



SAN FRANCISCO PENINSULA RAIL PROGRAM EXECUTIVE STEERING COMMITTEE MEETING

MINUTES

Monday, October 2, 2023

TJPA Office
425 Mission Street, Suite 250
San Francisco, CA

9:30 a.m. to 10:30 a.m.

EXECUTIVE STEERING COMMITTEE

Peninsula Corridor Joint Powers Board/Caltrain, Michelle Bouchard (Chair)
San Francisco County Transportation Authority, Tilly Chang (Vice Chair)
California High Speed Rail Authority, Boris Lipkin
City and County of San Francisco, Alex Sweet
Metropolitan Transportation Commission, Alix Bockelman
Transbay Joint Powers Authority, Adam Van de Water

PUBLIC PARTICIPATION

This meeting will be held in person at the location listed above. Members of the public may attend the meeting to observe and provide public comment at the physical location listed above or may watch live online using the link below:

<https://transbaycenter.webex.com/transbaycenter/j.php?MTID=mad0734b226a775ed8bbc8cade9c012c2>

PUBLIC COMMENT CALL-IN: 1-855-282-6330
Access Code: 2559 267 0848# #

When the item is called, dial *3 to be added to the speaker line. When prompted, callers will have two minutes to provide comment unless otherwise noted by the Chair. Please speak clearly, ensure you are in a quiet location, and turn off any TVs or computers around you.

AGENDA

1. Call to Order

Chair Bouchard called the special meeting to order at 9:31 a.m.

2. Roll Call

Secretary Bonner noted that Member Klein was sitting in for Member Bockelman.

Members Present: Lisa Klein, Boris Lipkin, Alex Sweet, Adam Van de Water, Tilly Chang, Michelle Bouchard

Members Absent: Alix Bockelman

3. Communications

Secretary Bonner provided instructions on the Public Call-in/Comment process.

Chair Bouchard announced this meeting would be Secretary Bonner's last meeting and announced that former ESC Secretary Herschell Larrick would reassume his role.

4. Action Item:

Approving The Portal Procurement Schedule and Process

TJPA Deputy Project Director – Engineering, Anna Harvey and Stephen Polechronis TJPA's Program Management/Program Controls (PMPC) consultant jointly presented the item.

The staff report and memorandum respond to the ESC's request at their September 22, 2023, meeting for a detailed report on The Portal's path to readiness relative to release of the request for qualifications (RFQ) for the progressive design-build civil and tunnel scope, the release of the request for proposals (RFP) for that same contract, and subsequent procurement milestones. She thanked members of the Integrated Program Management Team (IPMT) from the San Francisco County Transportation Authority, the City and County of San Francisco, Metropolitan Transportation Commission, the California High-Speed Rail Authority, and Caltrain for their comments on the draft version of the memorandum.

Prior to discussion of the item, Member Van de Water stated staff's goal is to forward a recommendation to the TJPA Board of Directors at the October 12 TJPA Board of Directors meeting for their consideration. He noted staff will also be presenting to the Board a conflict-of-interest policy modeled on the policies of many of the partnering agencies for TJPA's Design-Build procurements.

Vice Chair Chang stated the three risks discussed in the memo resonated with her and reiterated her previous concern about staff capacity. She further stated that, while a delay

could happen, the goal is to stay on track for the targeted RFP release date. She added that many of the same staff working on the baseline documents (which are among the stage gate deliverables) will likely be called on for other work that is not related to procurement, such as governance and the successor agreement (to the San Francisco Peninsula Rail Program Memorandum of Understanding). Additionally, she requested what constitutes the readiness indicators for the RFP release, for example, ESC's recommendation scheduled for December to forward the item to the Board. Ms. Harvey responded to Vice Chair Chang's point on capacity, stated the program management team has robust team support for controls and procurement, each with individual task leads. These teams are distinct regarding experience, talent, and composition, such that there are two separate groups working on parallel activities with some overlap in terms of review and development. Mr. Polechronis stated, staff understands the need to demonstrate it has met all the criteria in the governance blueprint before requesting a recommendation to release the RFP for the civil and tunnel scope and the other procurements.

Chair Bouchard reiterated her understanding that development of the RFP would be over the course of the next six to eight weeks, and staff would come back to the ESC in December. Referring to Ms. Harvey's mention of a January or February TJPA Board action, she inquired whether this indicated a possible ESC meeting in January and Board action in February, should the ESC need several meetings to consider the RFP. She stated it is better to plan for this rather than try to schedule a special meeting during the holidays. Ms. Harvey responded that staff would consider it and take it back to the schedule team. Mr. Polechronis explained one of the schedule drivers is the date of the Federal Transit Administration's (FTA) communication regarding their readiness review; staff does not know whether it will be December 1 or December 25 and will need to respond to whatever the FTA's decision is. Additionally, the other driver is putting in place the governance documents in January. Chair Bouchard stated she appreciated the reminder of these interdependencies.

Member Klein stated she is interested in the IPMT's reaching a clear understanding of what the readiness criteria are and the approval process for the other contracts. She requested, given that other contracts will overlap, the importance for the IPMT and ESC to understand how the construction manager/general contractor (CMGC) contracts were developing as they approach the December meeting. Ms. Harvey responded there are various concurrent processes underway with the IPMT, including their consideration of value engineering or scope reduction concepts and shifts in contract packaging, which, depending on the outcomes, may reduce the need for overlap. Staff will be bringing informational and action items to the ESC, as appropriate, leading into that December meeting. Mr. Polechronis underscored that while only the high-level RFP outline could be shared in the public realm at this point, a good deal of the boilerplate language being developed will be identical or nearly identical for the PDB and CMGC contracts. He advised thinking of these three big contracts as a family of contracts, which will have a great deal of similarity.

Member Klein stated development of the CMGC contract is another item to add to the IPMT's list of concurrent activities. Mr. Polechronis reiterated that elements like project goals, process and schedule, and instructions to proposers are going to be very similar.

Member Lipkin stated the stage gate process is intended in part to ensure that the project has met certain readiness criteria before it commits to big contracts and staff should take advantage of this opportunity to stay on schedule by releasing the RFQ now, prior to any contract commitments are made, while continuing with the RFP process. Further, he stated things will either progress as the team expects and, if something comes up, will still have the ability to pivot. Ms. Harvey summarized releasing the RFQ is the right thing to do.

Public Comment:

Roland Lebrun recommended exploring design alternatives that may support delivery of the project on schedule and budget, as well as what would gain further interest of additional contractors.

Chair Bouchard requested a motion to move the item for action. The motion was made by Member Lipkin and seconded by Member Sweet. A unanimous voice vote approved the motion.

5. Public Comment

Members of the public may provide comment on matters within the ESC's purview that are not on the agenda.

Roland Lebrun recommended the project team coordinate with other agencies that have successfully completed projects with twin-bore tunnels on schedule, to share their approaches to final design and procurement.

6. Adjourn

Chair Bouchard adjourned the meeting at 10:12 a.m.

ACCESSIBLE MEETING POLICY

The Ethics Commission of the City and County of San Francisco has asked us to remind individuals that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance (Campaign and Gov't Conduct Code, Article II, Chapter 1, § 2.100, et seq.) to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102, telephone (415) 252-3100, fax (415) 252-3124 and website: www.sfethics.org.