SAN JOAQUIN REGIONAL RAIL COMMISSION
TELECONFERENCE BOARD MEETING

October 1, 2021 – 8:00 am

Call-In Information: +1 (646) 749-3335 **Access Code:** 801-154-389
GoToMeeting Link: https://global.gotomeeting.com/join/801154389

SPECIAL NOTICE
Coronavirus COVID-19

In accordance with Assembly Bill 361 (AB 361), San Joaquin Regional Rail Commission Board Members will be attending this meeting via teleconference or videoconference. Members of the public may observe the meeting by dialing +1 (646) 749-3335 with access code: 801-154-389 or log-in using a computer, tablet or smartphone at GoToMeeting.com using link: https://global.gotomeeting.com/join/801154389

Please note that all members of the public will be placed on mute until such times allow for public comments to be made. If a person wishes to make a public comment during the meeting, to do so they must either 1) use GoToMeeting and will have the option to notify SJRRC staff by alerting them via the "Chat" function or they can 2) contact SJRRC staff via email at publiccommentssjrrc@acerail.com in which staff will read the comment aloud during the public comment period. Emailed public comments should be limited to approximately 240 words as comments will be limited to two (2) minutes per comment.

This Agenda shall be made available upon request in alternative formats to persons with a disability, as required by the Americans with Disabilities Act of 1990 (42 U.S.C. § 12132) and the Ralph M. Brown Act (California Government Code § 54954.2). Persons requesting a disability related modification or accommodation in order to participate in the meeting should contact San Joaquin Regional Rail Commission (SJRRC) staff, at (209) 944-6220, during regular business hours, at least twenty-four hours prior to the time of the meeting.

All proceedings before the Commission are conducted in English. Anyone wishing to address the SJRRC Board is advised to have an interpreter or to contact SJRRC during regular business hours at least 48 hours prior to the time of the meeting so that SJRRC can provide an interpreter. Any writings or documents provided to a majority of the Commission regarding any item on this agenda will be made available upon request in both English and Spanish for public inspection at the Office of the Executive Director located at 949 East Channel Street, Stockton, California, 95202 during normal business hours or by calling (209) 944-6220. The Agenda is available on the San Joaquin Regional Rail Commission website: www.sjrrc.com.

1. **Call to Order, Pledge of Allegiance, Roll Call** Chair Fugazi

Roll Call: Hernandez, Mei, Hothi, Miller, Nuño, Young, Vice Chair Zuber, Chair Fugazi

Ex- Officios: Nguyen, Salazar, Zoslocki, Agar

2. **Public Comments**

Persons wishing to address the Commission on any item of interest to the public regarding rail shall state their names and addresses and make their presentation. Please limit presentations to two minutes. The Commission cannot take action on matters not on the agenda unless the action is authorized by Section 54954.2 of the Government Code. Materials related to an item on the Agenda submitted to the Board of Directors after distribution of the agenda packet are available for the public inspection in the Commission Office at 949 E. Channel Street during normal business hours. These documents are also available on the San Joaquin Regional Rail Commission website at https://acerail.com/board-of-directors/ subject to staff's ability to post the documents prior to the meeting.

3. **Consent Calendar**

3.1	Minutes of SJRRC Board Meeting September 3, 2021	**ACTION**
3.2	Rail Commission/ACE Monthly Expenditure	**INFORMATION**
3.3	ACE Monthly Fare Revenue	**INFORMATION**
3.4	ACE Ridership	**INFORMATION**
3.5	ACE On-Time Performance	**INFORMATION**
3.6	Washington Update	**INFORMATION**
3.7	Update on Silicon Valley and Tri-Valley Outreach Contracts Activities	**INFORMATION**
3.8	Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Approving the Purchase of Laptop Computers and Docking Stations for Employee Use for an Amount Not-To-Exceed $125,000 from Dell, Inc. and Authorizing the Executive Director to Execute Any and All Documents Related to the Project	**ACTION**

4. **Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Approving an Agreement with HDR Engineering, Inc. for Project Development Services for the Stockton Diamond Project for an Amount Not-To-Exceed $15,167,532 and Authorizing the Executive Director to Execute Any and All Documents Related to the Project** **ACTION**

(David Ripperda) (Regular Voting Members)

5. Realtor and Developer Engagement Update **INFORMATION**
(Rene Gutierrez)

6. Commissioner's Comments

7. Ex-Officio Comments

8. Executive Director/Counsel's Report

9. Adjournment
The next regular meeting is scheduled for:
November 5, 2021 – 8:00 am

SAN JOAQUIN REGIONAL RAIL COMMISSION
Meeting of October 1, 2021

Item 3.1 **ACTION**

Minutes of SJRRC Board Meeting September 3, 2021

The meeting of the San Joaquin Regional Rail Commission was held at 8:00 a.m., September 3, 2021, via teleconference.

1 Call to Order, Pledge of Allegiance, Roll Call

Chair Fugazi called the meeting to order at 8:00 a.m.

Vice Chair Zuber led the audience in the Pledge of Allegiance.

Commissioners Present: Mei, Hothi, Nuño, Young, Vice-Chair Zuber, Chair Fugazi

Commissioners Absent: Miller, Hernandez

Ex-Officio Members Present: Mr. Dumas, Mr. Regisford, Ms. Nguyen, Ms. Gayle, Mr. Zoslocki

2 Public Comments

There were no public comments.

3 Consent Calendar

3.1	Minutes of SJRRC Board Meeting August 6, 2021	**ACTION**
3.2	Rail Commission/ACE Monthly Expenditure	**INFORMATION**
3.3	ACE Monthly Fare Revenue	**INFORMATION**
3.4	ACE Ridership	**INFORMATION**
3.5	ACE On-Time Performance	**INFORMATION**
3.6	Washington Update	**INFORMATION**
3.7	Update on Silicon Valley and Tri-Valley Outreach Contracts Activities	**INFORMATION**

M/S/C (Zuber/Nuño) to Approve items 3.1 – 3.7 of the Consent Calendar. Passed and Adopted by the San Joaquin Regional Rail Commission on the 3rd day of September 2021 by the following vote to wit:

AYES:	6	Mei, Hothi, Nuño, Young, Vice Chair Zuber, Chair Fugazi
NOES:	0	
ABSTAIN:	0	
ABSENT:	2	Hernandez, Miller

4 Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Approving an Agreement with Union Pacific Railroad (UPRR) for Preliminary Engineering Services for the Del Paso Siding Project for an Amount Not-To-Exceed $175,000 and Authorizing the Executive Director to Execute Any and All Documents Related to the Project **ACTION**

Dylan Casper gave a presentation on this item.

There were no comments on this item.

M/S/C (Young/Zuber) to Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Approving an Agreement with Union Pacific Railroad (UPRR) for Preliminary Engineering Services for the Del Paso Siding Project for an Amount Not-To-Exceed $175,000 and Authorizing the Executive Director to Execute Any and All Documents Related to the Project

Passed and Adopted by the San Joaquin Regional Rail Commission on the 3rd day of September 2021 by the following vote to wit:

AYES:	5	Hothi, Nuño, Young, Vice-Chair Zuber, Chair Fugazi
NOES:	0	
ABSTAIN:	0	
ABSENT:	1	Miller

5 Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Approving an Agreement with O'Dell Engineering for Preliminary Engineering Services for the Ripon Station Building and Offsite Improvements Project for an Amount Not-To-Exceed $1,222,952 and Authorizing the Executive Director to Execute Any and All Documents Related to the Project **ACTION**

Dylan Casper and Autumn Gowan gave a presentation on this item.

There were no comments on this item.

M/S/C (Nuño/Hothi) to Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Approving an Agreement with O'Dell Engineering for Preliminary Engineering Services for the Ripon Station Building and Offsite Improvements Project for an Amount Not-To-Exceed $1,222,952 and Authorizing the Executive Director to Execute Any and All Documents Related to the Project

Passed and Adopted by the San Joaquin Regional Rail Commission on the 6th day of August 2021 by the following vote to wit:

AYES:	5	Hothi, Nuño, Young, Vice-Chair Zuber, Chair Fugazi
NOES:	0	
ABSTAIN:	0	
ABSENT:	1	Miller

6 Federal Advocacy Program Update **INFORMATION**

Sean Winkler with Buchanan Ingersoll & Rooney and Tai Ginsberg & Associates gave a presentation on this item.

Chair Fugazi expressed her excitement and appreciation for the representatives and everyone for their work. Chair Fugazi commented on workforce development.

Vaughn Wolffe praised Mr. Winkler for his presentation and inquired about funding next year and hydrogen batteries. Mr. Wolffe also inquired about workforce development.

Mr. Winkler explained that he has been working in collaboration with Tamika Smith, SJRRC Director of Rail Services, on funding for a workforce development program.

Ms. Mortensen explained that staff plans to present to the board a layout of grants and resources to make decisions on moving forward with a workforce development program.

Mr. Winkler explained that there is no railroad that is completely green and that some of this is experimentation and some is pushing the marketplace. Hydrogen is a thing of the future.

Ms. Mortensen explained that the state is taking the lead on hydrogen development in San Bernadino and that the funding is meant to convert something that is already existing. Ms. Mortensen welcomed Mr. Wolffe to further discuss with staff.

Mr. Winkler explained that the Infrastructure package and the budget reconciliation package are likely to be the last big ticket items that will pass the democratic congress.

Chair Fugazi thanked Mr. Winkler for his presentation.

7 Commissioner's Comments

There were no Commissioner comments.

8 Ex-Officio Comments

Ms. Nguyen reported on the SJCOG Regional Transportation Plan Sustainable Community Strategy effort, Federal Advocacy efforts, the Sustainable Transportation Equity Program (STEP) Grant, and workforce development program.

Mr. Zoslocki expressed appreciation of Mr. Winkler's presentation and expressed his excitement to be a part of the effort and progress that the Rail Commission is making.

Ms. Gayle reported on RTD ridership, the system redesign study, free rides for Delta College students and concerns from Mountain House residents regarding connecting services to the Vasco Road ACE station.

Marlon Regisford with Caltrans reported on advancement of Clean California efforts and the Clean California local grant program, the Interregional Strategic Plan for highway and rail improvements, the Sustainable Transportation Planning Grant Program outreach, the SB 1 cycle three, and the active transportation program.

9 Executive Director's Report

Ms. Mortensen reported on the supply chain having an effect on the expansion project and the possibility of needing the help of public officials to approach the state officials and request waivers for reassigning risk and contracting policies.

10 Adjournment

The meeting was adjourned at 9:07 am.
The next regular meeting is scheduled for:
October 1, 2021 – 8:00 am

San Joaquin Regional Rail Commission
Altamont Corridor Express
Operating and Capital Expense Report
July 2021
8% of Budget Year Elapsed

OPERATING EXPENSES	SJRRC FY 21-22 ALLOCATION	EXPENSE TO DATE	% SPENT TO DATE	SJRRC - CONTRACTED SERVICES FY 21-22 ALLOCATION	EXPENSE TO DATE	% SPENT TO DATE	ACE FY 21-22 ALLOCATION	EXPENSE TO DATE	% SPENT TO DATE
Project Management, Services & Supplies Subtotal	**1,951,154**	**101,284**	**5%**	**150,000**	**-**	**0%**	**4,401,003**	**280,451**	**6%**
Contracted Services Subtotal	**538,562**	**8,472**	**2%**	**1,975,000**	**24,654**	**1%**	**21,925,582**	**905,689**	**4%**
Shuttle Services							**1,320,502**	**110,042**	**8%**
TOTAL OPERATING EXPENSES	**2,489,716**	**109,755**	**4%**	**2,125,000**	**24,654**	**1%**	**27,647,087**	**1,296,181**	**5%**

	CAPITAL PROJECTS	CAPITAL FY 21-22 ALLOCATION	EXPENSE TO DATE	SPENT TO DATE
SAN JOAQUIN RAIL COMMISSION				
1	East Channel Street Improvements	3,134,500	-	0%
2	Robert J. Cabral Station Expansion	3,000,000	-	0%
TOTAL CAPITAL PROJECT SJRRC		**$ 6,134,500**	**$ -**	**0%**
ALTAMONT CORRIDOR EXPRESS				
1	SJ COG Loan Repayment	1,118,012	1,118,012	100%
2	A1 & A2 Bond Repayment	1,775,164	-	0%
3	UPRR Capital Access Fee	3,242,516	1,473,679	45%
4	UPRR Capitalized Maintenance Projects	4,000,000	-	0%
5	UPRR Safety Fund	500,000	-	0%
6	ACE Extension Natomas to Stockton	5,000,000	19,524	0%
7	ACE Extension Lathrop to Ceres/Merced	10,000,000	629,414	6%
8	Stockton Diamond Grade Separation	13,320,000	-	0%
9	Locomotives (4) and Spare Parts	1,000,000	40,833	4%
10	Platform Extension Projects	3,000,000	-	0%
11	Cabral Track Extension	11,275,000	1,403	0%
12	Positive Train Control	787,928	9,754	1%
13	Rail Cars - (5) passenger rail cab cars (12) passenger coach cars (4) Option Coach	8,800,000	776,770	9%
14	Railcar Midlife Overhaul	5,175,000	170,822	3%
15	Locomotive Conversion	239,328	-	0%
16	State Owned Equipment Truck Overhaul	2,000,000	376,438	19%
17	Sunol Quiet Zone Quad Gates	475,000	-	0%
18	Newark-Albrae Siding Connection	1,470,000	-	0%
19	Facility Upgrades and Capital Improvements	93,068	-	0%
20	Tracy ACE Station Improvements	700,000	8,211	1%
21	Capital Spares	591,759	13,883	2%
22	Safety/Security Projects	122,193	-	0%
23	Short Range Transit Plan	26,123	-	0%
24	Public Information Display Systems (PIDS)	492,000	-	0%
25	Network Integration	340,000	4,288	1%
26	Ripon Multimodal Station and Offsite Improvements	750,000	-	0%
27	Locomotive (2) Options	8,524,530	-	0%
TOTAL CAPITAL PROJECTS ACE		**$ 84,817,621**	**$ 4,643,032**	**5%**
TOTAL CAPITAL PROJECTS SJRRC & ACE		**$ 90,952,121**	**$ 4,643,032**	**5%**

Status of FY 21/22 Capital Projects - Notes As of September 2021

SAN JOAQUIN RAIL COMMISSION

1 East Channel Street Improvements - SJRRC received $2 million from the San Joaquin Council of Governments' Measure K funds to improve the pedestrian and bicycle access along Channel Street between the Downtown Transit Center and Cabral Station. SJRRC has begun the environmental clearance and final design for the project, which is anticipated to be completed in 2021. Construction is slated to begin Fall 2021. Projected to be completed by the end of 2022.

2 Robert J. Cabral Parking Lot Expansion -Project will construct a new parking lot at the site of the old Western Pacific depot in Stockton, as well as reconstruct the building. Environmental work has been completed and design is underway for the parking lot and building reconstruction.

ALTAMONT CORRIDOR EXPRESS

1 SJ COG Loan Repayment - Annual payment made July 1, 2021 per SJCOG amended loan agreement.

2 Bond Repayments - Bond repayments are made bi-annually, payments FY 21-22 are due in December 2021 and June 2022.

3 UPRR Capital Access Fee - Payment for calendar year 2021 paid in two installments.

4 UPRR Capitalized Maintenance Projects - Multi-year project is budgeted at $4,000,000 for the year. Invoices are received throughout the year.

5 UPRR Safety Fund - Ongoing project.

6 ACE Extension Natomas to Stockton - The final Environmental Impact Report (EIR) was adopted at the October 2nd, 2020 Board meeting and the Notice of Determination was filed with San Joaquin County on October 6th, 2020. Consultant contracts for the final design phase were awarded at the August Stations/Facilities Development Committee Meeting. A Notice of Preparation for the Elk Grove Station EIR was released on August 4, 2021 for a 30-day public comment period.

7 ACE Extension Lathrop to Ceres/Merced - The Environmental Impact Report (EIR) was certified in August 2018. Final design is currently underway for individual projects along the corridor. Preparation of a project level EIR for Ceres to Merced is underway. The project level Draft EIR for Ceres to Merced was released for public review on April 22nd, 2021 and comments were due June 7th, 2021. The Final EIR will be presented to the Board for approval in November 2021.

8 Stockton Diamond Grade Separation - The project will grade separate the existing UPRR and BNSF lines creating an uninterrupted flow of rail traffic through the crossing. Project Approval (PA) and Environmental Document (ED) services for the project are currently underway. The Final EIR was adopted by the Board on June 4th, 2021. The California Transportation Commission approved the project for Future Conisderation of Funding at their June 23-24, 2021 meeting and allocate funding for the final design and right of way phases. The consultant contract for the final design phase will be presented to the Board for approval at the October Board Meeting.

9 Locomotives (4) - All four (4) locomotives have been delivered and have been fully accepted. The Spare Parts package will be delivered in June. Project Complete.

10 Platform Extension Projects - Multi-year project to extend the existing Lathrop/Manteca, Tracy, Vasco, Livermore, and Pleasanton platforms. A contract for final design was approved in May 2018 and is currently under review by Union Pacific. Environmental and design are currently underway for construction of a 400-foot platform extension at the Fremont ACE Station.

11 Cabral Track Extension - In June, SJRRC received approval from FTA Region 9 for a NEPA Categorical Exclusion. Coordination with Union Pacific on design review for the Construction & Maintenance agreement is ongoing. Utility relocation efforts are beginning.

12 Positive Train Control - Staff continues to work with UPRR, Caltrain, FRA and all Passenger Rail Partners on software updates and system improvements.

13 Rail Cars - A contract with Bombardier was Approved at the April 2020 SJRRC Board meeting. Additionally, an option order was approved by the Board at the December 2020 meeting for 4 additional coaches. This is Multi-year project for the procurement of five (5) passenger rail cab cars and 16 passenger coach cars. Delivery of the first cars is scheduled for November 2021.

14 Railcar Midlife Overhaul - Midlife overhauls of ACE's existing fleet of 30 railcars is underway. Currently trucks, carpeting, rubber flooring, lighting and refreshing of the exterior paint scheme to the new colors is underway. Three (3) Cars have been painted with the fourth car being prepared for paint. The project is scheduled to be completed over the next three years.

15 Locomotive Conversion - Staff is working with the State of California on a scope of work for the decommissioning and conversion of the two units.

16 State Owned Equipment Truck Overhaul - Phase 1 of the project to procure a float pool to be used for the complete Truck Overhaul program scheduled is underway and scheduled to be closed out by November 2021.The Second Phase of the project is to complete the overhaul of the 88 State owned bi-level passenger rail cars along with the draft gears and diaphragms. This scope of work is in development.

17 Sunol Quiet Zone - Construction has been completed but to address public concerns, revisions need to be made. Preliminary Design for the revised project, Four Quadrant Gates on Main Street Sunol, is complete. Coordination with Alameda County for the final design and construction of the project is ongoing.

18 Facility Upgrades and Capital Improvements - Currently ongoing

19 Newark-Albrae Siding Connection - Staff will be doing a procurment in October for the final design contract.

20 Tracy ACE Station Improvements - Consultant contract was awarded at the May 3rd 2019 Board meeting. Environmental and design are currently underway.

21 Capital Spares - Preventative Maintenance is ongoing.

22 Safety and Security/Video Cameras - The camera security project was awarded in June 2018 and is in construction.

23 Short Range Transit Plan - Update to FY 2018 - FY 2027 SRTP is ongoing.

24 Public Information Display System (PIDS) - CCJPA has begun the planning of the public works needed for replacement of old reader boards. Surveys have been submitted to them so that they can plan for where the signs shall be placed and also where the power boxes will be installed that will allow connectivity for the reader boards. Xenatech, the vendor that CCJPA has chosen to work with for the programming and creation of the Operator's Console which will push information to the reader boards, has put out several different UAT for testing; the bi-weekly scrum calls have concluded at this time. Information that is required by CCJPA/Xenatech is communicated directly to agencies working on this project. Onboard Nomad Wi-Fi services is now connected to the Operator's Console for real-time placement of trains for the functionality of that portion in the maps locator. A call will happen before the end of August to speak to Xenatech and CCJPA about the inclusion of the project to include future ACE stations that are slated to be in service by 2023.

25 Network Integration - Planning consulting services of integrating the ACE and SJJPA services with high-speed rail and other rail transit services.

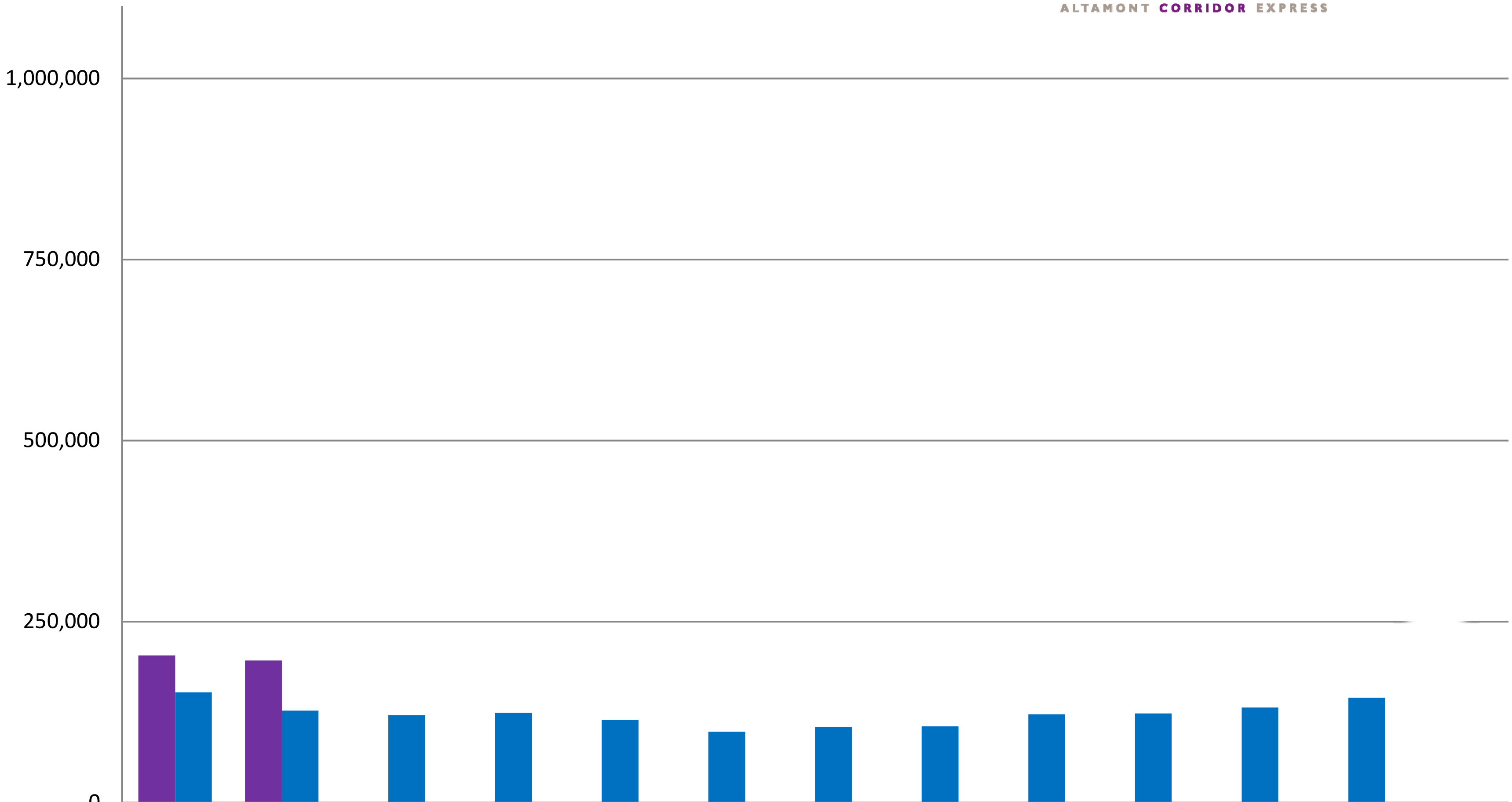
26 Ripon Multimodal Station and Offsite Improvements - A request for proposal for this project was released in May 2021. A consultant contract was awarded at the September Board Meeting. Coordination with the Ripon Station Platform project and the City of Ripon is ongoing.

27 Locomotive (2) Options - Staff is working with Siemens on the pricing and schedule for the option. The option was approved at the August 6, 2021 Board meeting.

Item 3.3

Fare Revenue

ALTAMONT CORRIDOR EXPRESS

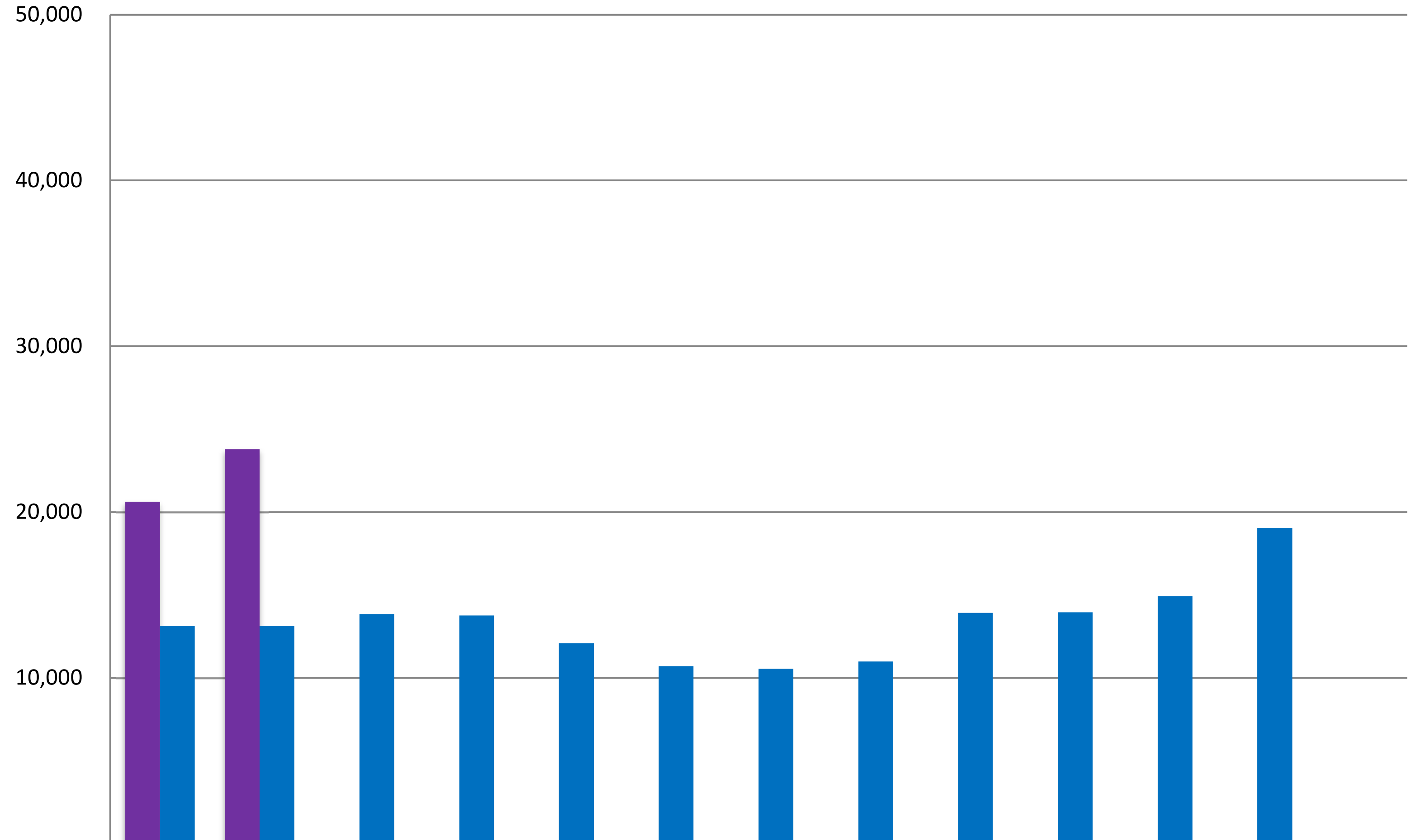


	Jul-21	Aug-21	Sep-21	Oct-21	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22	Apr-22	May-22	Jun-22	FY TOTAL
FY 21-22 Fare Revenue	203,146	196,246	-	-	-	-	-	-	-	-	-	-	399,392
FY 20-21 Fare Revenue	152,163	127,080	120,896	124,592	114,383	98,109	104,400	105,194	122,076	123,236	131,404	145,139	1,468,672

% of Budget Year Elapsed: 17%
FY 21-22 % of Budgeted Fare Revenue Received to Date: 9.3%
Projected Annual Fare Revenue (includes Amtrak Thruway Service): $4,275,000.00

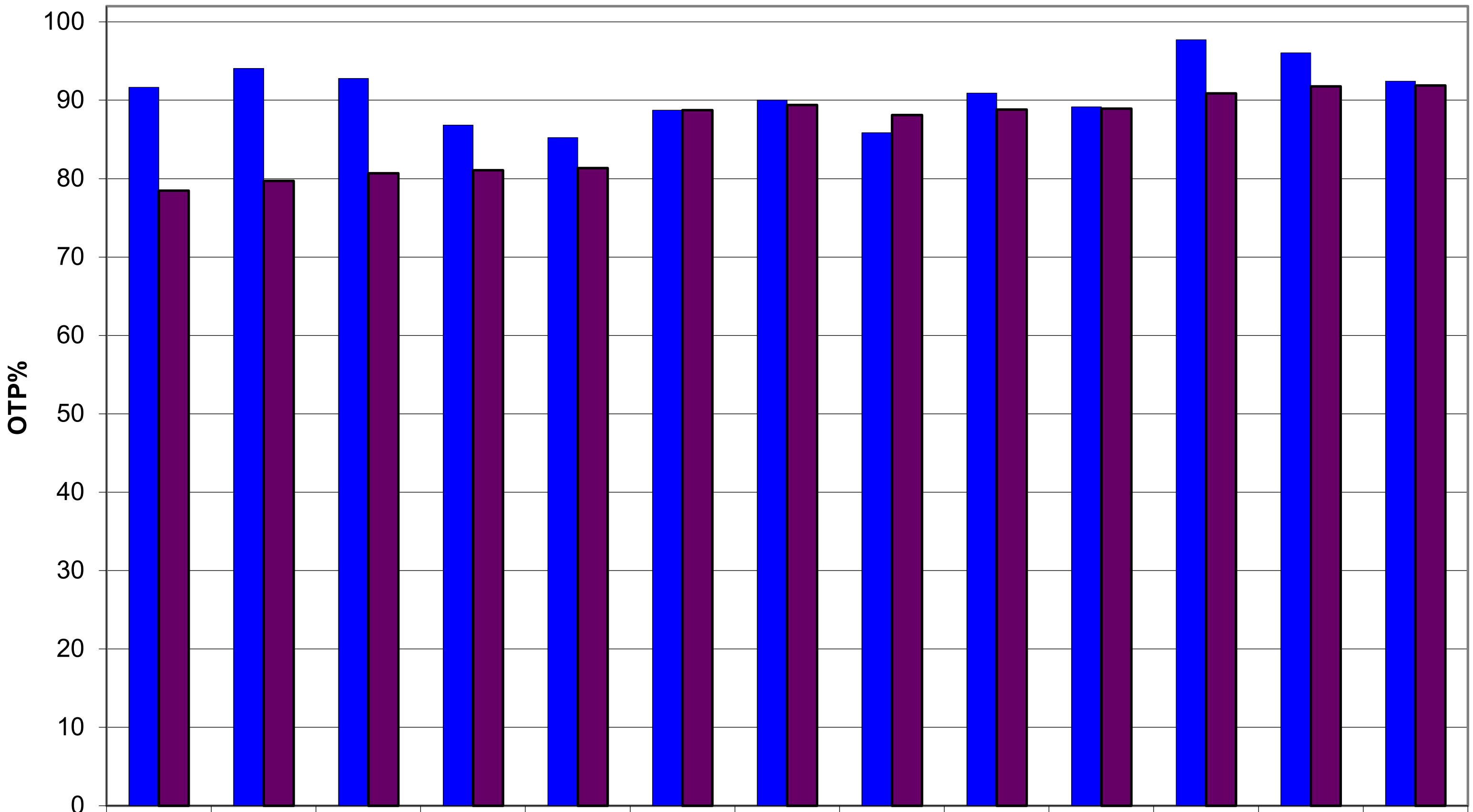
Ridership

Item 3.4



	Jul-21	Aug-21	Sep-21	Oct-21	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22	Apr-22	May-22	Jun-22	FY TOTAL
FY 21-22 Ridership	20,628	23,802	-	-	-	-	-	-	-	-	-	-	44,430
FY 20-21 Ridership	13,126	13,121	13,847	13,760	12,085	10,708	10,544	10,991	13,914	13,951	14,928	19,032	160,007

ACE ON TIME PERFORMANCE



	Aug-20	Sep-20	Oct-20	Nov-20	Dec-20	Jan-21	Feb-21	Mar-21	Apr-21	May-21	Jun-21	Jul-21	Aug-21
Monthly OTP %	91.67	94.05	92.77	86.84	85.23	88.75	90	85.87	90.91	89.17	97.71	96.03	92.42
YTD OTP %	78.47	79.71	80.67	81.06	81.34	88.75	89.38	88.1	88.82	88.91	90.86	91.77	91.87

Item 3.5

Tai Ginsberg & Associates, LLC
200 Massachusetts Ave. NW, 7th Floor
Washington, DC 20001
T 202 415 9703

Buchanan Ingersoll & Rooney PC
1700 K Street, NW, Suite 300
Washington, DC 20006
T 202 452 7900

TO: San Joaquin Regional Rail Commission (SJRRC)
FROM: TG&A Staff
SUBJECT: Monthly Progress Report for SEPTEMBER 2021
DATE: September 24, 2021

THE BIDEN ADMINISTRATION/EXECUTIVE BRANCH

September 9, 2021. President Joe Biden issued an **Executive Order** to "require COVID-19 vaccination for all Federal employees, subject to such exceptions as required by law." President Biden also issued an **Executive Order** ensuring adequate COVID safety protocols for Federal contractors. Specifically, agencies must ensure that to the extent allowed by law, contracts and contract-like instruments incorporate a clause that "shall specify that the contractor or subcontractor shall, for the duration of the contract, comply with all guidance for contractor or subcontractor workplace locations published by the Safer Federal Workforce Task Force", i.e. federal employees in the executive branch and government contractors must be vaccinated against Covid-19. The two E.O.s are said to cover approximately 100 million workers. In conjunction with the two E.O.s, President Biden is implementing a six-pronged national strategy to combat COVID-19 entitled, "**Path Out of the Pandemic - President Biden's COVID-19 Action Plan**." See **Federal Employee Vaccination Requirement**. The plan includes six steps:

1. Vaccinating the Unvaccinated	4. Increasing Testing & Require Masking
2. Further Protecting the Vaccinated	5. Protecting Our Economic Recovery
3. Keeping Schools Safely Open	6. Improving Care for those with COVID-19

The plan also requires that all employers with **100 or more employees** will require that their workers be vaccinated or undergo at least weekly Covid-19 testing. Additionally, the Transportation Security Administration (TSA) **announced** that it will increase the range of civil penalties that may be imposed on individuals who violate the federal mask mandate at airports, on commercial aircraft, and in various modes of surface transportation, including passenger railroads, intercity bus services, and other public transportation. The federal mask mandate for transportation, which was implemented by TSA on February 2, 2021, will remain in effect until January 18, 2022. The new range of penalties will be $500-$1000 for first offenders and $1000-$3000 for second offenders. See TSA Security Directive of September 13, 2021, **Frequently Asked Questions**.

September 7, 2021. On behalf of the Administration, Acting Office of Management and Budget Director Shalanda Young announced in a **memo** that President Biden is seeking up to $30 billion in emergency funding to be included in a short-term Continuing Resolution (CR), until a final FY 2022 spending bill can be negotiated/enacted. The request includes funding for natural disaster recovery ($24 billion) and Afghan resettlement efforts ($6.4 billion). Full details of the Administration's request can be found **here**.

BIDEN 2021 TRANSPORTATION-RELATED NOMINATIONS/CONFIRMATIONS

Since the August 2021 Report there have been no changes in status to transportation-related nominees. A full 2021 listing of "Nominations" is available from TG&A upon request.

APPROPRIATIONS/BUDGET

September 13, 2021. The US Department of the Treasury released their "**Monthly Treasury Statement - Receipts and Outlays of the United States Government - For Fiscal Year 2021 Through August 31, 2021, and Other Periods**." For the 11-month period of FY 2021 (October 2020 thru September 2021), the report notes total receipts at $3.568 trillion and outlays at $6.297 trillion, with a deficit of $2.711 trillion. The **US national debt is $28.8 trillion** with debt per taxpayer at $228,000.

September 8-19, 2021. Secretary of the Treasury Janet Yellen sent a **letter** to House Speaker Nancy Pelosi (D-CA) following up on a previous letter concerning the debt limit and to inform the Speaker of the Department's ability to continue to finance the government in the absence of Congressional action to address the debt limit. Secretary Yellen noted in the letter that, "Our estimates of the period of time that extraordinary measures will last have been refined in recent weeks" and; furthermore, that "based on our best and most recent information, the most likely outcome is that cash and extraordinary measures will be exhausted during the month of October." **On September 19**, Secretary Yellen penned an **op-ed** in the Wall Street Journal urging Congress to pay America's bills by swiftly raising the debt limit as it has always done on a bipartisan basis. Secretary Yellen noted, "sometime in October—it is impossible to predict precisely when—the Treasury Department's cash balance will fall to an insufficient level, and the federal government will be unable to pay its bills." Secretary Yellen further noted, "The U.S. has never defaulted. Not once. Doing so would likely precipitate a historic financial crisis that would compound the damage of the continuing public health emergency. Default could trigger a spike in interest rates, a steep drop in stock prices and other financial turmoil. Our current economic recovery would reverse into recession, with billions of dollars of growth and millions of jobs lost."

Transportation-Related Appropriations Narrative/Status Table for FY 2022

The US House passed a package of seven consolidated FY 2022 appropriations bills on July 29 by a vote of 219 to 208 (**HR 4502**) consisting of: [1.) Labor, Health and Human Services, Education, 2.) Agriculture, Rural Development, 3.) **Energy and Water Development** (Bill URL before floor action), 4.) Services and General Government, 5.) Interior, Environment, 6.) Military Construction, Veterans Affairs, 7.) **Transportation, and Housing and Urban Development Appropriations Act, 2022** (Bill URL before floor action.] See House Appropriations Press Release **here**. **Notwithstanding the fact that the Senate has released only three of its FY 2022 bills, it is being reported that the earmarks secured in the House appropriation bill will likely remain in a final spending package**. See appropriations paragraph on the following page for more status detail.

OVERALL FY 2022 APPROPRIATION BILL SUMMARY	
Bills Passed:	House (9 of 12)
	Senate (0 of 12)
Bills Vetoed:	(0 of 12)
Both Chambers Passed:	(0 of 12)
Bills Enacted:	(0 of 12)
Appropriations Status Table Link	

US Department of Transportation Appropriation Status Table FY 2022										
	Subcommittee Approval		Full Committee Approval		Initial Passage		Resolution of House-Senate Differences			Presidential
Transportation-HUD	House	Senate	House	Senate	House	Senate	Conference Rpt.	House	Senate	Approval
HR 4502	HR 4550 (voice vote) 7/12/2021		HR 4550 (33-24) 7/16/2021		HR 4502 (219-208) 7/29/2021					
H Rpt. 117-99										
Notes:										
House Transportation/HUD Appropriations - 7/12/2021 Subcommittee Press Release										
House Transportation/HUD Appropriations - 7/16/2021 Full Committee Approval										
House Passes Seven-Bill FY 2022 Appropriations (HR 4502) Press Release										

SELECTED CONGRESSIONAL HEARINGS/BUSINESS

Status of Selected Looming September 30, 2021 Congressional Deadlines

The beginning of FY 2022 begins on October 1, 2021, and Congress has yet to address a number of issues pressing up against the impending September 30, end of FY 2021 deadline.

FY 2022 Appropriations – None of the 12 annual appropriations bills have been enacted. While the House has passed 9 of 12 appropriation bills, the Senate has not passed any FY 2022 appropriations bills. In fact, Senate Minority Leader Mitch McConnell (R-KY) has intimated that any action on appropriations in the Senate from Republican members may be delayed beyond the beginning of the new fiscal year without an overall budget deal on government spending. This is significant due to the razor-thin Democratic majority in the Senate and wherein Republican support is required. Therefore, a continuing resolution (CR - a CR temporarily funds the government at current levels in the absence of full appropriations bills) to allow lawmakers more time to complete work on appropriation bills is likely ("inevitable" according to House Budget Committee Chairman John Yarmuth (D-KY)) to be considered to avoid a government "shutdown." A **CR, introduced and passed on September 21,** by the House continues federal funding through December 3, and also includes a debt ceiling provision (suspension of the debt through December 16) in which it will need Republican support for passage; although, Senate Republicans have said since July that they will oppose this. [**Section-by-Section Summary of HR 5304 – Extending Government Funding and Delivering emergency Assistance Act**.] The Senate could make changes and send the package back to the House. In a "shutdown," federal agencies discontinue all non-essential discretionary functions until new funding legislation is passed and signed into law. Essential services continue to function, as do mandatory spending programs. The short-term CR is to run into early December with the goal of passing all of the full-year appropriation bills (or an Omnibus appropriation bill) before the end of the calendar year. See US DOT Operations During a Lapse in Annual Appropriations Plans by Operating Administration **here**.

Raising the Debt Limit – On September 21, the House Democrat strategy concerning the debit limit was to attach a suspension of the debt limit to a temporary Continuing Resolution (CR) that funds federal funding through December 3, 2021. The House passed the CR 220-211 along party lines. The **CR** also includes (**Summary – See Title III**) a Temporary Extension of Public **Debt Limit**; thereby, suspending the debt limit through December 16, 2022. After the suspension and once the debt ceiling is reinstated, the debt limit will be raised to the current debt level at that time. The Department of Treasury is currently using emergency accounting mechanisms to **conserve cash** until the debt limit (the total amount of money that the US government is authorized to borrow to meet its existing legal obligations) is raised. [*The Bipartisan Budget Act of 2019 suspended the statutory debt limit through July 31, 2021. The outstanding debt subject to the statutory limit is currently $28.5 trillion*.] Failing to increase the debt limit would cause the government to default on its legal obligations. On August 10, Republican Senators (46 of 50) signed a **letter** pledging not to vote to increase the debit limit because Democrats, without any Republican participation, passed a $1.9 trillion "Covid relief" bill in March and because the Democrats passed a $3.5 trillion Budget Resolution without any Republican input. Moreover, on August 30, House Member Kevin Hern (R-OK) led 106 Republican House members to sign to on a **letter** affirming not to participate in any attempt from the Democrats to raise the debt ceiling.

$3.5 Trillion Build Back Better (Healthcare/Education/Climate) Package – Senate Majority Leader Chuck Schumer (D-NY) had set September 15, as the deadline for various committees to complete assembling their legislative policy recommendations for budget reconciliation (per **instructions** released on August 9, 2021) to enact President Biden's Build Back Better agenda. However, Senate Democrats are still working on their proposals. Several centrist Senate Democrats are seeking a smaller overall bill in the rage of $1 trillion - 1.5 trillion, which is stalling the bill. Meanwhile, the House concluded on September 15, via various committee actions, assembling their respective portions of the $3.5 trillion package consistent with the Budget Resolution. [***Note: The House Committee on Transportation and Infrastructure held a Full Committee Markup on September 14, to consider their legislative proposals to comply with the reconciliation directive. The Committee print has a provision (Sec. 110008) which makes available $6 billion in earmarks for Local Transportation Priorities***.] At some point after the various committees have completed their work, both the Senate and House Budget Committees will combine the legislation (via the House Budget Committee) and prepare a bill for floor consideration. House Democrats are still planning to tweak their final floor-ready proposal.

[*Recall that the Senate and House have both passed the same versions of* [***S. Con. Res. 14***](), *(Budget Resolution) - the Senate on August 11, and the House on August 24, 2021. Passage of the Budget Resolution unlocked the reconciliation process which will be used in the Senate for passage of the $3.5 trillion budget reconciliation measure by a simple majority, wherein there are 50 Democratic members plus the Vice President in the case of a tie. Also of note is that the budget resolution did not include a mechanism to address the debt limit.*] Senate Progressive Democrats/Moderate Democrats are still somewhat divided on top line funding of $3.5 trillion and/or how to pay for the bill via taxes vs. deficit spending. In a Wall Street Journal op-ed, centrist Democratic Senator Joe Manchin (D-WV) noted, "Congress should hit a strategic pause on the budget reconciliation legislation." Senator Manchin states his concerns of rising inflation, the nation's growing debt and the "inevitability" of future crises."

Surface Transportation Reauthorization – The Fixing America's Surface Transportation Act (FAST Act) expires on September 30, 2021 (last extended by the **Continuing Appropriations Act 2021**). Consequently, on August 10, 2021, the Senate passed the **Infrastructure Investment and Jobs Act of 2021** (IIJA) by a vote of 69-30 with bipartisan support. The IIJA is pegged at nearly $1 trillion ($550 billion in additional funding above baseline reauthorization funding levels) for federal infrastructure investment to reauthorize surface transportation programs plus other modes of transportation and new infrastructure investment such as for airports, water, power, energy, environmental remediation and broadband for FYs 2022-2026. House Speaker Nancy Pelosi (D-CA) has pledged to bring to the floor the infrastructure bill by September 27 – to appease centrist Democrats. House Majority Leader Steny Hoyer (D-MD) issued a "**Dear Colleague Letter**" on September 17, that intimated that the House will work on a CR, suspension of the debt limit, the Build Back Better Act, and the IIJA on September 27, 2021. Formerly, the House passed their $759 billion **INVEST in America Act** on July 1, 2021. The bipartisan Senate bill (IIJA) is slated to be used as the base for a compromise bill, the bill endorsed by President Biden. See **AASHTO 81-page analysis of IIJA**.

SELECTED CONGRESSIONAL HEARINGS/BUSINESS

September 22, 2021. The Senate Committee on Commerce, Science and Transportation held an Executive Session to consider several presidential nominations including Victoria Marie Baecher Wassmer, to be Chief Financial Officer for the Department of Transportation, Amitabha Bose to be Administrator of the Federal Railroad Administration and Meera Joshi to be Administrator of the Federal Motor Carrier Safety Administration. Committee link **here**. **TG&A summary available upon request**.

September 14, 2021. The House Committee on Transportation and Infrastructure held a Full Committee Markup to consider Legislative proposals to comply with the reconciliation directive included in section 2002 of the Concurrent Resolution on the Budget for Fiscal Year 2022, S. Con. Res. 14. **Committee Link**. Find the Committee Print **here** and the Amendment in the Nature of a Substitute **here**. S. Con. Res. 14 was ordered reported by a vote of 37-29, as amended on September 15, 2021. The House Committee on Transportation and Infrastructure's $60 billion portion of the budget reconciliation bill includes the following key transportation-related investments:

- $4 billion for reduction of carbon pollution in the surface transportation sector;
- $4 billion to support neighborhood equity, safety, and affordable transportation access;
- $6 billion to advance local surface transportation projects (earmarks);
- $1 billion to US DOT to support projects that develop, demonstrate, or apply low-emission technologies or produce, transport, blend, or store sustainable aviation fuels;
- $500 million to the Federal Emergency Management Agency's (FEMA) hazard mitigation revolving loan fund program;
- $9.5 billion to the EDA to provide investments in persistently distressed communities, provide assistance to energy/industrial transition communities, invest in public works projects, and create regional hubs; and
- $2.5 billion to the MARAD to support more sustainable port infrastructure and supply chain resilience.

September 13, 2021. The House Committee on Energy and Commerce held a Full Committee Markup of the Build Back Better Act over three days. The Eno Transportation Weekly reports that the draft legislation includes at least $26 billion for electric vehicles and their charging infrastructure." Committee Link **here** and draft legislation can be found **here**. Highlights of reported bill from the 40-hour markup can be found **here**. S. Con. Res. 14 was ordered reported, as amended on September 15, 2021. E.G. Subtitle C, "Budget Reconciliation Legislative Recommendations Relating to Drinking Water," was ordered transmitted favorably to the Committee on Budget, as amended, by a roll call vote, 31-25.

September 9-15, 2021. The House Committee on Ways and Means held a series (4 separate markups) of markups of the Build Back Better Act and to consider legislative proposals under the budget reconciliation instructions. **Committee Link** and **here**. Find Committee Print Consisting of Subtitles F, G, H, and J: Budget Reconciliation Legislative Recommendations Relating to Infrastructure Financing, Green Energy, Social Safety Net, and Prescription Drugs **here**. S. Con Res. 14 was ordered reported, as amended on September 15, 2021.

September 2, 2021. The House Committee on Oversight and Reform held a hearing to consider the Concurrent Resolution on the Budget for Fiscal Year 2022. In part, the Committee addressed funding ($5 billion) to electrify the General Services Administration (GSA) and ($2.4 billion) to electrify the United States Postal Service vehicle fleets. Half of the USPS funding would go toward purchasing electric vehicles and the other half would go toward boosting the support infrastructure for them. USPS would also see $10 million for "capital project investments" that would boost the mailing agency's infrastructure. **Committee Link**.

SELECTED CONGRESSIONAL "TRANSPORTATION-RELATED" BILLS – SEPTEMBER

SENATE BILLS			
No Relevant Items			
HOUSE BILLS			
HR 5156	Y. Clarke (D-N.Y.) "Smart Technologies for Accessible & Resilient Transportation Act'' aka ''START Act." Promotes the deployment of innovative technologies by providing assistance to local governments considering transportation solutions that improve access, equity/data security while reducing traffic congestion, costs/carbon emissions. Introduced 9/3/21.	**HR 5204 Press Release**	D. Beyer (D-Va.) "Safe Travel Act." Requires proof of vaccination or a negative covid test within 72 hours of travel for domestic airline/Amtrak trips. The legislation would also require all affiliated airport or Amtrak employees to be vaccinated or be subject to weekly covid testing. Introduced 9/9/21.

FEDERAL REGISTER NOTICES OF FUNDING OPPORTUNITY (NOFOs) / GRANT AWARDS

See Addendum A. - Calendar Year NOFO/AWARDS SCORECARD – at end of report.

September 20, 2021. The US DOT **announced** that the Biden-Harris Administration will designate 44 projects around the country as INFRA Extra, making them eligible to apply for credit assistance for up to 49 percent of costs. These projects made it to the final round for funding under the 2021 INFRA competitive grant program, but were not awarded due to a combination of overwhelming demand for INFRA grants and limited funds. The INFRA Extra initiative—announced by the Department earlier this year— provides certain INFRA applicants the opportunity to apply for Transportation Infrastructure Finance and Innovation Act (TIFIA) credit assistance for up to 49% of eligible project costs if the project advanced for funding but was NOT awarded due to resource constraints. The full list of INFRA Extra designation projects can be found **here**:

September 17, 2021. The US DOT **announced** the selection of five recipients to receive a total of $5 million under the new Regional Infrastructure Accelerators (RIA) program. The RIA program is designed to help accelerate project delivery through a variety of ways, including project planning, studies and analysis, and preliminary engineering and design work.

The selected RIAs are: 1.) Fresno Council of Governments, Fresno, California: $1 million, 2.) Chicago Metropolitan Agency for Planning, Chicago, Illinois: $1 million, 3.) Northeast Ohio Areawide Coordinating Agency, Cleveland, Ohio: $295,000, 4.) San Diego Association of Governments, San Diego, California: $1.47 million, and 5.) Pacific Northwest Economic Region, Seattle, Washington $1.235 million. The Fresno proposal includes two intermodal rail facilities.

September 13, 2021. The Federal Transit Administration (FTA) issued a Notice of Funding Opportunity (NOFO) **(here)** making available $25 million in FY 2021 funding under the **Route Planning Restoration Program**. Funds will be awarded competitively to support planning designed to (i) increase ridership and reduce travel times, while maintaining or expanding the total level of vehicle revenue miles of service provided in the planning period; or (ii) make service adjustments to increase the quality or frequency of service provided to low-income riders and disadvantaged neighborhoods or communities. Applicants must be eligible recipients under Section 5307 of Title 49 USC - (FTA's Urbanized Area Formula Grants program). The Federal funding share is 100 percent. **Completed applications must be submitted by 11:59 p.m. EDT on November 15, 2021**.

September 7, 2021. The **Federal Transit Administration** (FTA) issued a **Notice of Funding Opportunity** (NOFO) [and **here**] making available $2,207,561,294 in FY 2021 American Rescue Plan Act Additional Assistance Funding. As required by the American Rescue Plan Act, funds will be awarded to eligible recipients or eligible subrecipients of **Urbanized Area Formula funds** or **Rural Area Formula funds** that, as a result of the Coronavirus disease 2019 (COVID–19), require additional assistance for costs related to operations, personnel, cleaning, and sanitization combating the spread of pathogens on transit systems, and debt service payments incurred to maintain operations and avoid layoffs and furloughs. There is no minimum or maximum grant award amount, although FTA may cap the amount a single recipient or State may receive as part of the selection process. The Federal share is 100 percent of the net project cost. Applicants will not provide match. A webinar about this NOFO is scheduled for Sept. 23, 2021 at 3 p.m. Eastern time. Registration information will be available soon. **Proposals must be submitted electronically through Grants.gov website by 11:59 PM Eastern Time on 11/8/2021**.

September 3, 2021. The Federal Railroad Administration (FRA) issued a Notice of Funding Opportunity (NOFO) making available $1 million under the **FY 2021-Highway-Rail Grade Crossing Safety Education and Enforcement Program**. The program provides program funding for Operation Lifesaver, using funds designed and provided under the approved budget for the FRA's Office of Safety for fiscal year 2021. Only Operation Lifesaver Inc is permitted to apply for the announcement. **The application closing date is September 10, 2021**.

August 27, 2021. The Federal Railroad Administration (FRA) **announced** a Notice of Funding Opportunity [**Published NOFO Version 31 Aug 2021**] making available nearly $362 million through its **Consolidated Rail Infrastructure and Safety Improvements (CRISI) Grant Program**. CRISI funds projects that reduce congestion, improve short-line and regional railroad infrastructure, relocate rail lines, enhance multi-modal connections and facilitate service integration between rail and other modes such as at ports or intermodal facilities. See examples of FY 2020 awards **here**. FRA will be holding a **webinar** about FRA's FY 2021 CRISI NOFO on **September 21, 2021**, and interested entities and applicants should visit the **FRA Rail Program Delivery Webinar Series**: Grants & Loans webpage for information. **Applications for funding under this NOFO are due no later than 5:00 p.m. ET, November 29, 2021**. Certain funding amounts are set aside for the following purposes:

- Rural set-aside — Not less than **$93.7 million**, or 25%, will be made available **for rural projects**;
- Intercity passenger rail development — Not less than **$75 million** will be made available for eligible projects that support the development of **new intercity passenger rail service routes**, including alignments for existing routes; and
- Capital improvements for trespass prevention — Not less than **$25 million** will be made available for **capital projects** and engineering solutions targeting rail trespassing. The NOFO also incorporates Non-CRISI funding to provide grants to help implement FRA's National Strategy to Prevent Trespassing:
- Railroad Trespassing Enforcement — **$2,034,296** will be made available for grants to fund applicable law enforcement wages to undertake trespass enforcement activities; and
- Railroad Trespassing Suicide Prevention — **$207,000** will be made available for grants to fund targeted outreach campaigns to reduce the number of railroad-related suicides that involve trespassing.

OTHER TRANSPORTATION-RELATED FEDERAL REGISTER NOTICES

September 16, 2021. The US DOT Office of the Secretary issued a Notice of Request for Information regarding "**America's Supply Chains and the Transportation Industrial Base**." The notice requests information from the public to assist the US DOT in preparing the report required by the Executive Order and solicits practical solutions from a broad range of stakeholders to address current and future challenges to supply chain resilience in the freight and logistics sector. **Comments must be received on or before October 18, 2021**.

September 1, 2021. The Federal Railroad Administration (FRA) issued a **Notice of Safety Advisory** to make the rail industry, including railroads and railroad employees, aware of a recently identified interface design issue relating to how **Positive Train Control** (PTC) systems in use throughout the United States interface with locomotive and cab car braking systems. The recently identified interface design issue allows a train crewmember to circumvent a PTC enforcement by manually cutting out the pilot valve/brake stand, commonly known as the cut-out valve, prior to the PTC system initiating the brakes. The interface design issue poses a significant safety risk by allowing a PTC system to be disabled and unable to initiate the brakes to prevent a train-to-train collision, over-speed derailment, incursion into an established work zones, or the movement of a train through a switch left in the wrong position.

OTHER REPORTS/NOTICES/NEWS ARTICLES

September 20, 2021. The National Academies Press released a **Report** entitled, "Collaborative Practices for Performance-Based Asset Management Between State DOTs and MPOs (2021)." The purpose of the report was to document state departments of transportation collaboration with metropolitan planning organizations (MPOs) relative to target setting, investment decisions, and performance monitoring of pavement and bridge assets for performance-based planning and programming.

September 16, 2021. The US Department of Treasury released a report entitled, "**AMERICAN RESCUE PLAN: TREASURY'S PROGRESS AND IMPACT AFTER SIX MONTHS**." The US Treasury quoted in the report said that they have "sent over $240 billion in fiscal support to state, territorial, local, and Tribal governments that is being used to fight the pandemic and accelerate local economic recovery. Over 99% of currently available State and Local Fiscal Recovery Funds are in the hands of governments across the country, who are using these resources not only to meet immediate pandemic response needs but to make long-term investments in the recovery, equity, and prosperity of their local communities." Overall, the Treasury Department has disbursed approximately $700 billion of the $1 trillion in programs administered by Treasury. Treasury **Press Release**.

September 14, 2021. The US Government Accountability Office (GAO) released a report entitled, "**PUBLIC TRANSPORTATION - Identifying Lessons Learned Could Help Improve FTA's Process to Manage Safety Risks**." The Federal Transit Administration (FTA) is tasked with playing a larger role in overseeing safety for public transportation and now works with transit agencies to develop data-driven safety plans, among other activities. Of the twelve selected transit agencies GAO spoke with, most faced challenges incorporating the FTA requirements to develop and document its Safety Management Systems (SMS) in their new agency safety plans. SMS is a performance-based, data-driven framework to manage safety risks throughout an organization. Some rail transit agencies noted difficulties transitioning from the former 21-element safety plan to SMS and its four required components.

September 9, 2021. The American Public Transportation Association (APTA) released its **2021 Public Transportation Fact Book**. The book includes highlights such as, Long-term investment in public transit supports 50,000 jobs and $382 million in tax revenue per $1 billion invested. See **Fact Book** page.

September 7, 2021. The Congressional Research Service (CRS) released a report entitled, "**Furloughs Likely If Surface Transportation Appropriations and Authorizations Lapse on September 30**." At midnight September 30, 2021, the law authorizing federal surface transportation programs, the Fixing America's Surface Transportation Act (FAST Act; P.L. 114-94), as extended, as well as the annual transportation appropriations provided in the Continuing Appropriations Act, 2021, and Other Extensions Act (P.L. 116-159), are set to expire. How the two expirations would affect surface transportation programs depends on whether a program or activity is funded through the Highway Trust Fund (HTF) or with appropriated budget authority from the Treasury's general fund. If the authorizations are not extended or replaced, all HTF-funded personnel not needed to fulfill excepted activities under the ADA (such as life, safety, and the protection of property), or funded with appropriations, would be furloughed. Approximately 3,500 to 4,000 employees in the five US DOT surface transportation agencies could be affected. Under a lapse of annual appropriations, all appropriations-funded non-excepted programs and activities in the US DOT would likely shut down. Roughly 900 to 1,000 non-excepted surface transportation program employees would likely be furloughed.

September 2, 2021. The Congressional Research Service (CRS) released a report entitled, "**Canadian Railroads Competing to Acquire Major U.S. Freight Line**." Canadian Pacific Railway (CP) and Kansas City Southern (KCS), two of the seven Class I companies that handle long-distance U.S. rail traffic, announced a merger agreement in March. In April, another Class I carrier, Canadian National (CN), submitted what it termed a "superior proposal" to acquire KCS, which was accepted in May. On August 31, all five STB commissioners voted to deny CN's request to create a "voting trust" to hold shares of KCS, an arrangement that would have allowed CN to acquire shares while the merger is still pending before the Board. Either deal, if approved by shareholders and federal regulators, would be the largest consolidation of major railroads in several decades, and would create the first railroad network to serve Canada, the United States, and Mexico under a single corporate owner.

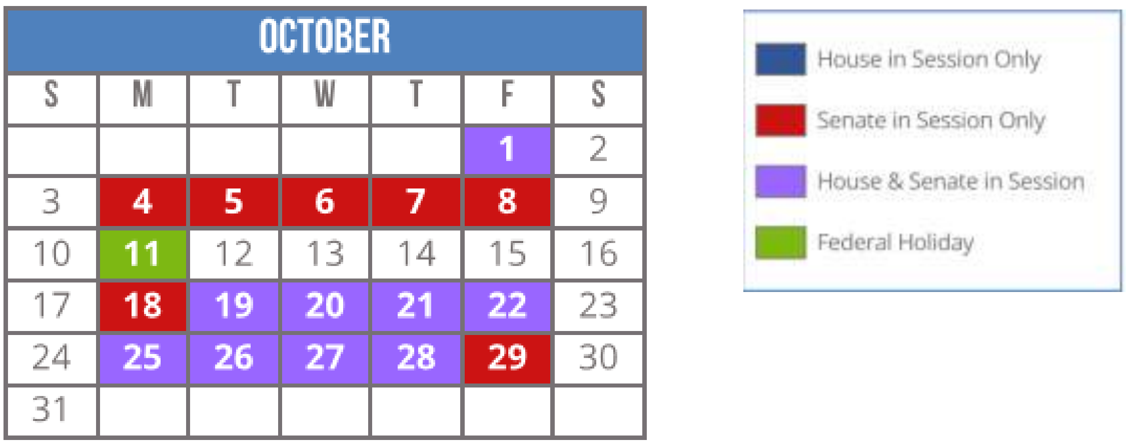
August 31, 2021. The American Association of State Highway and Transportation Officials (AASHTO) released a **survey** indicating that numerous short- and long-term economic and quality-of-life benefits are poised to flow from the $1.2 trillion "**Infrastructure Investment & Jobs Act**" (IIJA) passed by the Senate on August 10, 2021. The survey polled state DOTs from across the country asking how the proposed policy/funding outlined in the IIJA would help them improve the safety, efficiency, and productivity of their transportation systems.

August 27, 2021. The Federal Transit Administration (FTA) held a **National Transit Renewal Summit** to summarize the "best of the best" strategies shared by transit agencies, industry partners and advocacy organizations. The Summit culminated a series of events to promote tools to safely improve ridership on transit systems while continuing to protect riders and workers across the nation.

More than 3,000 transit professionals and stakeholders joined FTA's national conversation held throughout July and August. The FTA also issued a report entitled, "**America's Open and Transit's Open**." The report is a culmination of what FTA heard during three listening sessions held in July and August 2021. Transit agencies nationwide — large and small, urban and rural — may consider adapting these practices to renew ridership on their systems.

August 18, 2021. The **Electrification Coalition** and **Atlas Public Policy** released a report **Federal Fleet Electrification Assessment** revealing that 97 percent of buses and light-duty vehicles in the federal fleet could be replaced by electric vehicles (EVs) by 2030 at a cost savings to taxpayers. Up to 40 percent could be cost-effectively replaced as soon as 2025. Electrification of non-USPS federal fleet vehicles could yield vehicle lifetime savings of as much as $1.18 billion, while USPS electrification could yield as much as $4.3 billion in savings.

UPCOMING CONGRESSIONAL CALENDAR – OCTOBER 2021



UPCOMING DEADLINES/EVENTS

Note: Given the recommendations from the Centers for Disease Control and Prevention, many upcoming events have/are being cancelled or conducted "virtually" to prevent the spread of COVID-19.

Jan-Dec 2021	**FY 2021 Transit Training Schedule**
October 4-7	AASHTO Executive Institute (AEI) in Washington D.C.
October 3-6	**APTAtech** (transit emerging technologies) and other Events found **here**;
October 20-21	**Next-Gen Train Control 2021**;
October 26-29	**AASHTO Annual Meeting** – San Diego, CA;
October 27	Commuter Rail Coalition meeting;
November 7-10	**APTA's Transform Conference & Expo**.
November 18-19	**Railtrends 2021** (New York);

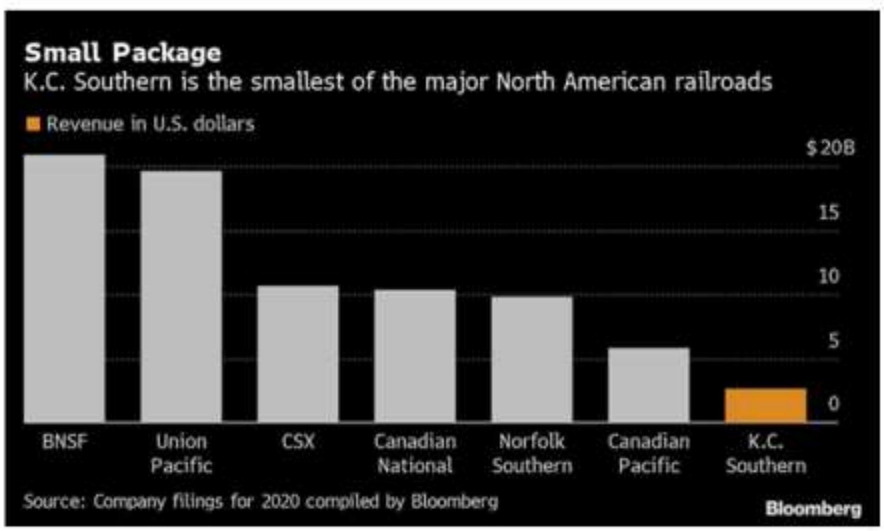
SCUTTLEBUTT/ICYMI

September 7, 2021. The **Federal Transit Administration** (FTA) is urging Transit Agencies to continue emphasizing the importance of vaccinations for their workers and communities as vaccination rates increase. According to the Mayo Clinic and the CDC, in the past two months, more Americans have begun getting vaccinated against COVID-19. Hesitancy toward the vaccine has also plummeted, according to a recent Ipsos poll. Only 14 percent of Americans now say that they are absolutely not likely to get vaccinated. FTA is calling on transit leaders to share this information with employees, and to do all you can to encourage vaccination among your workforces. Some agencies have provided paid time off to receive the vaccine, cash awards, or gift cards to motivate employees to get vaccinated.

September 7, 2021. The Transportation Safety Institute (TSI) has **opened registration** for safety training courses for transit personnel. These courses support FTA grantees subject to the **Public Transportation Safety Certification Training Program (PTSCTP) regulation** with initial training and refresher training requirements. Open enrollment for courses began on September 1, 2021 and the **Fiscal Year (FY) 2022 TSI Training Schedule** is available now on the FTA website. New this fiscal year, all rail PTSCTP courses will be delivered virtually.

September 1, 2021. The American Public Works Association (APWA) announce that Stan Brown, P.E., PWLF, Member Services Consultant, Georgia Municipal Association, Atlanta, Ga., has been sworn in as President of APWA effective September 1, 2021. Affirmed by APWA's more than 30,000 members, President Brown will lead the organization for the 2021-2022 term. President Brown succeeds APWA President Mary Joyce Ivers, CPFP, PWLF.

August 31, 2021. The **Surface Transportation Board** (STB) issued a unanimous **Decision** denying the proposed April 20, 2021 merger between Canadian National Railway Company (CN) and Kansas City Southern Railway Company (KCS). The STB found that the proposed merger, "does not meet the standards under the current merger regulations and therefore denies the applicants' motion for authorization to establish and use the proposed voting trust." The STB explained that the "Applicants have failed to establish that their use of a voting trust would have public benefits, and the Board finds that using a voting trust, in the context of the impending control application, would give rise to potential public interest harms relating to both competition and divestiture." The STB ruled that, "Accordingly, [the] applicants' motion to approve the use of a voting trust will be denied. Industry observers expect that Canadian Pacific will re-engage negotiations with KCS seeking a merger at their offer of stock and cash transaction representing a value of approximately $31 billion and $300 per share ($25 per share over their original office price of $275 per share and $25 billion in value).



In fact, KCS confirmed on September 1, that it received an unsolicited proposal from Canadian Pacific reaffirming its interest in acquiring KCS. On September 4, KCS announced that its Board determined that the CP proposal could reasonably be expected to lead to a "company superior proposal" and to engage in discussions and negotiations. CP had placed a September 12 deadline on the offer. On September 12, KCS accepted the $31 billion merger proposal from CP and KCS also provided notice of termination of the previously merger agreement with CN. House Committee on Transportation and Infrastructure Chairman Peter DeFazio issued a **statement** noting that "I applaud the STB for their work to closely scrutinize impacts in shipping markets, workers' rights, and the impact to intercity passenger rail. I'm glad that the STB followed my call because Wall Street shouldn't be allowed to call the shots when it comes to railroad consolidation that would hurt the U.S. economy and American workers." KCS has rescheduled a special meeting of stockholders to vote on the CN merger agreement and other proposals (CP) until September 24, 2021.

August 30, 2021. A coalition of transportation industry partners sent letters to **Congressional Leaders** and **US DOT Secretary Pete Buttigieg** “urge[ing] you to provide at least $10 billion of additional public transit investment in the reconciliation bill, the Build Back Better Act, pursuant to S. Con. Res. 14. We also urge you to provide significant, dedicated high-speed rail funding in the bill. Together, these bold investments in public transportation in the Build Back Better Act will enable us to tackle climate change, advance equity, and meet the growing and evolving mobility demands of our communities.”

August 26, 2021. The Federal Highway Administration (FHWA) held a briefing for state departments of transportation on August 26 regarding its contingency plans for an impending Highway Trust Fund cash flow shortfall due to a continuous and structural cash flow deficit since 2008. The Highway Account of the HTF is projected to run out of money around early November if FHWA does not implement cash management procedures outlined in the **guidance**. Meanwhile, the HTF’s Mass Transit Account is not currently facing an imminent funding shortfall.

Addendum A. – Calendar Year NOFO/AWARDS SCORECARD. **An Excel spreadsheet with "hot-links" is available from TG&A upon request.**

SELECTED TRANSPORTATION NOTICE OF FUNDING OPPORTUNITIES (NOFOs) &/OR AWARDS
(SCORECARD for CY 2021)

9/17/2021

	NOFO TITLE	TYPE (NOFO / AWARD)	NOFO ISSUANCE DATE	NOFO URL	NOFO $s MADE AVAILABLE	APPLICATION DEADLINE	NOFO $ AWARDS	AWARDS URL	AWARDED - DATE	COMMENTS
US DOT										
	Inclusive Design Challenge (FY 2018 Funding)	NOFO/AWARD	4/21/2020	NOFO URL	5,000,000	10/30/2020	3,000,000	Award URL	1/6/2021	$5 m. prize purse from FY 2018 "Highly Automated Vehicle Research & Dev. Pgm."
	Complete Trip - ITS4US Deployment Program	NOFO/AWARD	6/18/2020	NOFO URL	40,000,000	7/7/2020	38,350,871	Award URL	1/6/2021	
	FY 2021 INFRA Discretionary Grants **VOID - TBA - See 2/17/2021 for Revision**	NOFO	1/20/2021	NOFO URL	889,000,000	4/4/2021	TBD	TBD	TBD	Postponed Notice URL
	FY 2021 INFRA Discretionary Grants	NOFO	2/17/2021	NOFO URL	1,039,000,000	3/19/2021	TBD	TBD	TBD	
	FY 2021 National Infrastructure Investments (BUILD) **VOID - See 4/13 for Update**	NOFO	1/21/2021	NOFO URL	1,000,000,000	4/20/2021	TBD	TBD	TBD	Postponed Notice URL
	Dwight David Eisenhower Transportation Fellowship Program	NOFO	2/18/2021	NOFO URL	1,000,000	4/16/2021	TBD	TBD	TBD	FY 2021 INFRA NOF Fed Reg
	Transportation Demonstration Program	NOFO	2/26/2021	NOFO URL	100,000,000	6/25/2021	TBD	TBD	TBD	
	FY 2021 National Infrastructure Investments (Rebuilding American Infrastructure with Sustainability and Equity (**RAISE**) Grant Program)	NOFO	4/13/2021	NOFO URL	1,000,000,000	7/12/2021	TBD	TBD	TBD	
	Aviation Manufacturing Jobs Protection (AMJP) program	NOFO	6/11/2021	NOFO Solicitation	3,000,000,000	7/13/2021	TBD	TBD	TBD	
US DHS/ FEMA										
	FY 2020 Fire Prevention and Safety (FP&S) Grant program	NOFO	1/14/2021	NOFO URL	35,500,000	2/26/2021	TBD	TBD	TBD	
	FY 2020 Staffing For Adequate Fire And Emergency Response (SAFER) grants	NOFO	1/27/2021	NOFO URL	355,000,000	3/12/2021	TBD	TBD	TBD	
	FY 2021 Port Security Grant Program	NOFO/AWARD	2/26/2021	NOFO URL	100,000,000	5/14/2021	30,000,000	Award URL	8/9/2021	
	FY 2021 Intercity Passenger Rail - Amtrak	NOFO	2/26/2021	NOFO URL	10,000,000	5/14/2021	TBD	TBD	TBD	
	FY 2021 Nonprofit Security Grant Program	NOFO	2/26/2021	NOFO URL	180,000,000	5/14/2021	TBD	TBD	TBD	
	FY 2021 Intercity Bus Security Grant Program	NOFO	2/26/2021	NOFO URL	2,000,000	5/14/2021	TBD	TBD	TBD	
	FY 2021 Homeland Security Grant Program	NOFO	2/26/2021	NOFO URL	1,120,000,000	5/14/2021	TBD	TBD	TBD	
	FY 2021 Emergency Management Performance Grant Program (Regions 1-10)	NOFO	2/26/2021	NOFO URL	355,100,000	5/14/2021	TBD	TBD	TBD	
	FY 2021 Transit Security Grant Program	NOFO	2/26/2021	NOFO URL	88,000,000	5/14/2021	TBD	TBD	TBD	
	FY 2021 State Fire Training Systems Grant Program	NOFO	6/16/2021	NOFO URL	1,000,000	7/27/2021	TBD	TBD	TBD	
	FY 2021 Homeland Security Preparedness Technical Assistance Program	NOFO	6/23/2021	NOFO URL	525,000	7/30/2021	TBD	TBD	TBD	Projected No. of awards is 3.
US DOJ										
	FY 2021 COPS Hiring Program (CHP) Program	NOFO	5/7/2021	NOFO URL	140,000,000	6/22/2021	TBD	TBD	TBD	Solicitation
	COPS Community Policing Development Funds	NOFO	6/3/2021	NOFO URL	22,000,000	7/22/2021	TBD	TBD	TBD	
DOE										
	Advanced Research Projects Agency – Energy	FOA	2/11/2021	FOA URL	100,000,000	TBD	TBD	TBD	TBD	Development of high-potential, high-impact energy technologies.
EPA										
	Water Infrastructure Finance and Innovation Act	NOFA	4/29/2021	NOFA URL	54,500,000	7/23/2021	TBD	TBD	TBD	
	State Infrastructure Finance Authority Water Infrastructure Finance & Innovation Act	NOFA	4/29/2021	NOFA URL	5,000,000	6/25/2021	TBD	TBD	TBD	
FAA										
	Airport Coronavirus Response Grant Program	Notice	12/31/2020	Notice URL	2,000,000,000	TBD	TBD	TBD	TBD	
	Aviation Workforce Development Grant Program - **Aviation Maintenance**	NOFO	1/20/2021	NOFO URL	5,000,000	3/22/2021	TBD	TBD	TBD	
	Aviation Workforce Development Grant Program - **Aircraft Pilots**	NOFO	1/20/2021	NOFO URL	5,000,000	3/22/2021	TBD	TBD	TBD	
	Small Community Air Service Development Program	NOFO	1/20/2021	NOFO URL	18,000,000	3/1/2021	TBD	TBD	TBD	Rev. closing date - original was 1/26/2021
	Environmental Mitigation Pilot Program	NOFO	5/10/2021	NOFO URL	15,000,000	7/9/2021	TBD	TBD	TBD	
	FY 2022 Aviation Research Grants Program	NOFO	1/2/2022	NOFO URL	6,000,000	9/7/2021	TBD	TBD	TBD	Rolling Schedule for Pre-Applications
FHWA										
	Highway Construction Workforce Partnership (HCWP) Grant Program	NOFO	1/5/2021	NOFO URL	4,000,000	2/22/2021	TBD	TBD	TBD	
	Commuter Authority Rail Safety Improvement (CARSI) Grants	NOFO/AWARD	8/26/2020	NOFO URL	50,000,000		40,255,750	Award URL	1/14/2021	
	Operation Lifesaver	AWARD			200,000		200,000	Award URL	5/13/2021	O.L. is a nonprofit public safety education org.
	Operation Lifesaver	AWARD					245,317	Award URL	5/25/2021	Competitive rail safety awareness grants
	Accelerated Innovation Deployment Demonstration Grants	NOFO/AWARD	7/16/2020	NOFO URL	5,000,000	See note.	5,619,191	Award URL	5/26/2021	Rolling solicitation.
	Advanced Transportation and Congestion Mgt. Technologies Deployment Initiative	NOFO	6/23/2021	NOFO URL	60,000,000	8/23/2021	TBD	TBD	TBD	
	FY 2021 Accelerated Innovation Deployment (AID) Demonstration Program	NOFO	7/2/2021	NOFO URL	10,000,000	9/28/2021	TBD	TBD	TBD	Intent to apply deadline 8/3/2021.
	Operation Lifesaver - Rail Transit Safety Education Grants	NOFO	7/1/2021	NOFO URL	220,000	7/31/2021	TBD	TBD	TBD	Grant amounts are capped at $20,000
	Dwight David Eisenhower Transportation Fellowship Program Grants for Research	NOFO	8/4/2021	NOFO URL	240,000	9/17/2021	TBD	TBD	TBD	Up to four new grant agreements.
	FY 2021 Surface Transportation System Funding Alternatives (STSFA) Grants program	NOFO	8/31/2021	NOFO URL	18,310,894	11/1/2021	TBD	TBD	TBD	
FRA										
	FY 2021 Supplemental for the NEC Cooperative Agreement to Amtrak	NOFO	2/11/2021	NOFO URL	1,209,483,050	2/22/2021	TBD	TBD	TBD	Consolidated Approp. Act, 2021 (P.L. 116-260)

SELECTED TRANSPORTATION NOTICE OF FUNDING OPPORTUNITIES (NOFOs) &/OR AWARDS
(SCORECARD for CY 2021)

9/17/2021

	NOFO TITLE	TYPE (NOFO / AWARD)	NOFO ISSUANCE DATE	NOFO URL	NOFO $s MADE AVAILABLE	APPLICATION DEADLINE	NOFO $ AWARDS	AWARDS URL	AWARDED - DATE	COMMENTS
	FY 2021 Supp. for the National Network Cooperative Agreement to Amtrak	NOFO	2/11/2021	NOFO URL	1,380,241,050	2/22/2021	TBD	TBD	TBD	Consolidated Approp. Act, 2021 (P.L. 116-260)
	FY 2021 Supp.for the NEC Cooperative Agreement to Amtrak	NOFO	2/9/2021	NOFO URL	969,388,160	4/23/2021	TBD	TBD	TBD	American Rescue Plan Act, 2021
	FY 2021 Supp. for the National Network Cooperative Agreement to Amtrak	NOFO	2/9/2021	NOFO URL	728,611,840	4/23/2021	TBD	TBD	TBD	American Rescue Plan Act, 2021
	FY 2020/2021 Pilot Program for Transit-Oriented Development (TOD) Planning	NOFO	4/21/2021	NOFO URL	10,052,572	6/21/2021	TBD	TBD	TBD	US DOT Announcement
	FY 2021 Rail Safety Innovations Deserving Exploratory Analysis (Rail Safety IDEA)	NOFO	5/4/2021	NOFO URL	400,000	5/14/2021	TBD	TBD	TBD	
	FY 2021 Railroad Safety State Participation Grant Program	NOFO	7/22/2021	NOFO URL	100,000	8/20/2021	TBD	TBD	TBD	
	FY 2021 Consolidated Rail Infrastructure and Safety Improvements (CRISI)	NOFO	8/26/2021	NOFO URL	361,978,796	11/29/2021	TBD	TBD	TBD	
	FY 2021-Highway-Rail Grade Crossing Safety Education and Enforcement Program	NOFO	9/3/2021	NOFO URL	1,000,000	9/10/2021	TBD	TBD	TBD	
FTA										
	FTA - Coronavirus Response/Relief Supplemental Appropriations Act of 2021	Notice	1/11/2021	Notice URL	14,000,000,000	TBD	TBD	TBD	TBD	
	FY 2021 Low or No Emission Grant Program	NOFO/AWARD	2/11/2021	NOFO URL	180,000,000	4/12/2021	182,156,692	Award URL	6/25/2021	
	Community Rides Grant Program	NOFO	3/22/2021	NOFO URL	100,000	5/10/2021	TBD	TBD	TBD	
	FY 2020/2021 Technical Assistance and Workforce Development	NOFO	4/14/2021	NOFO URL	5,000,000	5/10/2021	TBD	TBD	TBD	
	FY 2021 Community Design Challenge Grants	NOFO	5/26/2021	NOFO URL	25,000	7/12/2021	TBD	TBD	TBD	Four communities to be selected.
	FY 2020/2021 Areas of Persistent Poverty Program	NOFO	6/30/2021	NOFO URL	16,259,614	8/30/2021	TBD	TBD	TBD	Combination FY 2021/2021 funding.
	FY 2021 Passenger Ferry Grant ProgramFY 2021 Passenger Ferry Grant Program	NOFO	8/5/2021	NOFO URL	38,000,000	10/5/2021	TBD	TBD	TBD	
	FY 2021 Research to Practice (R2P) Program	NOFO	8/13/2021	NOFO URL	545,000	8/13/2021	TBD	TBD	TBD	
	FY 2021 American Rescue Plan Act Additional Assistance Funding	NOFO	9/7/2021	NOFO URL	2,207,561,294	11/8/2021	TBD	TBD	TBD	
	FY 2021 Route Planning Restoration Program	NOFO	9/14/2021	NOFO URL	25,000,000	11/15/2021	TBD	TBD	TBD	
	FY 2021 Grants for Buses and Bus Facilities Program	NOFO	9/17/2021	NOFO URL	409,588,848	11/19/2021	TBD	TBD	TBD	
HUD										
MARAD										
	FY 2021 Small Shipyard Grants program	NOFO	1/15/2021	NOFO URL	19,600,000	2/25/2021	TBD	TBD	TBD	
	FY 2021 Port Infrastructure Development Program	NOFO	3/29/2021	NOFO URL	230,000,000	7/30/2021	TBD	TBD	TBD	
	FY 2020 Small Shipyard Grants program	NOFO/AWARD	1/6/2020	NOFO URL	19,600,000	2/18/2020	19,600,000	Award URL	4/26/2021	
	FY 2021 America's Marine Highway Program	NOFO	5/22/2021	NOFO URL	10,819,000	6/25/2021	TBD	TBD	TBD	Only previously designated Marine Hwy. Proj. eligible.
NAT'L. SCIENCE FOUNDATIO										
NHTSA / FMCSA										
	FY 2021 High Priority- CMV program	NOFO	1/28/2021	NOFO URL	25,211,500	3/15/2021	TBD	TBD	TBD	
	FY 2021–Commercial Motor Vehicle Operator Safety Training Program	NOFO	1/28/2021	NOFO URL	2,000,000	3/15/2021	TBD	TBD	TBD	
	FY 2021 Commercial Driver's License Program Implementation	NOFO	1/28/2021	NOFO URL	32,702,000	3/15/2021	TBD	TBD	TBD	
	FY 2021 High Priority Program – Innovative Technology Deployment	NOFO	1/29/2021	NOFO URL	20,000,000	3/15/2021	TBD	TBD	TBD	
	FY 2022 Motor Carrier Safety Assistance Program	NOFO	5/29/2021	NOFO URL	304,069,500	8/2/2021	TBD	TBD	TBD	
	Enhance Uniformity/Traffic Laws & Countermeasure/State Motor Veh. Admn. Office	NOFO	6/11/2021	NOFO URL	648,109	7/6/2021	TBD	TBD	TBD	Funds 1 Cooperative Agreement.
DOT / PHMSA										
	FY 2021 Supplemental Public Sector Training (SPST) Grant program	NOFO	2/4/2021	NOFO URL	1,300,000	3/15/2021	TBD	TBD	TBD	
	FY 2021 - State Damage Prevention Program Grants	NOFO	2/26/2021	NOFO URL	100,000,000	3/15/2021	TBD	TBD	TBD	
TREASURY										
	CERTS Coronavirus Economic Relief for Transportation Services	NOFO	5/7/2021	NOFO URL	2,000,000,000	TBD	TBD	TBD	TBD	CERTS Guidelines
DOC/EDA										
OSHA										
USDA										

SAN JOAQUIN REGIONAL RAIL COMMISSION

Meeting of October 1, 2021

STAFF REPORT

Item 3.7 **INFORMATION**

Update on Silicon Valley and Tri-Valley Outreach Contracts Activities

Background:

As a public agency with forward thinking plans and initiatives, an important aspect of outreach efforts is 'Stakeholder Engagement'. Local, committed stakeholders are vital in promoting the service, improving local presence, increasing funding for the service, and encouraging communities to ride the train. Stakeholder education meetings, presentations, and partnerships are a key component to outreach efforts. Stakeholders are classified as elected officials, agency staff, community leaders, organizations, businesses, and local media.

To accomplish continued engagement of key stakeholders, San Joaquin Regional Rail Commission (SJRRC) has retained a local, embedded grassroots Outreach Consultant/Team for the Silicon Valley and another for the Tri-Valley (Livermore/Dublin/Pleasanton) area. Outreach consultants have been an important component of the SJRRC approach to stakeholder engagement. The Outreach Consultant/Teams will focus their efforts on stakeholder engagement, and strategic partnerships.

There are several key groups, chambers, partnerships, agencies, universities, and organizations within the Silicon Valley and Tri-Valley areas that are an essential component of awareness and messaging multiplication. The Silicon Valley and Tri-Valley Outreach Consultant/Teams will be leveraging their contacts, SJRRC contacts, and placing emphasis on new stakeholder acquisition. Stakeholders will be engaged to share Altamont Corridor Express (ACE) content and support ACE service initiatives.

At the June 4, 2021 Board Meeting, the Rail Commission approved contracts for ACE Silicon Valley Outreach Services (Winter Consulting) and ACE Tri-Valley Outreach Services (California Gold Advocacy Group). The Rail Commission board also requested that staff provide monthly summaries of the work done under these contracts.

Winter Consulting, led by Corinne Winter, assists the Rail Commission with Silicon Valley outreach and stakeholder engagement focused in Santa Clara County and the Tri-City (Fremont, Union City, and Newark) part of southern Alameda County. California Gold Advocacy Group, primary consultant Guy Houston performs outreach in Tri-Valley communities of Dublin, Pleasanton and Livermore and surrounding communities in Contra Costa County along the 580-680 Corridor.

Silicon Valley Outreach Summary for Winter Consulting (August 15 – September 22, 2021)

Client Meetings:

- Meetings with Dan Leavitt - 8/17; 8/27, 9/1, & 9/9

During this period, there were several meetings with Tri-City and San Jose staff regarding ACE service planning:

- SJ Rail Planning/ACE - 9/1
- SoCo Rail/Tri-City/ACE - 9/9 (as part of the Southern Alameda County Rail Study)
- SJ Rail Planning/ACE follow up – 9/10
- Union City/Winter Consulting – 9/14

Business and community leader relationships are a mechanism to increase current and future ridership, and also to create champions for ACE service in the Bay Area. These events and meetings were leveraged to strengthen ACE/SJRRC relationships in the business community:

- Silicon Valley Bicycle Coalition Summit - 8/16, 8/17
- Call with Silicon Valley Leadership Group staff – 8/19
- Elk Grove corporate strategy meeting with Alison MacLeod - 8/25
- Silicon Valley Leadership Group Racial Justice and Equity Committee – 9/27
- Bay Area Council Meeting on Infrastructure Bill – 9/9

ACE/SJRRC staff and consultants also continued to leverage Bay Area Chambers of Commerce memberships. These memberships along with associated events and sponsorships provide an opportunity to network with a variety of elected officials, agency staff, and business leaders. They also heighten knowledge about the ACE service in the broader community:

- Arranged for ad purchase from Pleasanton Chamber of Commerce
- Updated ads in Dublin Chamber of Commerce Newsletter
- Discussions with Fremont Chamber of Commerce regarding October transportation-focused member event

Tri-Valley Outreach Summary for California Gold Advocacy Group (August 15 – September 22, 2021)

- Efforts were around work with Livermore Police Department, City of Livermore and Livermore Unified School District regarding vandalism/malicious mischief at the Railroad Ave ACE Station. Discussing the process for allowing ACE to post security personnel at the Railroad Ave parking structure. Law enforcement is stepping up independent patrol, follow up with police department and City of Livermore staff - Ongoing

- Attended Livermore Chamber of Commerce Business Faire- Featured ACE expansion to four routes after Labor Day and to promote service with the message, "ACE is back" – 8/18

- Dublin Chamber of Commerce State of the City event, Mayor Melissa Hernandez. Mayor Karla Brown was a guest at the ACE Table – 9/22

Fiscal Impact:
There is no fiscal impact.

Recommendation:
This is an informational item. There is no action requested.

SAN JOAQUIN REGIONAL RAIL COMMISSION
Meeting of October 1, 2021

STAFF REPORT

Item 3.8 **ACTION**

Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Approving the Purchase of Laptop Computers and Docking Stations for Employee Use for an Amount Not-To-Exceed $125,000 from Dell, Inc. and Authorizing the Executive Director to Execute Any and All Documents Related to the Project

Background:
Over the course of the past several years, the Rail Commission has updated the desktop computers of staff as they end their useful life. All current desktops are at the end of their useful life and need to be replaced. Rather than replace with desktop towers, the Rail Commission will replace them with laptops. Due to the COVID-19 pandemic, a large percentage of staff are working from home at least part of the time to accommodate social distancing in the office. It is more cost effective to purchase laptops so that staff can use Agency issued laptops when working from home and can bring their agency issued laptop to work when they come into the office. With the purchase of laptops, there is no need to purchase desktops.

Part of the Rail Commission's Cyber Security Program is to ensure that agency data is fully secured from cyber security threats and breaches. To meet this goal, the Rail Commission needs up-to-date computers for employee use. Having staff use Agency issued laptops also alleviates security concerns with staff utilizing their personal computers at home to access Agency programs and files. Agency issued laptops will be regularly updated, customized with the correct software and monitored by IT which lowers the chance of a security breach or virus attack.

The Rail Commission IT Coordinator determined that the laptops to be purchased will be the Dell Latitude 5420 and 5520 series. The 5420 series will be issued to staff that need access to a laptop, but do not utilize one daily. The 5520 series will be issued to staff that are in need of a higher processing power for daily work. These laptops will have the required storage, speed, and features to allow staff to have flexibility and functionality in their duties.

In addition to the laptops, the Rail Commission will order docking stations that will allow staff to connect their laptops to their dual monitors when in the office. The docking stations will act as a HUB that features multiple connectivity ports including USB, HDMI, Ethernet, DisplayPort, etc.

This action accommodates current staff, as well as the needs for anticipated new hires through the rest of the Fiscal Year.

Procurement Approach
Rail Commission staff obtained quotes from three different vendors for the laptops and docking stations. Those vendors were Dell, Inc., Amazon, and B&H Photo.

Based on the pricing received, purchasing directly from Dell, Inc. is determined to be in the best interest of the agency. Dell, Inc. utilizes the California Multiple Award Schedules (CMAS)

Agreements which are negotiated rates with the State who has predetermined them to be fair and reasonable. Dell, Inc. provides a three (3) year Pro-Support warranty instead of the standard one (1) year warranty guaranteed by the CMAS Agreement, has better support, better encryption hardware, and is more cost effective than its competitors.

In accordance with the Rail Commission's procurement procedures and based on quotes, additional warranty, support features, and pricing, the Procurement and Contracts staff determined the price to be fair and reasonable.

Fiscal Impact:
This project is funded by Measure K funds. Funding for the project is identified in the FY 21-22 Operating Budget within the Computer Systems line item.

Funding Type	Source	Budget FY 21-22	Prior Encumbered	Total for this Purchase	Remaining Budget FY 21-22
Measure K	Local	$201,500	$15,945	$125,000	$60,555
	Total	**$201,500**	**$15,945**	**$125,000**	**$60,555**

Recommendation:
Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Approving the Purchase of Laptop Computers and Docking Stations for Employee Use for an Amount Not-To-Exceed $125,000 from Dell, Inc. and Authorizing the Executive Director to Execute Any and All Documents Related to the Project.

RESOLUTION SJRRC-R-21/22-

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE SAN JOAQUIN REGIONAL RAIL COMMISSION APPROVING THE PURCHASE OF LAPTOP COMPUTERS AND DOCKING STATIONS FOR EMPLOYEE USE FOR AN AMOUNT NOT-TO-EXCEED $125,000 FROM DELL, INC. AND AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE ANY AND ALL DOCUMENTS RELATED TO THE PROJECT

WHEREAS, all current desktop computers are at the end of their useful life and need to be replaced. Rather than replace with desktop towers, the Rail Commission will replace them with laptops; and

WHEREAS, it is more cost effective to purchase laptops so that staff can use Agency issued laptops when working from home and can bring their Agency issued laptop to work when they come into the office; and

WHEREAS, the Rail Commission IT Coordinator determined that the laptops to be purchased will be the Dell Latitude 5420 and 5520 series. These laptops will have the required storage, speed, and features to allow staff to have flexibility and functionality in their duties; and

WHEREAS, in addition to the laptops, the Rail Commission will order docking stations that will allow staff to connect their agency issued laptops to their monitors when in the office. This action will allow the Agency to order laptops and docking stations as needed for all current staff, and as needed for new hires through the rest of the Fiscal Year; and

WHEREAS, Rail Commission staff obtained quotes from three different vendors for the laptops and docking stations. Based on the pricing received, purchasing directly from Dell, Inc.; and

WHEREAS, in accordance with the Rail Commission's procurement procedures and based on quotes, additional warranty, support features, and pricing, the Procurement and Contracts staff determined the price to be fair and reasonable; and

WHEREAS, this project is funded by Measure K funds. Funding for the project is identified in the FY 21-22 Operating Budget within the Computer Systems line item; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the San Joaquin Regional Rail Commission hereby Approves the Purchase of Laptop Computers and Docking Stations for Employee Use for an Amount Not-To-Exceed $125,000 from Dell, Inc. and Authorizing the Executive Director to Execute Any and All Documents Related to the Project.

PASSED AND ADOPTED, by the Board of Commissioners this 1st day of October 2021, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

ATTEST:	SAN JOAQUIN REGIONAL RAIL COMMISSION
______________________________	______________________________
STACEY MORTENSEN, Secretary	CHRISTINA FUGAZI, Chair

SAN JOAQUIN REGIONAL RAIL COMMISSION
Meeting of October 1, 2021

STAFF REPORT

Item 4 **ACTION**

Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Approving an Agreement with HDR Engineering, Inc. for Project Development Services for the Stockton Diamond Project for an Amount Not-To-Exceed $15,167,532 and Authorizing the Executive Director to Execute Any and All Documents Related to the Project

Background:

The Stockton Diamond Grade Separation Project (Project) is a critical passenger and freight mobility project. The current Altamont Corridor Express (ACE) and Amtrak San Joaquins passenger rail services are constrained by the Stockton Diamond Interlock at-grade crossing, which can reduce reliability and on-time performance for both passenger and freight rail. The grade separation would help improve the operational performance for SJRRC and the San Joaquin Joint Powers Authority (SJJPA) as they provide service between the Central Valley, Sacramento, and the San Francisco Bay Area.

Currently, the BNSF Railway (BNSF) Stockton Subdivision and the Union Pacific Railroad (UP) Fresno Subdivision consist of two main tracks each, that intersect each other at a level to form an at-grade crossing known as the Stockton Diamond. This rail intersection, located just south of Downtown Stockton near South Aurora Street and East Scotts Avenue, is the busiest at-grade railway junction in California. The at-grade crossing experiences substantial congestion and delays service for people and freight throughout the Central Valley—and for freight on the broader national network. The current, at-grade configuration of the tracks results in critical delays to passenger and freight trains in the area, including those serving the Port of Stockton. Train congestion also causes vehicle delays at roadway-rail crossings and creates potential motor vehicle, rail, bicycle, and pedestrian conflicts.

The project will construct a grade separation of the BNSF and UP rail lines to reduce rail congestion and allow passenger and freight rail traffic to flow uninterrupted through the crossing.

In achieving the proposed Project, SJRRC anticipates the following benefits:

1. Stimulate Mobility: Improve regional passenger and freight rail efficiency and travel reliability by reducing conflicting train movements.
2. Enhance Safety: Improve Stockton residents’ access, safety, and mobility across rail lines through enhancements or closures at roadway-rail grade crossings.
3. Economic Vitality: Reducing delays will result in increased throughput and more efficient goods movement. This decreases fuel consumption and leads to cost savings.
4. Inspire Connections: Support faster, more reliable passenger rail service linking residents to family, jobs, and recreational destinations throughout Northern California.
5. Improve Sustainability: Improve air quality through reduction of greenhouse gas (GHG) emissions from trains and vehicles that idle due to congestion and delays.

On June 4, 2021, the Rail Commission Board certified the final Environmental Impact Report (EIR) for the project. Subsequently the California Transportation Commission approved the project for Future Consideration of Funding at their June 23-24, 2021 meeting and allocated funding for the Plans, Specification & Estimates (PS&E) and right of way phases.

Procurement Approach:

In May 2019, the Rail Commission established a pre-qualified On-Call Consultant List for a period of five (5) years for the twenty-nine (29) projects identified under RFQ 19-C668 for the SJRRC Capital Projects Program. The Pre-Qualified On-Call Consultant list that was approved for Project Development Services is as follows:

Rankings	Project Development
1.	AECOM Technical Services, Inc.
2.	HDR Engineering, Inc.
3.	T.Y. Lin International
4.	EXP
5.	Rail Surveyors and Engineers, Inc.
6.	SENER Engineering and Systems, Inc.
7.	TranSystems
8.	Anil Verma Associates, Inc.
9.	Biggs Cardosa Associates, Inc.

On July 30, 2021, Rail Commission staff solicited Request for Proposals (RFP) for Project Development Services for the PS&E phase of the Stockton Diamond Grade Separation. The RFP solicitation was requested from SJRRC’s pre-qualified consultant list that was established in 2019 under RFQ 19-C668.

In response to the RFP, one (1) of the nine (9) firms solicited from the Rail Commission’s pre-qualified project development services list responded by the due date of August 27, 2021. The Procurement and Contracts Department reviewed the proposal and deemed it responsive in meeting the RFP requirements. The single proposal was reviewed and scored by a review panel consisting of staff from the Rail Commission, Valley Link, Caltrans, and the City of Stockton. Based on scores and ranking the review panel concluded that oral presentations were not required to move forward. Staff deemed HDR Engineering, Inc. the most responsive and responsible proposer. HDR was previously awarded the consultant contract for the Project Approval & Environmental Document phase and is highly qualified to complete the PS&E phase within the tight 18-month timeline required by the project funding.

This purchase is considered a sole source in accordance with the Rail Commission's Procurement Manual Section 7.1.1.4 which states that a Sole Source procurement is when "A solicitation or acceptance of a proposal from only one source, or after solicitation of a number of sources, and competition is determined inadequate. SJRRC shall determine if competition was adequate. This should include a review of the specifications for undue restrictiveness include a survey of potential sources that chose not submit a bid or proposal." Staff reached out to the nonresponsive firms to inquire as to why they did not propose. The reasoning was that they wanted to focus on other projects they were shortlisted for.

The estimated contract commencement date is October 1, 2021, with an end date of June 30, 2024. There are no option years. Procurement and Contracts Staff reviewed and confirmed the price of the agreement to be fair and reasonable.

Fiscal Impact:

This project is funded by state Interregional Transportation Improvement Program (ITIP), Senate Bill 132, and Trade Corridor Enhancement Program (TCEP) funds, along with a federal Better Utilizing Infrastructure to Leverage Development (BUILD) grant. Funding for the project is identified in the FY 21-22 Capital Budget within the Stockton Diamond Grade Separation line item. The Rail Commission has encumbered $5,596,828 to date for this project. This action will commit an additional $15,167,532, leaving an available fund balance of $218,468,640 for this project.

Funding Type	Source	Project Budget	Prior Encumbered	Total for this Contract	Available For Future Phases
ITIP	State	$20,800,000	$0	$15,167,532	$5,632,468
SB 132	State	$98,433,000	$5,596,828	$0	$92,836,172
TCEP	State	$100,000,000	$0	$0	$100,000,000
BUILD	Federal	$20,000,000	$0	$0	$20,000,000
	Total	**$239,233,000**	**$5,596,828**	**$15,167,532**	**$218,468,640**

Recommendation:

Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Approving an Agreement with HDR Engineering, Inc. for Project Development Services for the Stockton Diamond Project for an Amount Not-To-Exceed $15,167,532 and Authorizing the Executive Director to Execute Any and All Documents Related to the Project.

RESOLUTION SJRRC-R-21/22-

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE SAN JOAQUIN REGIONAL RAIL COMMISSION APPROVING AN AGREEMENT WITH HDR ENGINEERING, INC. FOR PROJECT DEVELOPMENT SERVICES FOR THE STOCKTON DIAMOND PROJECT FOR AN AMOUNT NOT-TO-EXCEED $15,167,532 AND AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE ANY AND ALL DOCUMENTS RELATED TO THE PROJECT

WHEREAS, the Stockton Diamond Grade Separation Project (Project) is a critical passenger and freight mobility project; and

WHEREAS, the project will construct a grade separation of the BNSF Railway (BNSF) and Union Pacific (UP) rail lines to reduce rail congestion and allow passenger and freight rail traffic to flow uninterrupted through the crossing; and

WHEREAS, on July 30, 2021, Rail Commission staff solicited Request for Proposals (RFP) for Project Development Services for the Plans, Specification & Estimates (PS&E) phase of the Stockton Diamond Grade Separation and staff deemed HDR Engineering, Inc. the most responsive and responsible proposer; and

WHEREAS, this project is funded by state Interregional Transportation Improvement Program (ITIP), Senate Bill 132, and Trade Corridor Enhancement Program (TCEP) funds, along with a federal Better Utilizing Infrastructure to Leverage Development (BUILD) grant; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the San Joaquin Regional Rail Commission hereby Approves an Agreement with HDR Engineering, Inc. for Project Development Services for the Stockton Diamond Project for an Amount Not-To-Exceed $15,167,532 and Authorizing the Executive Director to Execute Any and All Documents Related to the Project.

PASSED AND ADOPTED, by the Board of Commissioners this 1st day of October 2021, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

ATTEST: SAN JOAQUIN REGIONAL RAIL COMMISSION

STACEY MORTENSEN, Secretary

CHRISTINA FUGAZI, Chair

SAN JOAQUIN REGIONAL RAIL COMMISSION

Meeting of October 1, 2021

STAFF REPORT

Item 5 **INFORMATION**

Realtor and Developer Engagement Update

Background:

Rail Commission Marketing staff have been strategizing and deploying an overall, multi-faceted outreach plan that includes many different components including, but not limited to: business partner engagement, stakeholder partnerships, owned channel communication, university/college outreach, new fare product development, and ridership recovery advertising. An important aspect of these outreach efforts is 'Realtor and Developer Engagement'.

Similar to ACE corridor Stakeholders, local and regional realtors and developers play a vital role in promoting the service, improving local presence, increasing transportation education to new and future housing residents, and encouraging communities to ride the train from home to work once relocated. Realtor and developer education meetings, presentations, and partnerships are a key component to the outreach efforts. Realtor and developer stakeholders are classified as realtor associations, realtors, investor/owner, property managers, homeowner associations (HOA's), development professionals, property management agencies, apartments, condos and brokers.

To accomplish continued engagement of key realtor and developer stakeholders, SJRRC staff has developed and will continue to expand on an extensive contact list that includes neighboring Counties beyond the ACE corridor.

Staff will provide a presentation on current and future realtor and developer outreach activities.

Fiscal Impact:

There is no fiscal impact.

Recommendation:

This is an informational item. There is no action requested.