



Tri-Valley ▲ San Joaquin Valley
REGIONAL RAIL AUTHORITY

Board of Directors

Special Meeting

December 22, 2021 at 10 a.m.



Tri-Valley San Joaquin Valley
REGIONAL RAIL AUTHORITY

AGENDA – BOARD OF DIRECTORS
December 22, 2021 at 10:00 a.m. via teleconference

CORONAVIRUS DISEASE (COVID-19) ADVISORY AND MEETING PROCEDURE

This meeting will be held via teleconference in accordance with the Brown Act and Government Code § 54953(e), as a precaution to protect the health and safety of staff, officials, and the general public. The Board of Directors will not be physically in attendance, but will be available via video conference.

The regular meeting facilities for the meetings of the Board of Directors are currently closed to the public. Consequently, there will be no physical location for members of the public to participate in the meeting. We encourage members of the public to access the meeting online using the instructions listed on the agenda. Online attendees will have the opportunity to speak during Public Comment.

If you would like to submit public comment via email, please do so by 5:00 p.m. Tuesday, December 21, 2021 to comments@valleylinkrail.com. Please include “Public Comment December 22, 2021” and the agenda item in the subject line. In the body of the email please include your full name. Public comments submitted will be read during Public Comment and will be subject to the regular three-minute time restriction.

This Board of Directors meeting will be conducted on the web-video communication platform Zoom. To view and/or participate in this meeting, members of the public will need to either download Zoom from the website zoom.us. It is recommended that anyone wishing to participate in the meeting complete the download process before the start of the meeting. To listen without viewing, members of the public may also join the meeting by calling in via telephone. A live stream will also be available on our YouTube channel without the ability to make public comment. All public comments will be subject to the regular three-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.

TRI-VALLEY – SAN JOAQUIN VALLEY REGIONAL RAIL AUTHORITY

AGENDA – BOARD OF DIRECTORS

December 22, 2021 at 10:00 a.m. via teleconference

How to listen and view meeting online:

- From a PC, Mac, iPad, iPhone or Android device click the link below:
<https://zoom.us/j/93548110883>
Password: **ValleyLink**
- To supplement a PC, Mac, tablet or device without audio, please also join by phone:
Dial: 1 (669) 900-6833
Webinar ID: 935-4811-0883
Password: **898381**

To comment by video conference, click the “Raise Your Hand” button to request to speak when Public Comment is being taken on the Agenda item. You will then be unmuted when it is your turn to make your comment for up to 3 minutes. After the allotted time, you will be muted.

- Livestream online at: [Valley Link Rail YouTube Channel](#)

No option to make Public Comment on YouTube live stream.

How to 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 to submit public comment via telephone dial *9 to raise your hand. The meeting’s host will be informed that you would like to speak. If you are chosen, you will be notified that your request has been approved and you will be allowed to speak. You will then press *6 to unmute yourself. Comments are limited to up to 3 minutes at the discretion of the board chair. After the allotted time, you will be muted by the host.*

To submit 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. on Tuesday, December 21, 2021 to comments@valleylinkrail.com
Please include “Public Comment - December 22, 2021” 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 submitted will be read during Public Comment and letters will be posted on the Authority’s website along with other meeting material.

TRI-VALLEY – SAN JOAQUIN VALLEY REGIONAL RAIL AUTHORITY

AGENDA – BOARD OF DIRECTORS

December 22, 2021 at 10:00 a.m. via teleconference

1. Call to Order and Pledge of Allegiance
2. Roll Call of Members
3. 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.
4. Consent Agenda – **ACTION**
Recommend approval of all items on Consent Agenda as follows:
 - a. Minutes of December 8, 2021 Board of Directors Meeting.
 - b. Resolution R21-2021 Declaring that Agency meetings will continue to be held via teleconference
5. Executive Director’s Report – **INFORMATION**
6. Discussion on National Environmental Policy Act (NEPA) process, schedule and alternatives for consideration – **INFORMATION**
7. Resolution R19-2021, Authorizing Executive Director to Award Agreement for State Legislative Advocacy Services – **ACTION**
8. Resolution R20-2021, Authorizing Executive Director to Award Agreement for On-call Financial Advisory Services – **ACTION**
9. Directors’ Discussion
Comments, Questions and Agenda Requests
10. Next Meeting Details: January 12th, 2021 at 2 p.m.
11. Adjourn

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 days before the meeting. Requests should be sent to: comments@valleylinkrail.com.

AGENDA

ITEM 4 A



Tri-Valley San Joaquin Valley Regional Rail Authority (TVSJVRRRA)
Minutes of December 8, 2021 meeting via Zoom Teleconference

1. **Call to Order**

The meeting of the board of directors was called to order by Chair Veronica Vargas at 2:04 p.m.

2. **Roll Call of Members**

Members Present

Chair Veronica Vargas, City of Tracy
Vice Chair Melissa Hernandez, City of Dublin (**arrived during Item 5*)
Director Paul Akinjo, City of Lathrop
Director David Hudson, San Ramon
Director Brittni Kiick (Livermore), LAVTA
Director Bernice King Tingle, Mountain House
Director John McPartland (District 5), BART
Director Kathy Narum, City of Pleasanton
Director Robert Rickman, San Joaquin County
Director Karen Stepper, Town of Danville
Director Bob Woerner, City of Livermore
Director Dan Wright, City of Stockton (**arrived during Item 5*)
Director Leo Zuber (Ripon), ACE

Members Absent

Director Benjamin Cantu, City of Manteca
Director David Haubert, Alameda County

3. **Public Comments**

Public comment was heard from Roland Lebrun.

4. **Consent Agenda – ACTION**

Recommend approval of all items on Consent Agenda as follows:

- Minutes of November 10, 2021 Board of Directors Meeting.
- Treasurer’s Report for October 2021.
- Approve Dates for 2022 Board Meetings
- Resolution R18-2021 Declaring that Agency meetings will continue to be held via teleconference

Motion: Tingle/McPartland

Aye: Akinjo, Hudson, Kiick, McPartland, Narum, Rickman, Stepper, Tingle, Vargas, Woerner, Zuber

Nay: None

Abstain: None

Absent: Cantu, Haubert, Hernandez, Wright

Motion Passed

**Tri-Valley San Joaquin Valley Regional Rail Authority (TVSJVRRRA)
Minutes of December 8, 2021 meeting via Zoom Teleconference**

5. Executive Directors Report – INFORMATION

Executive Director Michael Tree gave an oral report. Tree acknowledged the hurdles experienced and victories achieved by the board in the four years since AB758 was approved. He gave an overview of the agenda for the December 22nd Special Board meeting, among them; presentation on NEPA and the adopted alignment and alternative alignment being considered, and contract awards. Tree detailed community outreach undertaken by Deputy Executive Director, Kevin Sheridan, who had given presentations to the Tracy City Council, the Livermore Planning Commission. Staff also met with Hilary Norton, chair of the California Transportation Committee.

Directors discussed this item and had questions answered by staff. Public comment was heard from Roland Lebrun and Alice English.

6. Directors' Discussion

There was no discussion.

7. Next Meeting

Special Board Meeting to be held on December 22, 2021 at 10 a.m.

8. Adjourn (Husdon/Zuber)

Meeting adjourned without objection at 2:49 p.m.

AGENDA

ITEM 4 B





Tri-Valley San Joaquin Valley REGIONAL RAIL AUTHORITY

STAFF REPORT

SUBJECT: Resolution R21-2021 Declaring that Agency Meetings Will Continue To Be Held Via Teleconference

FROM: Michael Tree, Executive Director

DATE: December 17, 2021

Action Requested

Staff requests that the Board of Directors (Board) adopt a resolution declaring that agency meetings will continue to meet via teleconference to ensure the health and safety of the public.

Background/Discussion

On March 4, 2020, Governor Newsom declared a State of Emergency to make additional resources available, formalize emergency actions already underway across multiple state agencies and departments, and help the State prepare for a broader spread of COVID-19. On March 17, 2020, in response to the COVID-19 pandemic, Governor Newsom issued Executive Order N-29-20, which suspended certain provisions of the Ralph M. Brown Act in order to allow local legislative bodies to conduct meetings electronically without a physical meeting place.

On June 11, 2021, Governor Newsom issued Executive Order N-08-21, which among other things, rescinded his prior Executive Order N-29-20, effective October 1, 2021. At that point, agencies would have transitioned back to public meetings held in full compliance with the preexisting Brown Act teleconference rules. Since the Governor issued Executive Order N-08-21, the Delta variant has emerged, causing a spike in cases throughout the state. As a result, the Governor's proclaimed State of Emergency remains in effect, and state and local officials, including San Joaquin Public Health Services, the California Department of Public Health and the Department of Industrial Relations, have imposed or recommended measures to promote social distancing.

On September 16, 2021, Governor signed Assembly Bill (AB) 361 into law, effective October 1, 2021, to allow agencies to use teleconferencing for public meetings during proclaimed state of emergencies without requiring the teleconference locations to be accessible to the public or a quorum of the members of the legislative body of the agency to participate from locations within the boundaries of the agency's jurisdiction. AB 361 will sunset on January 31, 2024.

Under AB 361, a local agency will be allowed to meet remotely without complying with prior Brown Act teleconference requirements when:

- The local agency holds a meeting during a state of emergency declared by the Governor, and either
 - State or local health officials have imposed or recommended measures to promote social distancing, or
 - The legislative body finds that meeting in person would present imminent risks to the health or safety of attendees.

As discussed above, state and local officials continue to recommend social distancing. Therefore, Valley Link can continue to conduct meetings via teleconference, as long as it adheres to the following emergency requirements under Government Code Section 54953(e)(2), added by AB 361:

1. The legislative body gives notice and posts agendas as otherwise required by the Brown Act, including directions for how the public can access the meeting.
2. The legislative body does not take formal action on any item whenever there is a disruption in the meeting broadcast.
3. The public is allowed to provide comment in real time.
4. The legislative body allows time during a public comment period for members of the public to register with any internet website required to submit public comment.

For upcoming teleconference meetings, the Board can continue to follow the AB 361 requirements by declaring every 30 days that it has reconsidered the circumstances of the state of emergency and either (1) the state of emergency continues to directly impact the ability of the members to meet safely in person, or (2) state or local officials continue to impose or recommend measures to promote social distancing. These findings can be made through the consent calendar.

Fiscal Impact

There is no fiscal impact associated with this action.

Recommended Action

Adopt the attached resolution declaring that meetings of the Tri-Valley-San Joaquin Valley Regional Rail Authority will continue to be held via teleconference in accordance with Assembly Bill 361 and the provisions of Government Code Section 54953(e).

Attachments

1. Resolution R21-2021

ATTACHMENT 1





RESOLUTION NO. R21-2021

* * *

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE TRI-VALLEY-SAN JOAQUIN
VALLEY REGIONAL RAIL AUTHORITY DECLARING THAT AGENCY MEETINGS WILL
CONTINUE TO BE HELD VIA TELECONFERENCE**

WHEREAS, on March 4, 2020, Governor Newsom declared a State of Emergency to make additional resources available, formalize emergency actions already underway across multiple state agencies and departments, and help the State prepare for a broader spread of COVID-19.; and

WHEREAS, on March 17, 2020, in response to the COVID-19 pandemic, Governor Newsom issued Executive Order N-29-20, which suspended certain provisions of the Ralph M. Brown Act in order to allow legislative bodies to conduct meetings electronically without a physical meeting place; and

WHEREAS, on June 11, 2021, Governor Newsom issued Executive Order N-08-21, which specified that Executive Order N-29-20 would remain in effect through September 30, 2021, at which point it would expire; and

WHEREAS, on September 16, 2021, the Governor signed Assembly Bill 361 into law as urgency legislation that goes into effect on October 1, 2021, amending Government Code Section 54953 of the Brown Act to allow legislative bodies to continue to meet remotely during a proclaimed state of emergency where state or local officials have recommended measures to promote social distancing; and

WHEREAS, the Governor's proclaimed State of Emergency remains in effect, and state and local officials, including San Joaquin County Public Health Services, the California Department of Public Health and the Department of Industrial Relations, have imposed or recommended measures to promote social distancing.

NOW, THEREFORE, BE IT RESOLVED that, in order to ensure the health and safety of the public, meetings of the Tri-Valley-San Joaquin Valley Regional Rail Authority will continue to be held via teleconference in accordance with Assembly Bill 361 and the provisions of Government Code Section 54953(e).

APPROVED AND PASSED, this 22th day of December, 2021.

Veronica Vargas, Chair

ATTEST:

Michael Tree, Executive Director

AGENDA

ITEM 5





Tri-Valley San Joaquin Valley **REGIONAL RAIL AUTHORITY**

STAFF REPORT

SUBJECT: Executive Director's Report
FROM: Michael Tree, Executive Director
DATE: December 17, 2021

Action Requested

Informational item only.

Details

Annual Work Plan for 2022

At the January 12th meeting staff will present the 2022 Annual Work Plan for the Rail Authority. As the Rail Authority has done in the past, the work plan will feature monthly strategic discussions with staff and industry experts on a variety of topics as it relates to the Valley Link project including transit oriented development, vehicle technology, funding, etc. The 2022 Annual Work Plan will also feature regular community outreach and town hall meetings to keep the Rail Authority in contact with the public on the Valley Link project.

Meetings

Since we last met on December 8th, staff provided a briefing on the Valley Link project to the Mountain House Transportation Committee and has on the calendar for Monday, December 20th meetings with Congressman Swalwell and Union Pacific Railroad.

NEPA and 30% Design Work

Staff continues to work with contractors on upcoming work that includes National Environmental Policy Act (NEPA), project approval/environmental design with Caltrans and 30% design. It is anticipated that these contracts will be considered by the Rail Authority Board on January 12, 2022.

Ad Hoc Committee for Executive Director Evaluation

The Rail Authority Ad Hoc Committee met to discuss the process for the evaluation of the Executive Director. It is anticipated that the Rail Authority Board will meet in close session on January 12th to perform the evaluation.

AGENDA

ITEM 6





Tri-Valley San Joaquin Valley **REGIONAL RAIL AUTHORITY**

STAFF REPORT

SUBJECT: Discussion on National Environmental Policy Act (NEPA) process, schedule and alternatives for consideration

FROM: Kevin Sheridan, Deputy Executive Director

DATE: December 17, 2021

Action Requested

This is an informational item and no action is requested.

Background

The Tri-Valley – San Joaquin Valley Regional Rail Authority (Authority) Board of Directors certified the Valley Link CEQA EIR with a preferred alternative in May 2021. Due to impacts to the federal highway system (I-580) and the potential for federal funding with the passage of the Infrastructure Investment and Jobs Act (IIJA) on November 5, 2021, the Authority is undertaking National Environmental Policy Act (NEPA) documentation with joint lead agencies, Caltrans and Federal Transit Administration (FTA) for the identified Initial Operating Segment (IOS) from the existing BART Dublin/Pleasanton Station to a Mountain House/West Tracy Station and the Operations and Maintenance Facility (OMF).

Subsequent to the completion of 15% design and CEQA clearance, Caltrans and the San Joaquin Council of Governments (SJCOG) began formalizing the NEPA/CEQA public scoping review of improvements to I-205. Included in the I-205 Managed Lanes project is a space for rail or bus in the median that could potentially be utilized as another alternative by Valley Link to connect to Mountain House for the initial operating segment, and also the proposed North Lathrop Station.

At the board meeting a review of the NEPA process will be provided, as well as information on the alternative alignment that staff is proposing be studied in more detail as a potentially viable alternative for inclusion in the NEPA/supplemental CEQA process.

Fiscal Impact

No fiscal impact

Attachment

1. TABLE 1. NEPA / Supplemental CEQA Milestones

ATTACHMENT 1



TABLE 1. NEPA / Supplemental CEQA Milestones

ITEM	COMPLETION DATE
PREPARE NOP/NOI	January 2022
COMPLETE 15% DESIGN AND SUBMIT PLANS	Spring/Summer 2022
COMPLETE FIELD SURVEYS	Spring/Summer 2022
ADMINISTRATIVE DRAFT EIS/SEIR	Summer 2022
DRAFT EIS/SEIR RELEASE	January 2023
DRAFT EIS/SEIR 45-DAY COMMENT PERIOD	Spring 2023
DRAFT RESPONSE TO COMMENTS	Spring/Summer 2023
ADMINISTRATIVE DRAFT COMBINED FEIS/ROD/SEIR	Summer 2023
FINAL ENGINEERING TECHNICAL STUDIES	Summer 2023
FINAL SEIR/NOD/SOC/ FINDINGS/MMRP	Fall 2023
COMBINED FINAL EIS/ROD	Fall 2023
COMPLETE 30% DESIGN AND SUBMIT PLANS	Fall 2023
FINAL TOAR	January 2024
FINAL PROJECT APPROVAL	January 2024

AGENDA

ITEM 7





Tri-Valley San Joaquin Valley **REGIONAL RAIL AUTHORITY**

STAFF REPORT

SUBJECT: Resolution R19-2021 Authorizing the Executive Director to Award Agreement for State Legislative Advocacy Services

FROM: Michael Tree, Executive

DATE: Director December 17, 2021

Action Requested

Staff requests that the Board of Directors (Board) authorize the Executive Director to award Professional Services Agreement to Khouri Consulting LLC for State Legislative Advocacy Services, in a form approved by legal counsel, for a not-to-exceed amount of \$366,000 for a (3) year contract with (2) additional one-year options at \$132,000 each.

Background and Discussion

The Regional Rail Authority has a need to procure State Legislative Advocacy Services in an effort to educate and brief the Legislature and Governor and other interested parties on the Valley Link project and secure funding for construction and operation of the commuter rail system.

With much discussion on the budget surplus at the State, staff conducted an informal procurement for short-term State legislative advocacy services in May of 2021 and hired Khouri Consulting LLC in June to brief the legislature on the Valley Link project and explore potential funding opportunities.

The Regional Rail Authority has continues to see value in educating and briefing the Legislature and Governor's Office and public agencies such as CalSTA and Caltrans on the Valley Link project, and opportunities for funding continue to be discussed. With this in mind, staff issued a Request for Proposals (RFP) for more long-term State Legislative Advocacy Services on October 20, 2021. Eighteen firms were sent the RFP. The Regional Rail Authority received one timely and responsive submittal to the RFP on November 12, 2021 from Khouri Consulting LLC.

Accordingly, staff recommends an award under RFP No. 2021-01 to Khouri Consulting LLC in an amount not-to-exceed \$366,000 for an initial (3) year contract.

Fiscal Impact

On June 24, 2020, the Metropolitan Transportation Commission (MTC) approved the Authority's allocation request for \$46.8 million for Valley Link. The allocation includes funding for Government Relations sufficient for the (3) three year contract. Additional funds will need to be acquired before the Regional Rail Authority Board authorizes the (2) two one-year options.

Attachment

1. Resolution R19-2021

ATTACHMENT 1





Tri-Valley San Joaquin Valley
REGIONAL RAIL AUTHORITY

RESOLUTION NO. R19-2021

* * *

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE TRI-VALLEY – SAN
JOAQUIN VALLEY REGIONAL RAIL AUTHORITY AUTHORIZING THE EXECUTIVE
DIRECTOR TO AWARD AGREEMENT FOR STATE LEGISLATIVE ADVOCACY
SERVICES TO KHOURI CONSULTING LLC**

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 Project (Project) towards construction and eventual operation; and

WHEREAS, on June 24, 2020, the Metropolitan Transportation Commission (MTC) approved the Authority's allocation request for \$46.8 million for Valley Link. The allocation includes funding for Government Relations which includes State Legislative Advocacy Services that will allow staff to educate and brief the Legislature and Governor and other interested parties on the Valley Link project and secure funding for construction and operation of the commuter rail system;

WHEREAS, the Authority prepared and issued a Request for Proposals (RFP) for State Legislative Advocacy Services on October 18, 2021;

WHEREAS, eighteen firms were sent the RFP. The evaluation committee received one timely and responsive submittal to the RFP on November 12, 2021 from Khouri Consulting LLC (Khouri); and

WHEREAS, the evaluation committee recommends an award under RFP No. 2021-01 to Khouri in an amount not to exceed \$366,000.00 for an initial three-year.

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 award State Legislative Advocacy Services Agreement to Khouri Consulting LLC, in a form approved by legal counsel, for a not-to-exceed amount of \$366,000 for an initial three-year period with two (2) one-year options at \$132,000.00 each, with additional funds to be acquired before the Authority authorizes the (2) two one-year options.

APPROVED AND PASSED, this 22th day of December 2021.

Veronica Vargas, Chair

ATTEST:

Michael Tree, Executive Director

APPROVED AS TO FORM:

Michael Conneran, Legal Counsel

AGENDA

ITEM 8





STAFF REPORT

SUBJECT: Resolution R20-2021 Authorizing the Executive Director to Award Agreement for On-call Financial Services

FROM: Michael Tree, Executive

DATE: Director December 17, 2021

Action Requested

Staff requests that the Board of Directors (Board) authorize the Executive Director to award Professional Services Agreement to PFM Financial Advisors LLC (PFM) for on-call financial advisory services, in a form approved by legal counsel, for a not-to-exceed amount of \$1.5 million for a 5 year term. There is no guaranteed amount of work that will be ordered or compensation to be paid to consultant under the agreement.

Background and Discussion

The Regional Rail Authority has an immediate need to procure on-call financial advisory services in an effort to secure a cash management tool, such as a line of credit, to manage the reimbursement based funding currently in place with the Metropolitan Transportation Commission and other project funding partners. Additionally, staff anticipates the need for added financial advisory services as additional funding becomes available, which could include assistance on a variety of tasks including preparing for entry into the Federal Transit Administration's Capital Investment Grants program, future regional sales tax initiatives, support in exploring community facilities districts, and preparation for federal Transportation Infrastructure Finance and Innovation Act (TIFIA) loans.

Staff issued a request for proposals (RFP) for on-call financial advisory services on October 20, 2021. The RFP was posted on the agency's website and staff conducted targeted outreach to over forty firms. The Regional Rail Authority received timely and responsive submittals to the RFP on November 17, 2021 from three firms: PFM Financial Advisors LLC, KNN Public Finance and KPMG. A selection committee consisting of staff from the Regional Rail Authority, LAVTA and City of Pleasanton reviewed and scored the proposals based on the evaluation criteria in the RFP. The committee determined that the highest ranked and most qualified firm was PFM. Staff conducted a price analysis and determined PFM's cost proposal to be fair and reasonable.

Accordingly, the committee recommends an award under RFP No. 2021-03 to PFM in an amount not-to-exceed \$1.5 million for a 5 year term. There is no minimum guaranteed amount of work or compensation under the proposed agreement. Staff intends to issue work directives that will commit specific dollar amounts to PFM during the period of performance. Each work directive will include a detailed work scope, schedule and budget.

Fiscal Impact

It is anticipated that the initial work directive to establish a line of credit will cost between \$30,000 and \$40,000. Additional future work under this financial advisory services contract will be dependent on future additional funding allocations and awards.

Attachment

1. Resolution R20-2021

ATTACHMENT 1





Tri-Valley San Joaquin Valley
REGIONAL RAIL AUTHORITY

RESOLUTION NO. R20-2021

* * *

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE TRI-VALLEY – SAN
JOAQUIN VALLEY REGIONAL RAIL AUTHORITY AUTHORIZING THE EXECUTIVE
DIRECTOR TO AWARD AGREEMENT FOR ON-CALL FINANCIAL SERVICES
TO PFM FINANCIAL ADVISORS LLC**

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; and

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 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 financial planning that will allow the Project to advance expeditiously to meet the overall project schedule; and

WHEREAS, the Authority prepared and issued a Request for Proposals (RFP) for On-call Financial Services on October 20, 2021; and

WHEREAS, over forty firms were sent the RFP. Three timely and responsive submittals to the RFP were received from PFM, KNN Public Finance and KPMG on November 17, 2021 and an evaluation committee consisting of staff from the Authority, LAVTA and City of Pleasanton reviewed and evaluated the proposals based on the evaluation criteria contained in the RFP and determined that the most qualified firm was PFM; and

WHEREAS, the Committee recommends an award under RFP No. 2021-03 to PFM in an amount not to exceed \$1.5 million for a five-year term. There is no minimum guaranteed amount of work or compensation under the proposed agreement. It is anticipated that the initial work directive to establish a line of credit will cost between \$30,000 and \$40,000.

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 award State Legislative Advocacy Services Agreement to PFM, in a form approved by legal counsel, for a not-to-exceed amount of \$1.5 million for a five-year term. Additional future work under this financial advisory services contract will be dependent on future additional funding allocations and awards.

APPROVED AND PASSED, this 22th day of December 2021.

Veronica Vargas, Chair

ATTEST:

Michael Tree, Executive Director

APPROVED AS TO FORM:

Michael Conneran, Legal Counsel