director/Program Manager, in a form approved by legal counsel, and to establish benefit accounts and programs to fulfill the requirements of the Employment Agreement and applicable law.

Mr. Ridder's contract will be for a three-year term and provide for a three-month severance payment should his employment be terminated without cause during the contract term. He will initially be paid a salary of $240,000 per year, which will increase after a three-month period to $250,000 per year. In year two of his contract, he will be paid $262,500, and in the third year, $275,625. Mr. Ridder will retain all other existing benefits currently in place, including a "cafeteria plan" for health insurance and 401(a) retirement plan. New and included with the position is a 457 plan to which it will deposit 2% of his salary. He will also receive an automobile allowance of $500 per month. No other benefits are included. He will also be entitled to four weeks of Paid Time Off and seven days of Administrative Leave, per the HR policy.

Fiscal Impact
The cost of this Employment Agreement is within the Authority's existing budget.

Recommended Action

BACK TO AGENDA

Authorize the Executive Director to execute an Employment Agreement with William Ridder as the Authority's Deputy Executive Director/Program Manager, in a form approved by legal counsel.

Attachments

1. Resolution R06-2025
2. Job Description, Deputy Executive Director/Program Manager

BACK TO AGENDA

ATTACHMENT 1

BACK TO AGENDA

Tri-Valley San Joaquin Valley
REGIONAL RAIL AUTHORITY

RESOLUTION NO. R06-2025

* * *

RESOLUTION OF THE BOARD OF DIRECTORS OF THE TRI-VALLEY-SAN JOAQUIN VALLEY REGIONAL RAIL AUTHORITY AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE AN EMPLOYMENT CONTRACT WITH WILLIAM RIDDER TO SERVE AS THE AUTHORITY'S DEPUTY EXECUTIVE DIRECTOR/PROGRAM MANAGER

WHEREAS, the Legislature adopted AB 758, establishing the Tri-Valley-San Joaquin Valley Regional Rail Authority (Authority) under California Public Utilities Code Section 132651 *et seq*., to plan, develop and deliver cost-effective and responsive transit connectivity between the Bay Area Rapid Transit District's rapid transit system in the Tri-Valley and the Altamont Corridor Express commuter rail service;

WHEREAS, as required by AB 758, the Authority prepared and delivered an initial Project Feasibility Report to the Legislature on June 30, 2019 to explore the improvement of transit connectivity between the Tri-Valley and San Joaquin Valley; and

WHEREAS, pursuant to the final Project Feasibility Report, the Authority has been engaged in the design and environmental activities to advance the Valley Link Rail Project (Project) towards construction and eventual operation; and

WHEREAS, on June 24, 2020 secured $46.8 million from the Metropolitan Transportation Commission (MTC) for the Project including the preparation of 30% design plans, a federal environmental document, and various operational and technical reports that will allow the Project to advance expeditiously to meet the overall project schedule; and

WHEREAS, staff recommends that the Board authorize the Executive Director to execute an Employment Agreement with William Ridder to serve as Deputy Executive Director/Program Manager.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Tri-Valley-San Joaquin Valley Regional Rail Authority hereby authorizes the Executive Director to execute an Employment Agreement with William Ridder to serve as Deputy Executive Director/Program Manager, for the amounts stated in the staff report, in a form approved by legal counsel.

BACK TO AGENDA

BE IT FURTHER RESOLVED that the Executive Director is authorized to take such additional actions necessary to establish benefit programs and comply with applicable law to enable the Authority to finalize the employment agreement with William Ridder.

APPROVED AND PASSED, this 11th day of June 2025.

____
Robert Rickman, Chair

ATTEST:

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Kevin Sheridan, Executive Director/CEO

BACK TO AGENDA

ATTACHMENT 2

TRI-VALLEY – SAN JOAQUIN VALLEY REGIONAL RAIL AUTHORITY

POSITION DESCRIPTION

POSITION Deputy Executive Director/Program Manager – Valley Link

CLASSIFICATION Exempt

POSITION DESCRIPTION

Under direction of the Executive Director and Board of Directors, the Deputy Executive Director/Program Manager (DED/PM) directs, administers and coordinates major executive or department-level programs, projects and activities; makes recommendations for action and assists in policy and procedure development and implementation; and performs related duties as assigned.

The DED/PM is responsible for complex and professional administrative duties in support of management initiatives. This position serves as liaison between departments and executive offices and/or assists in managing resources and programs; reviews and evaluates complex programs or directly manages activities and provides substantive recommendations within area of assignment.

DUTIES AND RESPONSIBILITIES - *Duties may include, but are not limited to, the following:*

- Provides professional and complex administrative support to the Executive Director and Board of Directors; develops, plans, organizes, directs and administers, reviews and evaluates complex programs and activities within area of assignment.
- Manages and oversees capital and operating construction projects and initiatives including budget and forecast for staffing, equipment, materials, supplies, and capital and operating projects funds related to capital and operating projects.
- Manages and oversees management team; oversees training, development, performance management including corrections of deficiencies, implementation of discipline and termination process.
- Oversees the development and implementation of executive office and assigned department goals, objectives, policies and priorities for each assigned service area.
- Establishes appropriate service and staffing levels; monitors and evaluates the efficiency and effectiveness of service and project delivery methods and procedures; allocates resources accordingly.
- Oversees the delivery of services for the Valley Link Project; works with key staff to identify and resolve problems.
- Assesses and monitors workload, administrative and support systems, and internal reporting relationships; identifies opportunities for improvement; directs and implements changes.
- Directs various projects including setting policies, goals and objectives and determines priorities to meet those objectives.

BACK TO AGENDA

- Directs contracts related to planning, development/engineering and architectural interdisciplinary design and construction; directs the utilization of contracted consultant services on projects; resolves disputes with design/engineering consultants and construction contractors and negotiates major change orders.
- Oversees the financial control and administration of projects including the development of new project scopes, criteria, budgets and schedules.
- Oversees and coordinates contract administration; directs the preparation of requests for proposals for consultant and contractor services; coordinates the review of principles; submits and presents recommendations to the Executive Director and Board of Directors.
- Oversees the engineering design, development, testing and procurement of new revenue vehicles and the rehabilitation of vehicles.
- Selects, trains, motivates and evaluates assigned personnel; provides or coordinates management staff training; works with employees to correct deficiencies; implements discipline and termination procedures.
- Oversees and participates in the development and administration of budgets; approves the forecast of funds needed for staffing, equipment, materials and supplies; approves expenditures and implements budgetary adjustments and controls as appropriate and necessary.
- Explains and defends assigned programs, policies and activities; negotiates and resolves sensitive and controversial issues.
- Represents assigned projects to other executive staff, departments, elected officials, and outside agencies; and, coordinates activities with other departments and outside agencies and organizations.
- Ensures customer service and collaboration with the public, stakeholders, and other departments.
- Participates on a variety of boards, commissions and committees; prepares and presents staff reports and other necessary correspondence.
- Attends and participates in professional group meetings; stays abreast of new trends and innovations in the field of public transportation development services.
- Responds to and resolves difficult and sensitive citizen inquiries and complaints.

Behavior

The employee shall work well under pressure meeting multiple and sometimes competing deadlines. The employee shall at all times demonstrate cooperative behavior with colleagues, supervisors, contract service providers, and the public.

KNOWLEDGE/SKILLS REQUIRED BY POSITION

Knowledge of:

- Operations, services and activities of a comprehensive public rail transportation system new development program including all structures and systems engineering, construction, and administrative program areas.
- Principles and practices of civil and structural engineering.
- Principles and practices of construction project management.
- Advanced principles and practices of program development, implementation and administration.
- Priorities of Executive Director and Board of Directors.
- Land acquisition process.

- Policies and procedures to develop and construct a project on the state highway system.
- Principles and practices of budget preparation and administration.
- Principles and practices of contract negotiation and administration.
- Principles of supervision, training and performance evaluation.
- Related Federal, State and local laws, codes and regulations.
- Methods and techniques of research and analysis.
- Methods and techniques of policy analysis and development.
- Principles of strategic planning.
- Current office procedures, methods and equipment including computers and supporting word processing and spreadsheet applications.
- Principles of business letter writing and report preparation.
- Principles and procedures of filing and record keeping.

Skills & Abilities:

- Managing and directing the development of comprehensive public rail transportation project including the structures and systems engineering, construction, financial and administrative program areas
- Managing overall program scope
- Developing and administering executive office and assigned departmental budgets, goals, objectives and procedures
- Analyzing and assessing programs, budgets, policies and operational needs and making appropriate adjustments
- Identifying and responding to sensitive community and organizational issues, concerns and needs.
- Delegating authority and responsibility
- Planning, organizing, directing and coordinating the work of lower-level staff and consultants/contractors
- Selecting, supervising, training and evaluating staff
- Analyzing problems, identifying alternative solutions, projecting consequences of proposed actions and implementing recommendations in support of goals
- Researching, analyzing and evaluating new service and project delivery methods and techniques
- Overseeing and managing various disciplines and phases of rail transit projects, including planning, development/engineering and construction phases
- Overseeing and coordinating contract administration of consultant and contractor contracts
- Preparing clear and concise administrative and financial reports
- Preparing and administering large and complex budgets
- Administering contractor and consultant contracts
- Preparing clear and concise administrative and financial reports
- Interpreting and applying applicable Federal, State and local policies, laws and regulations
- Communicating clearly and concisely, both orally and in writing
- Establishing and maintaining effective working relationships with those contacted in the course of work
- Exercising sound independent judgment within general policy guidelines
- Independently preparing correspondence and memoranda
- Researching, analyzing, compiling and summarizing a variety of materials

BACK TO AGENDA

- Operating office equipment including computers and supporting word processing and spreadsheet applications
- Understanding the organization and function of a public agency
- Interpreting and explaining Authority policies and procedures

ORGANIZATIONAL RELATIONSHIPS

Position reports directly to:
Executive Director

Position currently supervises:
General Engineering Contractors (GEC)
Project Management Support Services (PMSS)

Position coordinates with:
Authority staff
Consultants
Representatives of federal, state, regional, county and city agencies
Local civic groups and businesses
Utilities, railroads, transit agencies and other public service providers
Vendors and contractors
The public

QUALIFICATIONS

Bachelor's degree(s) in Engineering, Transportation Planning, Business Administration, Urban Planning, or related field. The position requires at least five (5) years of experience in managing the development of large-scale transportation projects.

BACK TO AGENDA

AGENDA

ITEM 5F

Tri-Valley San Joaquin Valley
REGIONAL RAIL AUTHORITY

STAFF REPORT

SUBJECT:	Approve Resolution R07-2025 Authorizing the Executive Director/CEO to Negotiate Contract Agreement Addendum 2 with Gray-Bowen-Scott (GBS) for Program Management Support Services (PMSS)
FROM:	Wil Ridder, Deputy Director
DATE:	June 11, 2025

Action Requested
Staff requests that the Board of Directors authorize the Executive Director/CEO to negotiate and enter into Addendum 2 to the Contract Agreement with Gray-Bowen-Scott (GBS) for Program Management Support Services (PMSS) to increase the not-to-exceed amount by $1,200,000 to a new total of $3,816,408, for additional on-call services.

Background/Discussion
In June 2023 the Board approved the contract with GBS to serve as the Authority's PMSS consultant. As an experienced consulting team that specializes in delivering large Caltrans highway infrastructure projects, GBS has assisted staff with program management support services for the Valley Link Project Environmental and Design Phases, including the assurance of the successful completion of the Caltrans Project Approval and Environmental Document (PAED), Plans, Specifications, and Estimates (PS&E) and Right of Way (R/W) Support phases and associated internal cost control and review of consultant invoices for auditing purposes. GBS has also assisted with Caltrans coordination with regard to the option for a Construction Manager/General Contractor (CM/GC) process to be undertaken by Caltrans where appropriate.

The June 2023 Board action approved $1,794,895 for the PMSS contract with an initial three-year period with two (2) one-year options. Over the progression of the work, the GBS team has expended additional effort on procurements, contract management oversight, and third-party agreements than originally contemplated and budgeted. To date, GBS has prepared procurements for the real estate program manager, alternative delivery support services, equity community outreach, marketing and community outreach, and regional advocacy. GBS is subsequently providing contract management oversight for these additional services acquired by the Authority. The GBS team has also been leading the coordination and development of the third-party agreements and the development of the third-party agreements tracking log that meets Federal Transit Administration (FTA) requirements, neither of which were originally budgeted. The GBS team is also supporting the Authority on elements of the FTA Project Development phase that were not originally contemplated or budgeted, including FTA Project Management Oversight Consultant (PMOC) coordination, preparation of elements of the FTA Project Management Plan (PMP), and review of subplans. In addition, the Authority has requested GBS add SharePoint and Teams Power Automate resources to the team to aid in the development and implementation of the Authority's document control through a SharePoint site and the invoice approval process through Teams Power Automate.

BACK TO AGENDA

In February 2025 the Board approved Addendum 1 to the agreement with GBS for $821,513 for continued PMSS support through Summer of 2025 for a total not-to-exceed amount of $2,616,408. Addendum 1 covered additional effort the GBS team had expended on procurements, contract management oversight, and third-party agreements than originally contemplated and budgeted. Currently $2,082,756 (80%) of the total not-to-exceed amount has been expended. Addendum 2 will allow GBS to continue its PMSS work on the project in Fiscal Year (FY) 2026, including the support of Project Development activities with the Federal Transit Administration and Caltrans.

Fiscal Impact

The additional $1,200,000 for this Addendum 2 to the Contract Agreement with GBS is within the Authority's current funding, including bridge toll and state funds. The amount of funding for the additional work under this Addendum 2 is anticipated to be expended in FY 2026 and is identified in the FY 2026 annual budget.

Recommended Action

Authorize the Executive Director to negotiate and enter into Addendum 2 to the Contract Agreement with GBS for PMSS to increase the not-to-exceed amount by $1,200,000 to $3,816,408 for additional on-call services during the initial three-year base term of the Contract Agreement.

Attachments:

1. Resolution R07-2025

BACK TO AGENDA

ATTACHMENT 1

Tri-Valley San Joaquin Valley
REGIONAL RAIL AUTHORITY

RESOLUTION NO. R07-2025

* * *

RESOLUTION OF THE BOARD OF DIRECTORS OF THE TRI-VALLEY-SAN JOAQUIN VALLEY REGIONAL RAIL AUTHORITY AUTHORIZING THE EXECUTIVE DIRECTOR TO NEGOTIATE AND ENTER INTO ADDENDUM 2 TO THE CONTRACT AGREEMENT WITH GRAY-BOWEN-SCOTT (GBS) FOR PROGRAM MANAGEMENT SUPPORT SERVICES (PMSS)

WHEREAS, the Legislature adopted AB 758, establishing the Tri-Valley-San Joaquin Valley Regional Rail Authority (Authority) under California Public Utilities Code Section 132651 *et seq*., to plan, develop and deliver cost-effective and responsive transit connectivity between the Bay Area Rapid Transit District's rapid transit system in the Tri-Valley and the Altamont Corridor Express commuter rail service;

WHEREAS, as required by AB 758, the Authority prepared and delivered an initial Project Feasibility Report to the Legislature on June 30, 2019 to explore the improvement of transit connectivity between the Tri-Valley and San Joaquin Valley;

WHEREAS, pursuant to the final Project Feasibility Report, the Authority has been engaged in the design and environmental activities to advance the Valley Link Project (Project) towards construction and eventual operation;

WHEREAS, on June 24, 2020 the Authority secured $46.8 million from the Metropolitan Transportation Commission (MTC) for the Project including the preparation of 30% design plans, a federal environmental document, various operational and technical reports, and Program Management Support Services (PMSS) that will allow the Project to advance expeditiously to meet the overall project schedule;

WHEREAS, in FY 2022/23 the Authority secured $30 million from the State of California to support project development including engineering up to 60% design;

WHEREAS, the Authority awarded the Program Management Support Services contract to GBS in June 2023 for an amount not to exceed $1,794,895 for an initial three-year period with two (2) one-year options, subject to funding availability and future board approval;

BACK TO AGENDA

WHEREAS, on February 12, 2025, the Authority and GBS entered into Addendum No. 1 to the Agreement to increase the maximum not to exceed amount to $2,616,408; and

WHEREAS, the Authority has identified the need for additional Program Management Support Services including the support of Project Development activities with the Federal Transit Administration.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Tri-Valley-San Joaquin Valley Regional Rail Authority hereby authorizes the Executive Director to negotiate and enter into Addendum 2 to the Professional Services Agreement to Gray-Bowen-Scott (GBS) for Program Management Support Services for an additional amount of $1,200,000 to a new total not-to-exceed amount of $3,816,408 during the initial three-year term of the agreement.

APPROVED AND PASSED, this 11th day of June 2025.

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Robert Rickman, Chair

ATTEST:

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Kevin Sheridan, Executive Director/CEO

APPROVED AS TO FORM:

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Michael Conneran, Legal Counsel

AGENDA

ITEM 5G

Tri-Valley San Joaquin Valley
REGIONAL RAIL AUTHORITY

Staff Report

SUBJECT: Approve Resolution R08-2025 Authorizing the Executive Director/CEO to Negotiate Agreement Addendum 2 with AECOM for the Alternative Delivery Support Services (ADSS)

FROM: Wil Ridder, Deputy Director

DATE: June 11, 2025

Action Requested

Staff requests that the Board of Directors (Board) authorize the Executive Director/CEO to negotiate and execute Addendum 2 to the Agreement with AECOM Technical Services, Inc. (AECOM) for Alternative Delivery Support Services (ADSS) to increase the not-to-exceed compensation by $1,000,000 to a new total of $1,900,000, for additional on-call services.

Background/Discussion

In June 2024, the Board approved the contract with AECOM to serve as the Authority's ADSS consultant. As the ADSS consultant, AECOM has been responsible for working with the Authority, its General Engineering Consultant (GEC) and Program Management Support Services (PMSS) consultant and coordinating with the Project partners including the Federal Transit Administration (FTA) and the California Department of Transportation (Caltrans), to identify, evaluate, and provide recommendations on delivery methods for the Project and its elements. The delivery methods may include, but are not limited to, Design Bid Build (DBB), Construction Management/General Contractor (CM/GC), Progressive Design Build (PDB), Design Build (DB) and Design, Build, Operate, Maintain (DBOM).

The ADSS work is being conducted in two phases. Phase 1 of the work has included the identification, analysis, and recommendation of alternative delivery methods that best meet the needs of the Project, its elements, the Authority's organization, and both FTA and Caltrans requirements. During this phase of the work, AECOM is also preparing a Project Labor Agreement and an update to the Authority's Disadvantaged Business Enterprise (DBE) Policy. In Phase 2 of the work AECOM will be responsible for the development of procurement documents for the selected delivery methods in compliance with federal and state requirements and supporting the Authority during the advertisement and post-award periods of the delivery contract.

The June 2024 Board action approved $600,000 for the Phase 1 ADSS work. Subsequently, staff identified the need for additional Phase 1 services including the development of cost estimates for final design and related activities. These cost estimates are required to support the preparation of the total project cost estimate and the Authority's request to the Metropolitan Transportation Commission (MTC) and Alameda County Transportation Commission (ACTC) for final design funding. In February 2025 the Board approved Addendum 1 to the agreement with AECOM for $300,000 for the additional Phase 1

BACK TO AGENDA

ADSS work that is currently being initiated, for a total not-to-exceed amount of $900,000. Currently $484,000 (53%) of the total not-to-exceed amount has been expended.

Addendum 2 will allow AECOM to begin Phase 2 services targeted over Fiscal Year (FY) 2026 including industry outreach, the CM/GC pre-construction services Request for Proposal (RFP) development, CM/GC procurement administration including issuance of RFP and Addendums, Disadvantaged Business Enterprise (DBE) goal setting, request for clarification responses and correspondence during procurement, proposal review and evaluation and award of contract and related activities. These services are required to prepare the RFP and support the Authority's award of the CM/GC contract for pre-construction services.

Fiscal Impact

The $1,000,000 for this Addendum 2 to the Agreement with AECOM will be funded through additional Transit and Intercity Rail Capital Program (TIRCP) funding awarded by the California State Transportation Agency in April 2023 for project development activities and allocated by the California Transportation Commission (CTC) in December 2023. The amount of funding for work under this Addendum 2 is anticipated to be expended in FY 2026 and is identified in the FY 2026 annual budget.

Recommendation

Authorize the Executive Director/CEO to negotiate and execute Addendum 2 to the Agreement with AECOM for ADSS to increase the not-to-exceed amount by $1,000,000 to $1,900,000, for additional on-call services.

Attachments

1. Resolution R08-2025

ATTACHMENT 1

RESOLUTION NO. R08-2025

* * *

RESOLUTION OF THE BOARD OF DIRECTORS OF THE TRI-VALLEY-SAN JOAQUIN VALLEY REGIONAL RAIL AUTHORITY AUTHORIZING THE EXECUTION DIRECTOR TO NEGOTIATE AND EXECUTE ADDENDUM 2 TO THE PROFESSIONAL SERVICES AGREEMENT WITH AECOM FOR ALTERNATIVE DELIVERY SUPPORT SERVICES

WHEREAS, the Legislature adopted AB 758, establishing the Tri-Valley-San Joaquin Valley Regional Rail Authority (Authority) under California Public Utilities Code Section 132651 *et seq*., to plan, develop and deliver cost-effective and responsive transit connectivity between the Bay Area Rapid Transit District's rapid transit system in the Tri-Valley and the Altamont Corridor Express commuter rail service;

WHEREAS, as required by AB 758, the Authority prepared and delivered an initial Project Feasibility Report to the Legislature on June 30, 2019 to explore the improvement of transit connectivity between the Tri-Valley and San Joaquin Valley;

WHEREAS, pursuant to the final Project Feasibility Report, the Authority has been engaged in the design and environmental activities to advance the Valley Link Project (Project) towards construction and eventual operation;

WHEREAS, on December 7, 2023, the Authority secured $25 million in Transit and Intercity Rail Capital Program (TIRCP) funds from the California Transportation Commission (CTC) for the Project including funds for Alternative Delivery Support Services;

WHEREAS, the Authority awarded the Alternative Delivery Support Services contract to AECOM Technical Services, Inc. in June 2024 for an amount not to exceed $600,000 for an initial three-year period with two (2) one-year options, for on-call services subject to funding availability and future Board of Directors' approval;

WHEREAS, on February 12, 2025, the Authority and AECOM entered into Addendum No. 1 to the Agreement to increase the maximum aggregate compensation amount to $900,000; and

WHEREAS, the Authority has identified the need for additional Phase 1 Alternative Delivery Support Services to prepare a Construction Manager/General Contractor procurement, and staff

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now recommends that the Board authorize an amendment increasing the maximum aggregate compensation amount by $1,000,000 to $1,900,000, for these additional services.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Tri-Valley-San Joaquin Valley Regional Rail Authority hereby authorizes the Executive Director/CEO to negotiate and execute Addendum 2 to the Professional Services Agreement with AECOM Technical Services Inc. To increase the not-to-exceed amount by $1,000,000 to a new total not-to-exceed price of $1,900,000 for additional Alternative Delivery Support Services.

APPROVED AND PASSED, this 11th day of June, 2025.

____
Robert Rickman, Chair

ATTEST:

____
Kevin Sheridan, Executive Director/CEO

APPROVED AS TO FORM:

____
Michael Conneran, Legal Counsel

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ITEM 6

Tri-Valley San Joaquin Valley
REGIONAL RAIL AUTHORITY

STAFF REPORT

SUBJECT: Approval of Delivery Strategy for Valley Link – Dublin/Pleasanton to Mountain House Project

FROM: Wil Ridder, Deputy Director

DATE: June 11, 2025

Action Requested
Staff requests that the Board of Directors (Board):

1. Approve consideration of a phased construction delivery strategy of the Valley Link – Dublin/Pleasanton to Mountain House (Phase 1) project with the initial phase from Dublin/Pleasanton to Vasco Road (Phase 1A) and the subsequent phase from Vasco Road to Mountain House (Phase 1B);
2. Approve consideration of the adoption of battery electric multiple unit (BEMU) rail vehicle technology to operate the Dublin/Pleasanton to Vasco Road (Phase 1A) project;
3. Direct staff to seek Federal Railroad Authority (FRA) jurisdiction determination for the Dublin/Pleasanton to Vasco Road (Phase 1A) project as an urban mass transit train control system; and
4. Direct staff to pursue opportunities to advance the Vasco Road to Mountain House (Phase 1B) project.

Background/Discussion
In May 2025, staff presented to the Board an update on the Valley Link – Dublin/Pleasanton to Mountain House (Phase 1) project. This presentation recognized that with the completion of 30% design, the update of material, labor, and equipment prices for actual escalation, and the inclusion of required construction contingencies, the total project cost estimate of the Dublin/Pleasanton to Mountain House (Phase 1) project had increased from the December 2022 estimate of $1.9 billion in 2018 dollars to the January 2025 estimate of $4.1 billion in 2024 dollars. In response to this cost increase staff has evaluated the potential to secure additional funding from regional, state and federal funding sources to make up the cost difference as well as the opportunity to employ value engineering concepts to reduce the cost difference. Due to the demand on funding resources by other major capital transit projects with similar cost increases and the continued need for operating subsidies on other existing transit systems experiencing slow post-pandemic ridership recovery, staff has focused efforts on addressing the project cost increase through cost reduction.

Opportunities to reduce the Dublin/Pleasanton to Mountain House (Phase 1) project cost have been assessed using the results of the Value Engineering (VE) Study the Authority staff conducted in November 2024 with a team consisting of staff members from the Metropolitan Transportation Commission (MTC), Alameda County Transportation Commission (ACTC), San Francisco Bay Area Rapid Transit District (BART), Caltrans, the Federal Transit Administration (FTA), and the Authority's staff and consultants. The

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VE Study identified approximately $500 million in potential cost saving across the 22-mile Dublin/Pleasanton to Mountain House alignment. While these potential cost savings are significant, the additional funding need, taking into consideration existing commitments of project funding and reasonable assumptions of funding through the FTA Capital Investment Grants (CIG) Program, is unrealistic to be secured for a single project in the near-term through applicable state funding sources including the Transit and Intercity Rail Capital Program (TIRCP) and Senate Bill 1 Solutions for Congested Corridors Program (SCCP). As identified in Figure 1, staff has assessed the optimization of a near-term project to meet all of the overall Valley Link project goals and a realistic funding plan.

Figure 1 – Value Engineering and Project Optimization

Phasing Alternatives		D/P to Mountain House *(10 vehicles)*	D/P to Vasco Direct ACE Connection *(6 vehicles)*	D/P to Southfront Bus ACE Connection *(5 vehicles)*
Total Project Cost ($M, YOE)		$3,794 - $4,465	$2,025 - $2,186	$2,161 - $2,305
FTA Share	**40%**	$1,518 - $1,786	$810 - $875	$928 - $990
	49.4%	$1,874 - $2,206	$1,000 - $1,080	$1,068 - $1,139
Existing Local Funding Match		$635	$635	$635
Additional Funding Need	**FTA @ 40%**	$1,641 - $2,044	$580 - $677	$598 - $680
	FTA @ 49.4%	$1,285 - $1,624	$390 - $471	$459 - $531
Ridership (Weekday, YR 2025/2045)		4,384/9,965	TBD	2,360/5,040

* Total project cost excludes rail vehicles planned as annualized lease

As a result of this optimization assessment, staff is recommending that the Board approve consideration of a phased construction delivery strategy of the Dublin/Pleasanton to Mountain House (Phase 1) project with the initial phase from Dublin/Pleasanton to Vasco Road (Phase 1A) and the subsequent phase from Vasco Road to Mountain House (Phase 1B). Staff is furthermore recommending that the Board approve consideration of the adoption of battery electric multiple unit (BEMU) rail vehicle technology to operate the Dublin/Pleasanton to Vasco Road (Phase 1A) project and to direct staff to seek Federal Railroad Authority (FRA) jurisdiction determination for the Dublin/Pleasanton to Vasco Road (Phase 1A) project as an urban mass transit train control system. Both the BEMU rail vehicle technology and urban mass transit train control system have been identified to reduce the capital and operating costs of the Dublin/Pleasanton to Vasco Road (Phase 1A) project while streamlining the environmental update and third-party agreement process.

Achieving Project Goals

In addition to right-sizing and scoping a construction phase of the Valley Link project to achieve a realistic funding plan for near-term delivery, staff has also worked to ensure that such a project phase would meet all of the Authority's project goals as identified in Figure 2.

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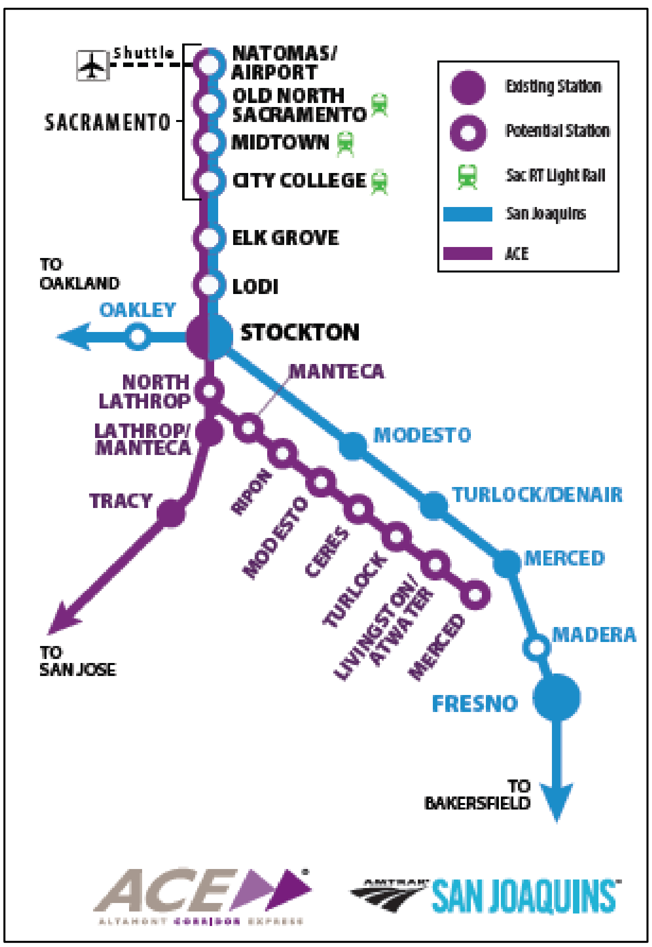
Figure 2 – Valley Link Project Goals

These include accomplishing a major goal of the Valley Link project, connecting the BART and Altamont Corridor Express (ACE) rail systems at the Vasco Road ACE station. Significant to this direct connection to ACE, with a cross-platform transfer at the ACE Vasco Road station, is the ability to now unlock the opportunity of the existing ACE system to connect Valley Link with the San Joaquin communities with current ACE stations, including Tracy, Lathrop, Manteca and Stockton. With the San Joaquin Regional Rail Commission's (SJRRC) expansion of passenger rail system through the Valley Rail project shown in Figure 3, the Valley Link connection with ACE at Vasco Road has the ability to leverage not only the future connectivity to the communities of Lodi and Ripon in San Joaquin County, but to achieve the goal of statewide rail system connectivity between BART, ACE and the San Joaquins serving communities from Sacramento County to Kern County.

Figure 3 – Valley Rail and San Joaquins Map



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Advancement of Vasco Road to Mountain House (Phase 1B)

As it stated in its presentation to the Board in May, staff believes that there are near-term opportunities to advance the Vasco Road to Mountain House (Phase 1B) project and value in doing so to best position this project for future state and federal funding. The opportunities include working with local and regional partners in San Joaquin County to explore new funding programs from land value capture around the future Mountain House station to a targeted revenue initiative that could support not only the Valley Link Phase 1B project, but ACE and San Joaquin Regional Transit District (SJRTD) commuter bus service operating in the Altamont corridor. Additionally, staff believes that there is value in working with the City of Mountain House and the San Joaquin Council of Governments (SJCOG) to advance Transit Oriented Development (TOD) planning around the future Mountain House station as well as to implement the Mountain House Regional Mobility Hub. The Mountain House Regional Mobility Hub, which was jointly submitted by the Authority and the City of Mountain House to the US Department of Transportation for funding from the Fiscal Year 2025 Better Utilizing Investments to Leverage Development (BUILD) Grant Program, presents a near-term benefit to the City of Mountain House and other SJ County commuters by constructing a new park and ride lot to connect residents to both SJRTD commuter bus service and SJRTD shuttles to the Tracy ACE station as well as serve as a hub for organized vanpools and informal carpools with the support for access to the hub by all modes, including active transportation. The intent of this near-term hub is to ensure that it is designed and located to be used as part of the ultimate Valley Link Mountain House station.

Next Steps

Following Board action on the project delivery strategy, staff will coordinate the appropriate updates to the current state and federal environmental clearance documents, along with updates to the 30% design and all technical materials required to support the Authority's request to FTA for entry into the Engineering phase of the CIG Program. This includes direct coordination with FTA as the lead agency for the federal environmental process and coordination with Caltrans on updates required to the Project Report for project work within the State's right of way. Following the completion of the required updates to the environmental documents, the Board will be asked to approve the CEQA document and adopt a revised project. The separate NEPA review will be conducted by FTA.

Per direction of the Board, staff will also seek FRA jurisdictional determination for the Dublin/Pleasanton to Vasco Road (Phase 1A) project as an urban mass transit train control system and coordinate with local and regional project partners to pursue opportunities to advance the Vasco Road to Mountain House (Phase 1B) project. Staff will continue partner agency coordination and outreach to local jurisdictions and community stakeholders throughout the entire project area.

Fiscal Impact

Approval of the recommended actions would result in the performance of technical work to update the design, environmental clearance and other requirements to support the positioning of the Dublin/Pleasanton to Vasco Road (Phase 1A) project for funding from the FTA CIG Program. This technical work is planned for in the final Fiscal Year 2026 Budget presented for Board approval on the June 2025 Board meeting agenda.

Recommendation

1. Approve consideration of a phased construction delivery strategy of the Valley Link – Dublin/Pleasanton to Mountain House (Phase 1) project with the initial phase from Dublin/Pleasanton to Vasco Road (Phase 1A) and the subsequent phase from Vasco Road to Mountain House (Phase 1B);

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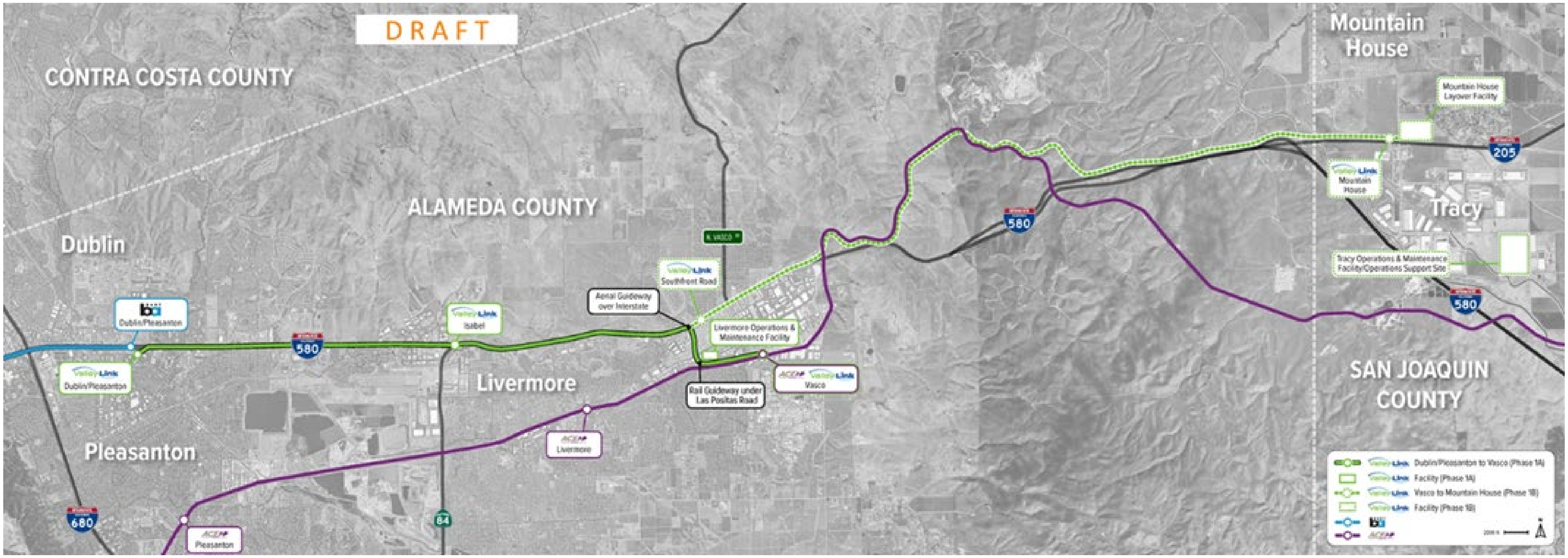
2. Approve consideration of the adoption of battery electric multiple unit (BEMU) rail vehicle technology to operate the Dublin/Pleasanton to Vasco Road (Phase 1A) project;
3. Direct staff to seek Federal Railroad Authority (FRA) jurisdiction determination for the Dublin/Pleasanton to Vasco Road (Phase 1A) project as an urban mass transit train control system; and
4. Direct staff to pursue opportunities to advance the Vasco Road to Mountain House (Phase 1B) project.

Attachments

1. Draft Project Phasing to Mountain House Map

ATTACHMENT 1

Attachment 1 – Draft Phasing to Mountain House Map



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Tri-Valley San Joaquin Valley
REGIONAL RAIL AUTHORITY

STAFF REPORT

SUBJECT: Approve State Legislative Update and Revised SJCOG SB 125 Funding Request

FROM: Wil Ridder, Deputy Director and Gus Khouri, Consultant

DATE: June 11, 2025

Action Requested

Authorize the Executive Director/CEO to submit a revised request for a total of $16 million in Senate Bill 125 transit funding from the San Joaquin Council of Governments (SJCOG) including $10 million for the final design of the Valley Link Rail Project Phase 1A between the Dublin/Pleasanton and Vasco Road stations, $5 million for the construction of the Mountain House Regional Mobility Hub, and $1 million for the development of the Megaregional Transit Hydrogen Production Hub in the City of Tracy.

State Legislative Update

On May 14, Governor Newsom released his proposed May Revision to the FY 2025-26 State Budget. The Governor states that there is now a $12 billion General Fund deficit, which is due to the economic volatility caused by tariffs and increased Medi-Cal costs. Governor Newsom states that revenues were up $7.9 billion between January and April. Still, the stock market took a significant hit with the imposition of tariffs, particularly capital gains, which are down by $10 billion. Corporate taxes are also down by $2 billion, wages are down by $2 billion due to higher unemployment, and personal income tax is $1.5 billion lower than expected. The Governor points out that the $12 billion deficit represents only 5.8% of the General Fund.

The May Revise proposes a General Fund expenditure plan of $226.4 billion, a $2.5 billion reduction from the $228.9 billion proposed in January. Solutions to close the gap include a freeze on new Medi-Cal enrollment ($5 billion) and a loan from Medi-Cal ($5.3 billion). Governor Newsom is also proposing to use $1.7 billion from the Greenhouse Gas Reduction Fund to support Cal Fire activities. The state would maintain a Rainy-Day Fund reserve of $15.7 billion through the end of fiscal year 2025-26. The forecast for fiscal years 2026-27 and 2028-29 is a structural deficit of $20.6 billion.

Cap-and-Trade

The Governor's May Revision to the FY 2025-26 State Budget proposes to extend the Cap and Trade Program from 2030 to 2045, renaming it Cap and Invest, provides the High-Speed Rail Project with a $1 billion line-item rather than the 25 percent continuous appropriation it currently receives, and shifts $1.54 billion for Cal Fire baseline operations from the General Fund to Greenhouse Gas Reduction Fund (GGRF), which grows to $1.9 billion by 2029-30.

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Impact on Transportation

In recent years, the GGRF has become a de facto auxiliary source to offset General Fund obligations. Wildfires have ravaged the North Bay, making the Cal Fire funding a critical appropriation to maintain statewide. However, redirecting CalFire funding to the GGRF would be devastating to addressing air quality and mobility objectives. It would eviscerate previous SB 125 commitments for transit, including the Zero Emission Transit Capital Program ($690 million combined in FY 26-27 and FY 27-28), and $388 million for SB 125 formula-based TIRCP ($188 million) and competitive funds ($200 million) through FY 2026-27, undermining competitive grants award issued by the California State Transportation Agency, and possibly federal funds and regional measure efforts to backfill transit operations, to improve and expand bus and rail systems, and severely compromising the ability of transit systems to retain critical operating resources to keep systems afloat. These funds have become increasingly crucial as revenues (sales tax on diesel) for the State Transit Assistance Program and State Rail Assistance programs continue to decline due to reduced diesel consumption.

Honoring the remaining appropriation of SB 125 and TIRCP competitive funds through FY 2027-28 represents only .004% of the current General Fund if the aggregate of $1.078 billion for TIRCP formulaic and competitive funds were scored for FY 2025-26. We understand that state revenues are volatile, but even assuming a $20.6 billion structural deficit forecasted for FY 2026-27 and FY 2027-28 were accurate, maintaining the $1.078 billion one-time commitment for the programs above over multiple years as currently contemplated constitutes a paltry .0027% of all General Fund proceeds ($638.4 billion, which equals total revenue for the next three fiscal years - $226.4B in FY 25-26, $206.4B in FY 26-27 and FY 27-28). Currently, MTC has received over $534 million of its $1.1 billion share of SB 125 funds and SJCOG has received $44 million of its $93 million share.

The legislature must submit a budget to the Governor by June 15. Items must be in print by June 12.

Revised SJCOG SB 125 Funding Request

In October 2023 the Board authorized the Executive Director/CEO to submit a request for $35 million in SB 125 transit funding from SJCOG including $5 million for the federal environmental clearance of the Valley Link Rail Project between the Mountain House and North Lathrop stations in San Joaquin County and $30 million for the Valley Link hydrogen production facility at the Tracy Operations and Maintenance Facility. Following communication from SJCOG staff that recommendations to the SJCOG Board of Directors for the prioritization of SB 125 funds would be developed by an SB 125 Working Group to include Valley Link as a participant, staff submitted a letter of support for the November 2023 SJCOG Board action on the SB 125 process development under signature of then Chair Hernandez. In February 2024 the SJCOG Board approved a formula distribution of $68 million in SB 125 funds for an initial 2-year funding period to address the immediate operations funding needs of existing transit operators in San Joaquin County. The balance of approximately $26 million of SB 125 funds was deferred for action by the SJCOG Board. In August 2024 the SJCOG Board authorized fund transfer agreements for existing transit operators receiving SB 125 funds from the initial $68 million disbursement with continued deferral of action on the $26 million balance of SB 125 funds due to the uncertainty in timing of the State's disbursement of those funds to SJCOG.

The revised request for a total of $16 million in SB 125 transit funding from SJCOG includes $10 million for the final design of the Valley Link Rail Project Phase 1A between the Dublin/Pleasanton and Vasco Road stations, $5 million for the construction of the Mountain House Regional Mobility Hub, and $1 million

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for the development of the Megaregional Transit Hydrogen Production Hub in the City of Tracy. The $10 million in SB 125 funding for the final design of the Phase 1A project would be used to augment other Bay Area and State funding secured for Valley Link project development activities. These include a total of $198 million in regional bridge toll funds committed to the Valley Link project by the Metropolitan Transportation Commission (MTC) as well as the $25 million of State Transit and Intercity Rail Capital Program (TIRCP) funds awarded by the California State Transportation Agency (CalSTA) and $5 million in State Budget earmark funds secured through AB 179. The $10 million in SJCOG SB 125 funds would specifically support the design for the direct connectivity of Valley Link to the Altamont Corridor Express (ACE) passenger rail system at the existing ACE Vasco Road station for a cross-platform transfer of riders.

The $5 million in SB 125 funding for the construction of the Mountain House Regional Mobility Hub would support the delivery of a near-term mobility hub in the location of the ultimate Valley Link Mountain House station at the I-205/Mountain House Parkway interchange. The near-term regional mobility hub would provide for immediate benefit to the Mountain House community serving as a park and ride lot for commuters seeking to access commuter bus service offered by the San Joaquin Regional Transit District (SJRTD), commuters using the SJRTD direct shuttle service from Mountain House to the Tracy ACE station, commuters participating in formal vanpools and informal carpools, and residents seeking to connect to local transit service provided by Tracy Tracer with access and amenities for all modes, including pedestrians and bicyclists. This project would be scaled to near-term needs, but implemented to ensure consistency with the longer-term Valley Link Mountain House station plan including the design of a new intersection on Mountain House Parkway. The project would be coordinated with the City of Mountain House for delivery.

The $1 million in SB 125 funding for the development of the Megaregional Transit Hydrogen Production Hub in the City of Tracy would support the continued collaboration with local transit operators including Tracy Tracer, SJRTD, the San Joaquin Regional Rail Commission (SJRRC) and the Livermore Amador Valley Transit Authority (LAVTA) looking to transition their fleets to zero emission hydrogen technology or in relationship to SJRRC, plan to operate a State provided hydrogen rail vehicle . This facility, targeted to the 200-acre site previously committed by the City of Tracy to the Valley Link project, could serve as a production, storage, distribution and fueling facility with business and operating models structured to benefit all local agency partners.

Fiscal Impact

The approval of the staff recommendation will allow the Authority to seek a total of $16 million in SB 125 funding for the final design of the Valley Link Rail Project Phase 1A between the Dublin/Pleasanton and Vasco Road stations, the construction of the Mountain House Regional Mobility Hub and the development of the Megaregional Hydrogen Production Facility. Staff will bring back to the Board budget amendments to reflect these revenues and uses as these funds are secured and formally allocated to the Authority by the California Transportation Commission (CTC).

Recommendation

Authorize the Executive Director/CEO to submit a revised request for $16 million in SB 125 transit funding from SJCOG including $10 million for the final design of the Valley Link Rail Project Phase 1A between the Dublin/Pleasanton and Vasco Road stations, $5 million for the construction of the Mountain House Regional Mobility Hub, and $1 million for the development of the Megaregional Transit Hydrogen Production Hub in the City of Tracy.

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ITEM 8

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Tri-Valley San Joaquin Valley
REGIONAL RAIL AUTHORITY

STAFF REPORT

SUBJECT: Approve Resolution R09-2025 Adopting Revised Procurement Policy for Construction Manager/General Contractor (CM/GC) Procurement Methodology

FROM: Wil Ridder, Deputy Director and Michael Conneran, Legal Counsel

DATE: June 11, 2025

Action Requested
Staff requests that the Board of Directors (Board) approve Resolution R09-2025 to adopt a revised Procurement Policy to support the Authority's use of CM/GC procurement methodology, including projects undertaken in partnership with the California Department of Transportation (Caltrans) for portions of the Valley Link project that are on the state highway system.

Background/Discussion
In January 2018, the Authority adopted a Procurement Policy (Resolution 02-2018) to promote the greatest economy and efficiency to the Authority, and to maintain appropriate safeguards to preserve fairness and accountability in all of the Authority's procurement activities. The January 2018 Procurement Policy was intended to implement the Authority's enabling legislation, which provides the Authority all of the powers necessary for planning, acquiring, leasing, developing, jointly developing, owning, controlling, using, jointly using, disposing of, designing, procuring, and constructing facilities to achieve transit connectivity, including, among other powers, the power to contract with public and private entities for the planning, design, and construction of the connection.

Following the January 2018 adoption of the Procurement Policy, State law authorized certain entities, including, among others, the California Department of Transportation (Caltrans) and regional transportation agencies, as defined, to engage in a CM/GC project delivery method for specified public work projects. Existing law defines the CM/GC project delivery method as a project delivery method in which a construction manager is engaged to provide both preconstruction services during the design phase of the project and construction services during the construction phase of the project. Existing law also requires the Department of Transportation to perform construction inspection services for projects on or interfacing with the state highway system, as specified.

In 2024, Senate Bill 1068 (Eggman) was passed to authorize the Authority to use the CM/GC project delivery method when contracting for the planning, design, and construction of Valley Link. The bill additionally authorized the contracts of the Authority to extend to work on the state highway system for the construction of passenger rail service through the Altamont Pass Corridor. The bill requires Caltrans to perform construction inspection services for any of these projects that are on or that interface with the state highway system, consistent with Section 91.2 of the Streets and Highways Code.

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The revised Procurement Policy would specifically:

- Recognize under Section D. Methods of Procurement, the inclusion of a cooperative agreement with Caltrans to administer CM/GC construction contracts for work on the state highway system;
- Recognize under Section K. Contract Administration, the ability for the Authority to assign the administration of CM/GC construction contracts to Caltrans for work on the state highway system; and
- Recognize under Section N. Intergovernmental Agreements, the inclusion of the Caltrans administration of CM/GC construction contracts for work on the state highway system consistent with state law.

Fiscal Impact

There is no fiscal impact.

Recommendation

Approve Resolution R09-2025 of the Board of Directors of the Tri-Valley San Joaquin Valley Regional Rail Authority to adopt a revised Procurement Policy to support the Authority's use of CM/GC procurement methodology, including projects undertaken in partnership with the Caltrans for portions of the Valley Link project that are on the State highway system.

Attachments

1. Resolution R09-2025
2. Revised Procurement Policy

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ATTACHMENT 1

RESOLUTION NO. R09-2025

* * *

RESOLUTION OF THE BOARD OF DIRECTORS OF THE TRI-VALLEY-SAN JOAQUIN VALLEY REGIONAL RAIL AUTHORITY TO REVISE THE PROCUREMENT POLICY

WHEREAS, the Legislature adopted AB 758, establishing the Tri-Valley-San Joaquin Valley Regional Rail Authority (Authority) under California Public Utilities Code Section 132651 *et seq*., to plan, develop and deliver cost-effective and responsive transit connectivity between the Bay Area Rapid Transit District's rapid transit system in the Tri-Valley and the Altamont Corridor Express commuter rail service;

WHEREAS, the Authority is authorized to acquire such property, facilities, equipment, materials, supplies and services as may be deemed necessary to carry out its duties;

WHEREAS, the Authority has an obligation to the population it serves to establish a procurement process that protects the public investment and is consistent, fair and equitable with all vendors and, with regard to the expenditure of federal funds, is in compliance with applicable federal regulations and grant requirements; and

WHEREAS, in January 2018 the Authority adopted a Procurement Policy to promote the greatest economy and efficiency to the Authority, and to maintain appropriate safeguards to preserve fairness and accountability in all of the Authority’s procurement activities.

WHEREAS, in 2024, the legislature adopted SB 1068, authorizing the Authority to use the Construction Manager/General Contractor project delivery method when contracting for the planning, design, and construction of Valley Link including authorization for contracts of the Authority to extend to work on the state highway system for the construction of passenger rail service through the Altamont Pass Corridor.

WHEREAS, SB 1068 further requires Caltrans to perform construction inspection services for any of these projects that are on or that interface with the state highway system consistent with Section 91.2 of the Streets and Highways Code.

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NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Tri-Valley-San Joaquin Valley Regional Rail Authority hereby:

1. Approves the Authority's Revised Procurement Policy, a copy of which is attached and incorporated herein as Exhibit A.

2. Authorizes the Executive Director to take all necessary and proper measures in emergency conditions to safeguard life, health, property or the loss of essential public services, including the authority to enter into emergency contracts in accordance with the provisions the Authority's Revised Procurement Policy.

3. Authorizes the Executive Director or her/his designees to take further actions as may be necessary to give effect to this Resolution, including issuing and maintaining an updated Procurement Manual to reflect procurement procedures that are consistent with the Revised Procurement Policy, current law, and best procurement practices.

APPROVED AND PASSED, this 11th day of June, 2025.

____

Robert Rickman, Chair

ATTEST:

____

Kevin Sheridan, Executive Director/CEO

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ATTACHMENT 2

PROCUREMENT POLICY
TRI-VALLEY-SAN JOAQUIN VALLEY REGIONAL RAIL AUTHORITY
Adopted: January 17, 2018
Revised: _________________

The Tri-Valley-San Joaquin Valley Regional Rail Authority (Authority) is a political subdivision of the State of California organized pursuant to California Public Utility Code Section 132651 *et seq*. The Authority's primary purpose is to plan, develop and deliver cost-effective and responsive transit connectivity between the Bay Area Rapid Transit District's rapid transit system and the Altamont Corridor Express commuter rail service.

A. Introduction

This document sets forth policies and procedures ("Procurement Policy" or "Policy") governing Authority procurements which derive from state and federal law and regulations. By accepting state and federal funding, the Authority is obligated to comply with certain regulations in its procurement of goods and services. More specifically, certain standards, regulations, and other requirements for grants to local governments issued by the United States Department of Transportation and Federal Transit Administration (FTA) apply to the Authority in connection with contracts financed in whole or in part with federal funds, including FTA Circular 4220.1F, "Third Party Contracting Requirements." In the event of a conflict between the Authority's Procurement Policy and local, state or federal law, the applicable provisions of such local, state or federal law shall supersede this Procurement Policy.

This Procurement Policy provides a broad overview of the standards and methods which will guide the Authority in obtaining goods and services.

B. Goals

The Authority Procurement Policy is guided by six basic goals:

1. Foster maximum open and free competition in the expenditure of public funds.

2. Promote the greatest economy and efficiency for the Authority;

3. Ensure adherence to proper standards of conduct by Authority board members, officers and employees;

4. Maintain procurement policies and procedures that guarantee compliance with applicable state and federal laws and regulations;

5. To instill public confidence in the procurement process of the Authority;

6. To ensure fair and equitable treatment for all vendors who seek to deal with the Authority, including Disadvantaged Business Enterprises (DBEs); and

Based on these goals and general principles of public sector procurement, the following set of procurement and contracting policies have been developed.

C. Code of Conduct/Conflicts of Interest

1. No director, officer, employee or agent of the Authority shall participate in any procedure, task, or decision relative to the initiation, evaluation, award, or administration of a contract if a conflict of interest, real or apparent, exists. No employee, officer, or agent of the Authority shall participate in the selection or in

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the award of administration of a contract if a real or apparent conflict of interest would be involved. Such a conflict would arise when:

- The director, employee, officer, or agent,
- Any member of his immediate family
- His or her partner or business associate, or
- An organization that employs, or is about to employ, any of the above, has a financial or other interest in the firm selected for award.

2. Authority officers, employees, or agents will neither solicit nor accept gratuities, favors, or anything worth a monetary value of $50 or more from contractors, potential vendors/contractors, or parties to sub-agreements.

   This prohibition shall not be applicable to:

   - An occasional non-pecuniary gift of insignificant value such as accepting food or refreshment of nominal value on infrequent occasions in the ordinary course of a luncheon or dinner business meeting or other meeting; or
   - Unsolicited advertising or promotional material such as pens, pencils, note pads, calendars, or other business related items of nominal intrinsic value; or
   - A gift, gratuity, favor, entertainment, loan, or other thing of value when the circumstances make it clear that an obvious long-standing social or family relationship rather than the business of the persons concerned is the motivating factor.

   In addition to the above, the following special constraints will be used to guide employees directly involved in procurement through sensitive situations:

   - Invitations received from vendors/contractors involved in a pending procurement for business lunches or dinners or parties should be politely refused. It is the Authority's policy to avoid any situation that might give the appearance of improper influence.
   - Any offer of gratuities should be tactfully refused.

   Employees should ask themselves the following questions if confronted with an ethical dilemma:

   - Is my action legal? Ethical?
   - Does my action comply with Authority Policy?
   - Does my action <u>appear</u> inappropriate?
   - Would I be embarrassed or compromised if my action became known publicly?

Specific standards governing conflicts of interest under state law are set forth in Sections 1090, 1091, and 1091.5 of the California Government Code and the California Political Reform Act (Cal. Gov't. Code §§81000 *et seq*.).

D. <u>Methods of Procurement</u>

1. All purchases and contracts, shall be made on a competitive basis to the greatest extent practicable, whether by informal bidding, formal bidding or competitive proposals.

2. The method of procurement, such as micro-purchases, informal bids or proposals, formal competitive bidding, requests for proposals, etc., shall be appropriate for the type of project or procurement shall conform to applicable

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state or federal law and regulations and shall be in the best interest of the Authority.

3. Formal competitive bidding must be used for “public projects” that involve contracts of $100,000 or more. A “public project” is: a project for the erection, improvement, painting, or repair of public buildings and works; work in or about streams, bays, waterfronts, embankments, or other work for protection against overflow; street or sewer work except maintenance or repair; or furnishing supplies or materials for any such project, including maintenance or repair of streets and sewers.

4. Formal competitive bidding ordinarily will be used for materials, supplies and equipment purchases over $100,000, but a "best value" approach may be used in unusual circumstances if it is in the best interest of the Authority. “Best value” means a process in which the overall combination of quality, price, and other elements such as reliability, standardization, vendor qualifications, warranty, life cycle costs, and sustainability issues are considered together to determine which proposal provides the greatest overall benefit to the Authority. On a case by case basis, and in particular when a procurement involves a combination of goods and services, the Executive Director, in consultation with the department issuing the solicitation, shall make the determination of whether a “best value” approach is in the best interest of the Authority. In such circumstances, the determination will be documented in writing and a formal competitive proposal process will be utilized.

5. An informal procurement method may be utilized for the purchase of materials, equipment or supplies when the estimated expenditure is less than $100,000. To the extent practicable, such a method shall involve obtaining a minimum of three quotations, either written or oral, that permit prices and other terms to be compared. the Authority will undertake adequate outreach to ensure open and free competition, and that small businesses, including Disadvantaged Business Enterprises are afforded opportunities to submit quotations. To the extent practicable, the Authority will strive to obtain at least one of the minimum of three quotations from a small business. The Authority will utilize interested vendors based upon a review of trade sources, lists of certified DBEs and small businesses that have registered with the State, and vendors that have registered with the Authority to receive notice of contract opportunities. When appropriate to ensure satisfaction of the Fundamental Principles set forth in this Policy, such solicitations shall be advertised by the Authority. The Authority's informal bidding procedures using a lowest responsible bidder standard for bid comparison will serve as the typical standard on which to base the purchase of materials, equipment, or supplies, unless it is determined in writing that it is in the Authority's best interest to apply a “best value” approach, in which event, qualitative factors such as those set forth in paragraph D.4. above, in addition to price may be considered in making an award.

6. Formal competitive proposals, which consider and evaluate factors in addition to price, will be used to retain professional and non-professional services or specialized equipment over $100,000.

7. Specialized State and federal laws apply to the procurement of architectural and engineering services as defined by applicable laws and regulations, regardless of the estimated expenditure. Qualification-based competitive proposals will be used for architectural and engineering services. Pursuant to California Government Code §4525 et seq., the Authority shall use qualifications-based competitive proposal procedures for the procurement of architectural, landscape

architectural, engineering, environmental, land surveying or construction project management services. Under this method, the technical proposals shall not contain a cost proposal and shall be evaluated based upon qualifications and demonstrated competence. After the consultants are ranked in accordance with the selection criteria set forth in the solicitation documents, the Executive Director, or his designee, shall open the cost proposal of the highest-ranked most qualified proposer and commence negotiations. If the parties are unable to negotiate fair and reasonable contract terms, including compensation, then the negotiations will be closed and the Executive Director, or his designee, will commence negotiations with the second most qualified Proposer. This process will be followed until an Agreement is reached or the determination is made to recommend rejection of all Proposals.

8. Pursuant to Public Utilities Code section 132656 et seq. and Public Contract Code section 6970 et. seq., the Authority may enter into a Construction Manager/General Contractor (CMGC) project delivery method contract if, after evaluation of the traditional design-bid-build process of construction and of the CMGC project delivery method in a public meeting, the Authority makes a written finding that use of the CMGC project delivery method on the specific project under consideration will accomplish one or more of the following objectives: reduce project costs, expedite the project's completion, or provide features not achievable through the design-bid-build method. This finding will be made prior to the Authority entering into a CMGC project delivery method contract.

   Any public works project that is contracted for pursuant to this section will be subject to the requirements of Section 1771.4 of the Labor Code.

   If a contract for CMGC services is entered into pursuant to this section and includes preconstruction services by the construction manager, the Authority will enter into a written contract with the construction manager for preconstruction services, under which the Authority will pay the construction manager a fee for preconstruction services in an amount agreed upon by the Authority and the construction manager. The preconstruction services contract may include fees for services to be performed during the contract period; provided, however, the Authority will not request or obtain a fixed price or a guaranteed maximum price for the construction contract from the construction manager or enter into a construction contract with the construction manager until after the Authority has entered into a services contract. A preconstruction services contract will provide for the subsequent negotiation for construction of all or any discrete phase or phases of the project and will provide for the Authority to own the design plans and other preconstruction services work product.

   A contract for construction services will be awarded after the plans have been sufficiently developed and either a fixed price or a guaranteed maximum price has been successfully negotiated. In the event that a fixed price or a guaranteed maximum price is not negotiated, the Authority may award the contract for construction services utilizing any other procurement method authorized by law.

9. The use of appropriate intergovernmental and cooperative agreements is encouraged in order to reduce duplicative effort and to achieve cost economies. These agreements may include cooperative agreements with Caltrans to administer CM/GC construction contracts for work on the state highway system

E. Procurement Documentation and Consideration of Bids and Proposals

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1. Formal competitive bidding requires preparation of bid documents that clearly set forth all requirements, which must be fulfilled in order for the bid to be responsive, and advertisement in accordance with legal requirements. An award, if made, will be to the lowest responsive and responsible bidder.

2. The solicitation of formal competitive proposals requires issuance of Requests for Proposals, which clearly set forth all the requirements, and state the qualitative factors, in addition to price, which will be used to evaluate and rank the Proposals. An award, if made, will be to the proposer receiving the highest consensus ranking, subject to successful negotiations with the Authority. Where required by law, the initial selection of certain professionals will be based on factors other than cost.

3. Any and all bids or proposals may be rejected by the Authority if it is in the Authority's best interest to do so.

4. The Authority seeks to contract with contractors who are trustworthy and are qualified and possess the ability to perform successfully under the terms and conditions of the proposed procurement.

F. <u>Approval and Execution of Contract Documents</u>

1. All Authority contracts and amendments will be in writing and executed prior to the initiation of performance under the contract.

2. The Executive Director may execute all contracts on behalf of the Authority that are duly approved within the Executive Director's authority. The Chair of the Board of Directors will sign contracts and leases that require approval by the Board, unless authority is otherwise delegated to the Executive Director.

3. Legal Counsel must approve as to form all contracts over $50,000 and all contracts that are formally bid, regardless of estimated value.

G. <u>Disadvantaged Business Enterprise Program</u>

It is the policy of the Authority to ensure nondiscrimination on the basis of race, color, sex or national origin in the award and administration of U.S. Department of Transportation-assisted Authority contracts. It is the intention of the Authority to create a level playing field on which DBEs can compete fairly for contracts and subcontracts relating to the Authority's construction, procurement and services activities.

H. <u>Executive Director's Procurement Authority</u>

1. The Executive Director is authorized to purchase supplies, equipment, materials and services or to arrange for work in a manner consistent with this Procurement Policy and written procedures as may be developed from time to time. Provided sufficient funds are available within the Authority's approved annual budget for such expenditures, the Executive Director is authorized to execute agreements and expend funds for procurements and activities as follows: (a) up to $100,000 for supplies, equipment, materials, services and construction or public works agreements, (b) up to $100,000 for revenue-generation agreements, and (c) up to $100,000 annual rent for leases and licenses of real or personal property in which the Authority is a lessee or licensee, in which the term does not exceed three years. The Board of Directors will approve all contracts over $100,000 or that otherwise exceed these limits.

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2. The Executive Director is authorized to administer all contracts on behalf of the Authority. Provided sufficient funds are available in the Authority's approved annual budget, the Executive Director is authorized to approve the following: (a) for contracts up to $100,000, contract change orders or amendments, cumulatively not to exceed $25,000 and (b) contracts over $100,000, contract change orders or amendments, cumulatively not to exceed ten percent (10%) of the original contract, and not to exceed $50,000 for any single change order. The Board of Directors will approve all other change orders.

3. The Executive Director is authorized to delegate the responsibility and authority to approve purchases within the Executive Director's procurement authority, which delegation must be in writing, include defined monetary limits; be consistent with this Procurement Policy; and be subject to the rules and procedures in the Procurement Manual.

4. The Executive Director will provide informational reports to the Board of Directors summarizing any contracts between $50,000 and $100,000 awarded within the Executive Director's procurement authority.

5. The Executive Director is authorized to issue and maintain a Procurement Manual that sets forth implementing guidelines and procedures consistent with this Procurement Policy, current law, and best procurement practices. All Authority staff with responsibility for procurement activities shall be trained in, and adhere to, this Procurement Policy and the Procurement Manual.

I. Price and Cost Analysis

A price or cost analysis is required for every procurement. The applicability and extent of analysis is dictated by the circumstances of the individual procurement. The goal is for the project manager to conclude that the contract dollar award amount, or cost components of it, is fair and reasonable.

1. Price Analysis

A price analysis includes the examination and evaluation of readily available prices or rate information. The information needs to be adequate to make a determination of price reasonableness.

The project manager need not obtain additional information from a bidder or supplier for price evaluation purposes if:

a. Adequate price competition exists, as when multiple quotes or bids (two or more responsible, responsive offers) are received;

b. Prices are for commercial products or services sold at catalog or market prices in substantial quantities to the general public;

c. Prices are for commercial products or services whose prices are set by law or regulation; or

d. A waiver is granted by the Executive Director in exceptional cases.

2. Cost Analysis

A cost analysis is a detailed compilation, review and evaluation of the separate cost elements that comprise the proposed price and is required in cases where reasonableness of price cannot be ascertained through a price analysis as described above. A cost analysis is also

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required when a bidder or proposer is required to submit the elements of its estimated cost, such as may be the case in architectural, engineering, or other professional services contracts. A cost analysis involves the following steps:

a. Verification of the accuracy of cost data;

b. Evaluation of specific cost elements; including direct, indirect, general and administrative, and fee or profit.

c. Comparison of historical cost data to proposed costs.

Additionally, a determination shall be made that the contractor's accounting structure and level of resources can support accurate cost data that is being furnished for analysis. After analysis and settlement of costs with the contractor, the procurement record shall indicate a finding that based on the analysis, the proposed or settled price is fair and reasonable.

J. Protest Procedures

Bidders may protest contracts that are let through formal competitive bidding or competitive negotiations. The Executive Director is authorized to review and determine protests concerning contracts awarded within the Executive Director's procurement authority. Bid protests for all other contracts not within the Executive Director's procurement authority will be reviewed and determined by the Board of Directors upon recommendation by the Executive Director and Legal Counsel. All protests will be handled in accordance with procedures adopted by the Authority.

K. Contract Administration

The Authority shall administer all contracts to ensure that contractors conform with the terms, conditions, and specifications of all contracts and to ensure all purchases are received in a timely manner, but may assign the administration of CM/GC construction contracts to Caltrans for work on the state highway system. Each contract file shall contain documentation concerning the contract administration, including, but not limited to, monitoring of the contract budget, change orders and final disposition. Undocumented actions on all contracts must be committed to written memoranda and promptly included in the contract file.

L. Emergency Contracts

In the case of an emergency that requires the immediate expenditure of public money to safeguard life, health, property, or the loss of essential public services as in the case of any great public calamity, such as extraordinary fire, flood, storm, epidemic, earthquake, acts of terrorism or other natural or civil disaster, the Executive Director is authorized to take all necessary and proper measures, including the authority to enter into emergency contracts consistent with the provisions of Public Contract Code Section 22050. The Executive Director may repair or replace a public facility, take any directly related and immediate action required by the emergency, and procure necessary equipment, services and supplies for those purposes, without giving notice for bids to let contracts upon the following conditions:

1. The Executive Director will make a finding based on substantial evidence that the emergency will not permit delay resulting from a competitive bid and the action is necessary to respond to the emergency.

2. The Executive Director will contact the Chair of the Board of Directors, if possible, for concurrence with the proposed emergency action.

3. The Executive Director will report the emergency action and the findings supporting the action for review and ratification by the Board of Directors at a regular meeting of the Board of Directors held within fourteen (14) days of the

action, or if no regular meeting is scheduled, within seven (7) days of the action at a special meeting of the Board of Directors. The Board will review the action at every regularly scheduled meeting thereafter until the action is terminated.

4. The Executive Director will terminate any emergency contracting action that did not follow the Procurement Policy as soon as possible, and to the extent practicable, complete any remaining actions to respond to the emergency in accordance with the Procurement Policy.

M. Sole and Single Source (Non-Competitive) Procurements

On occasion, the Authority may waive competitive bidding requirements for a procurement in which no competitive advantage can be gained through competitive bidding. Examples of a non-competitive advantage are when there is only one technically approved source of supply, there are compatibility requirements with existing products or equipment, warranty conditions may be voided, the procurement is for testing purposes only, or an emergency procurement is necessary. Such procurements often arise where the specifications and requirements for the items or services to be procured are so unusual or distinct as to dictate one source. This may be the case, for example, with replacement parts for brand name machinery, equipment, or vehicles.

A sole source procurement is an exception to the competitive bidding process available where there exists only one source of supply. The sole source must be the only known source of supply with the capability of meeting the specification requirements or satisfy one of the other verification criteria in subsection 2, below. A sole source decision is not permitted merely upon the grounds that such approach is the most convenient or that the subject product: a) demonstrates technical or administrative superiority; b) is preferred by staff; or c) shows superior performance potential at lowest cost.

A single source procurement is different from a sole source procurement in that, while other sources of supply are available, other factors, including financial, schedule, or performance requirements, make the use of competitive procurements procedures unavailing. In such cases, an award to a different contractor may result in a waste of resources, resulting from a substantial increase in related costs, a substantial schedule delay not due to poor planning on the part of the Authority, or other factors that would make the use of competitive process not be beneficial for the Authority. Single source procurements will be processed in the same way as sole source procurements, using the procedures stated below.

1. Procedures

The department desiring to procure supplies, equipment, materials, or services through a non-competitive procurement shall first submit a completed “Request for Exception to Competitive Procurement” form to the Executive Director, which shall be signed by that department’s supervisor.

2. Verification Criteria for Justification

Prior to any action on the procurement, the Executive Director, or authorized designee, shall verify in writing that the procurement meets the single or sole source definition set forth above and meets at least one of the verification criteria below:

a. The item is available from only one source; or

b. The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation; or

c. After solicitation of a number of sources, competition is determined inadequate; or

d. No competitive advantage can be gained through competitive bidding.

However, if the item or service must be procured on an emergency basis or through an open market purchase, please refer to Sections K and N.I, respectively.

In cases of contracts in excess of $100,000 or for federally funded non-competitive procurements, the Authority's Attorney should be consulted as to the applicability of the non-competitive procurement procedures. In such cases, the solicitation procedures shall not commence until the Attorney has confirmed that the procurement qualifies as a sole or single source and, if applicable, that any supplemental rules for federally funded contracts have been satisfied.

3. Price or Cost Analysis

The department requesting the procurement shall obtain a price for the proposed procurement from the contractor. Unless the reasonableness of the price can be established by some verifiable means, including but not limited to a catalog or market price for a similar commercial product sold in substantial quantities to the general public, or on the basis of prices set by law or regulation, a cost analysis shall be conducted. See Section I for a full discussion on cost and price analyses.

4. Issuance of Purchase Order or Contract, Procurements Under $100,000

Upon approval of the Request for Exception to Competitive Procurement by the Executive Director and the Authority Attorney, a purchase order or contract shall be negotiated and issued by the Authority, and shall be signed by the Executive Director.

5. Procurements Exceeding $100,000

In any case where the non-competitive procurement exceeds $100,000, the approval of the Board of Directors shall be requested. Following Board approval, a contract containing all applicable terms and conditions of the procurement shall be negotiated and prepared for execution by the Executive Director.

N. Intergovernmental Agreements

Joint procurements, state cooperative purchasing programs, and assignment of existing contract rights ("piggyback" procurements) with other public agencies may be used when consistent with applicable state and federal statutory or grant requirements. In addition, the Authority may contract with Caltrans for the administration of CM/GC construction contracts for work on the state highway system consistent with state law. The use of intergovernmental agreements is permitted by the Federal Transit Administration and the California Public Contract Code to achieve cost economies and to reduce duplicative effort.

O. Discretion to Waive the Competitive Process

The Board of Directors, or the Executive Director for procurements within the Executive Director's procurement authority, may waive the requirements for formal competitive bidding or other procedures set forth in this Procurement Policy when permissible under applicable law and when a determination is made that the best interests of the Authority will be served, as follows:

1. Open Market Transactions. If the Authority rejects bids received in connection with a procurement requiring formal competitive bidding, the Authority may proceed with an open market purchase after it determines that the supplies, equipment and materials may be purchased at a lower price in the open market.

In addition, if no bids are received in connection with a procurement requiring formal competitive bidding, the Authority may proceed with an open market purchase in certain circumstances if it is determined that the best interests of the Authority will be served by such an approach. These circumstances shall be evaluated on a case-by-case basis and shall include such factors as the reasons why no bids were received, the availability of the supplies, equipment, or materials on the open market, and a price or cost analysis.

2. Waiver of Competitive Negotiations. When services are needed on an expedited basis and circumstances do not permit an RFP process, the Authority may waive such procedures, provided there is adequate documentation of the need for such services. These circumstances shall be evaluated on a case-by-case basis, keeping in mind the fundamental principles of procurement set forth in this Procurement Policy.

P. Disposal of Surplus Property

1. The Executive Director shall determine the manner of disposition of surplus supplies, equipment and materials whose estimated value at the time of disposition does not exceed $100,000. The Board of Directors shall approve the disposition of any item whose estimated value at the time of disposition is greater than $100,000.

2. The method of sale or disposition of any surplus or scrap items shall depend upon the nature of the items. Such methods may include: (1) transfer or sale to other public agencies, (2) trade-in as part of a new procurement, (3) sale by auction, advertisement for sealed bids, or negotiation, or (4) where appropriate, proper recycling or disposal.

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ITEM 9

Tri-Valley San Joaquin Valley
REGIONAL RAIL AUTHORITY

STAFF REPORT

SUBJECT: Executive Director's Report

FROM: Kevin Sheridan, Executive Director/CEO

DATE: June 11, 2025

Action Requested
This is an information item. No action is requested.

Background/Discussion
An oral report and/or presentation will be provided at the board meeting.