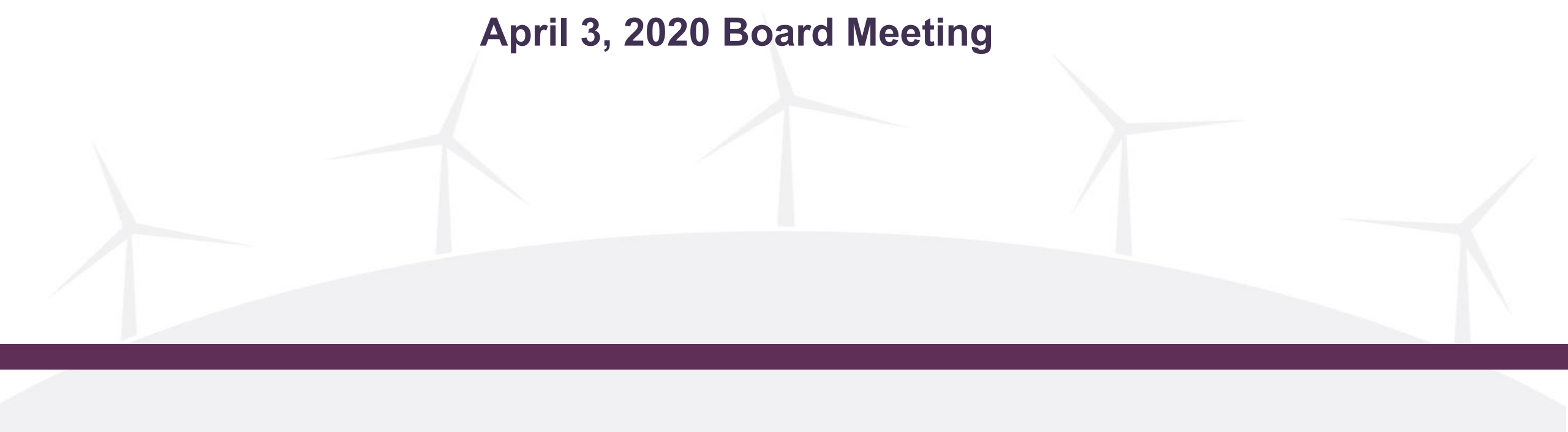




San Joaquin Regional Rail Commission

April 3, 2020 Board Meeting





ITEM 1

**Call to Order, Pledge of Allegiance, Oath of Office for
Incoming Commissioner Doug Kuehne, Roll Call**



ITEM 2

Public Comments

Please use the GoToMeeting chat function to alert staff if you wish to make a Public Comment. Alternatively, you can write in your public comment to publiccommentssjrrc@acerail.com and staff will read the comment aloud.



ITEM 3

Consent Calendar





ITEM 4

**Status of the Impacts of COVID-19 on Passenger Rail Service
and the Reduction of ACE and San Joaquin Service**



WEEK OVER WEEK COMPARISON

	Last Friday March 27 th	Wednesday April 1 st
San Joaquins	517 passengers on 4 round trip trains	429 riders
Pacific Surfliner	415 passengers of 7 round trip trains	316 riders
Capitols	354 passengers on 5 round trip trains	310 riders
ACE	355 passengers on 3 round trip trains	406 riders

- Passenger rail services in the state have been cut between 40-60 percent, and those reductions could increase as the full virus situation unfolds



POTENTIAL RELIEF FUNDING

- Through the CARES Act, Congress has appropriated emergency relief funding to transit agencies via FTA and the Amtrak Intercity services via FRA and Amtrak
 - The intent is to fund the losses in fare revenues due to the Shelter in Place Mandates. Funding may also be available for the anticipated reduction in sales tax generated revenues
 - For Transit Services, including ACE, relief funding will be available through the existing federal formula funds
 - ACE receives allocations from both the SJCOG and the MTC Urbanized Area Funding Programs



POTENTIAL RELIEF FUNDING

- SJCOG and MTC are working through the allocation process with FTA and are looking at allocating the relief funds on a needs based basis
- Certain federal certifications will still be required for the funding so actual draw-down may not occur until mid June
- At this time, there is no estimate for the amount of relief funding for the ACE service



ITEM 5

Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Approving an Agreement with Bombardier Transit Corporation for Bi-Level Commuter Passenger Rail Coach and Cab Cars and Associated Costs, Not-To-Exceed \$66,500,000, and Authorizing the Executive Director to Execute Any and All Necessary Documents



BACKGROUND

- On November 22nd, 2019 a non-federalized Passenger Railroad Cars Procurement solicitation was released.
- The solicitation was issued as a joint procurement between the following agencies (the Consortium) with a base order of thirty-nine (39) Cab Cars:
 - Sound Transit (Sounder – Seattle) – 11 (3 Cab Cars, 8 Coach Cars)
 - North County Transit District (Coaster – San Diego) – 11 (3 Cab Cars, 8 Coach Cars)
 - San Joaquin Regional Rail Commission (ACE) – 17 (5 Cab Cars, 12 Coach Cars)
- Sound Transit is the Lead Agency on the procurement as they were further along in the development of specifications for the Bi-level passenger cars that all three (3) agencies currently operate.
- Proposals were due on January 22, 2020. As a result of the solicitation, one (1) proposal was received from Bombardier Transit Corporation (Bombardier).



PASSENGER CARS

- The proposal was evaluated by a panel consisting of SJRRC's Director of Operations, as well as representatives from Sound Transit and NCTD.
- Sound Transit performed the responsiveness and responsibility reviews, additional reviews required to process a single proposal, and coordinated the contract and price negotiations between the Consortium and Bombardier.
- Through the negotiations the Consortium and Bombardier came to an agreement on the Terms and Price.
- The contract to be awarded for the SJRRC vehicles is for an amount not-to-exceed \$66,500,00 for the initial seventeen (17) units, and is broken down in the Table on the next slide:



PRICE SUMMARY

San Joaquin Regional Rail Commission					
	Description	Unit	Unit Price	Quantity	Total
	Commuter Rail Cab Car	Per Vehicle	\$3,924,590	5	\$19,622,950
	Commuter Rail Coach Car	Per Vehicle	\$3,503,828	12	\$42,045,936
	Documents, Manuals, & Catalogs	Lump Sum	\$40,519	1	\$40,519
	Section 16.5.1 Spare Parts	Per Vehicle	\$28,981	17	\$492,677
	Diagnostic Test Equipment, including special tools	Lump Sum	\$161,252	1	\$161,252
	Warranty, 2 years	Per Vehicle	\$128,072	17	\$2,177,224
	Training	Lump Sum	\$58,949	1	\$58,949
	Delivery	Per Vehicle	\$40,361	17	\$686,137
	Surety Bond	Per Vehicle	\$43,520	17	\$739,840
	Contingency (Including In-Plant Inspection Services)	Lump Sum	\$474,516	1	\$474,516
TOTAL					\$66,500,000



NEXT STEPS

- Staff is working with the Consortium on joint in-plant inspection services to be used by all three parties to take advantage of the economies of scale of having one firm completing all inspections. The cost of the in-plant inspection services is included in the contingency line item and will be brought before the Board for approval.
- Additionally, the contract has the option to purchase up to seventeen (17) additional vehicles during the seven-year contract term. Any options purchased will be brought before the Board for approval.
- SJRRC also has the right to assign their options to other agencies as needed.



FISCAL IMPACT & RECOMMENDATION

- Fiscal Impact:

- Project costs for the current fiscal year are identified in the 2019/2020 Work Program & Budget within the Capital Projects Budget. As a multi-year contract, future project costs will be included in subsequent year's Work Program & Budgets. Funding for the coach and cab cars include the Transit and Intercity Rail Capital Program (TIRCP), Senate Bill (SB) 132, and Affordable Housing and Sustainable Communities (AHSC) Program.

- Recommendation:

- Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Approving an Agreement with Bombardier Transit Corporation for Bi-Level Commuter Passenger Rail Coach and Cab Cars and Associated Costs, Not-To-Exceed \$66,500,000, and Authorizing the Executive Director to Execute Any and All Necessary Documents



ITEM 6

Approve Two (2) Resolutions of the Board of Commissioners of the San Joaquin Regional Rail Commission Approving Agreements with Nomad Digital, Inc. and Xenconsult, Inc. (dba Xentrans) for Wi-Fi Hardware, Software, Service, Support, and Oversight Services and Authorizing the Executive Director to Execute Any and All Documents Related to the Project

Action 1. Approve a Five (5) Year Agreement with a Five Year Extension Option with Nomad Digital, Inc. for Wi-Fi Hardware, Installation, Software, Service, and Support Not-To-Exceed \$2,620,000 and Authorizing the Executive Director to Execute Any and All Documents Related to the Project

Action 2. Approve a Five (5) Year Agreement with a Five Year Extension Option with Xenconsult, Inc. (dba Xentrans) for Wi-Fi Oversight, Service, and Support Not-To-Exceed \$830,000 and Authorizing the Executive Director to Execute Any and All Documents Related to the Project



Wi-Fi SERVICE BACKGROUND

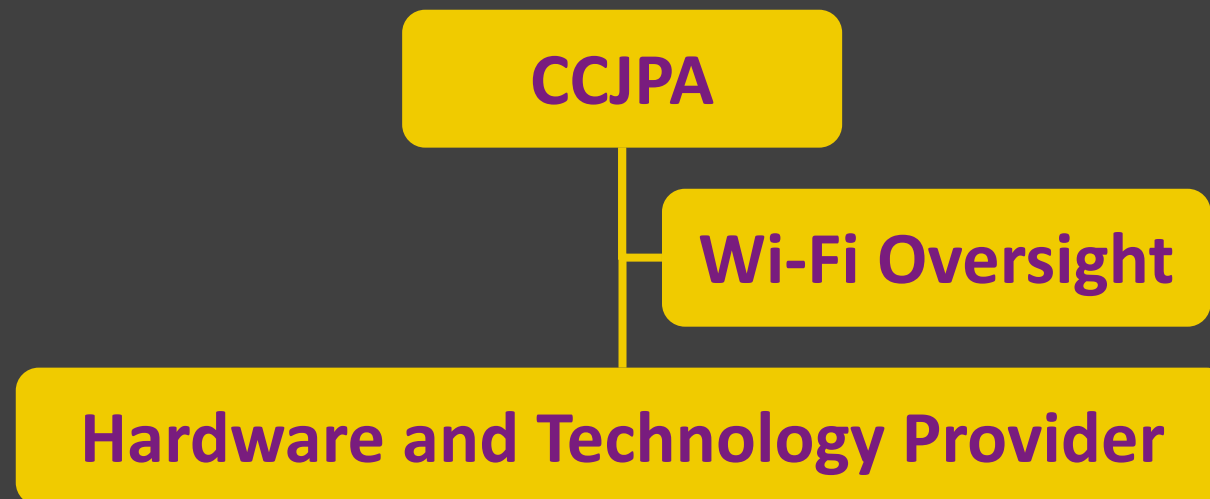
- Onboard Wi-Fi has consistently ranked as one of the most important passenger amenities for the ACE Service.
- At the March meeting Rail Commission Staff presented:
 - A History of ACE Wi-Fi Service
 - The Need to Transition to a Next Generation Wi-Fi System
 - The Opportunity to Leverage the Capitol Corridor Procurement for ACE





NEXT GENERATION WI-FI SOLUTION

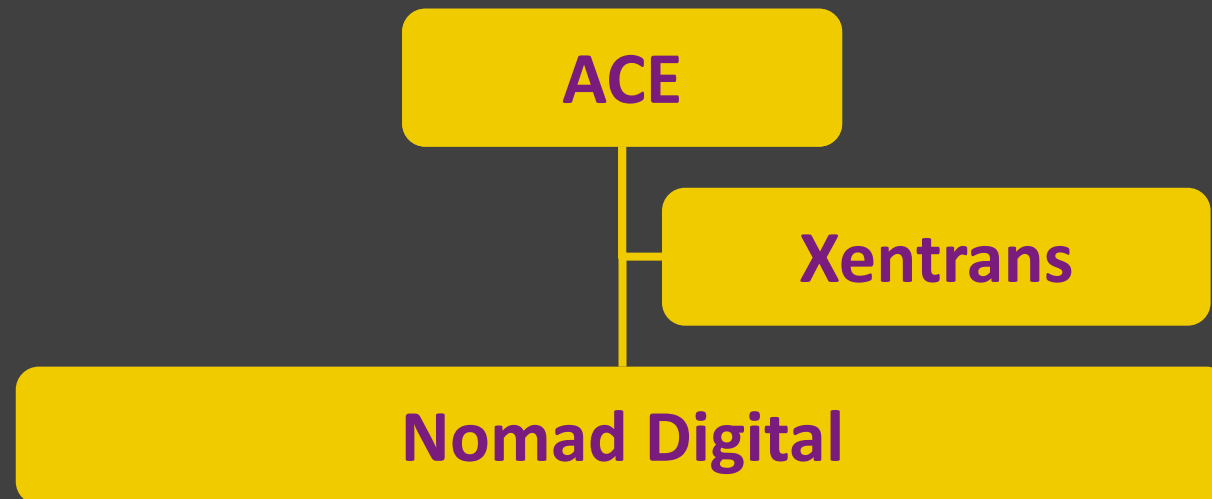
- The Next Generation Wi-Fi solution includes new hardware, software, installation and support.
- CCJPA's procurement was intended to allow other agencies to use its procurement for those services to save agencies time, draw on its expertise, and reduce costs by multiple agencies sharing the same platform.
 - The SJRRC Operations Superintendent sat on the evaluation panel for CCJPA for this procurement.





NEXT GENERATION WI-FI SOLUTION

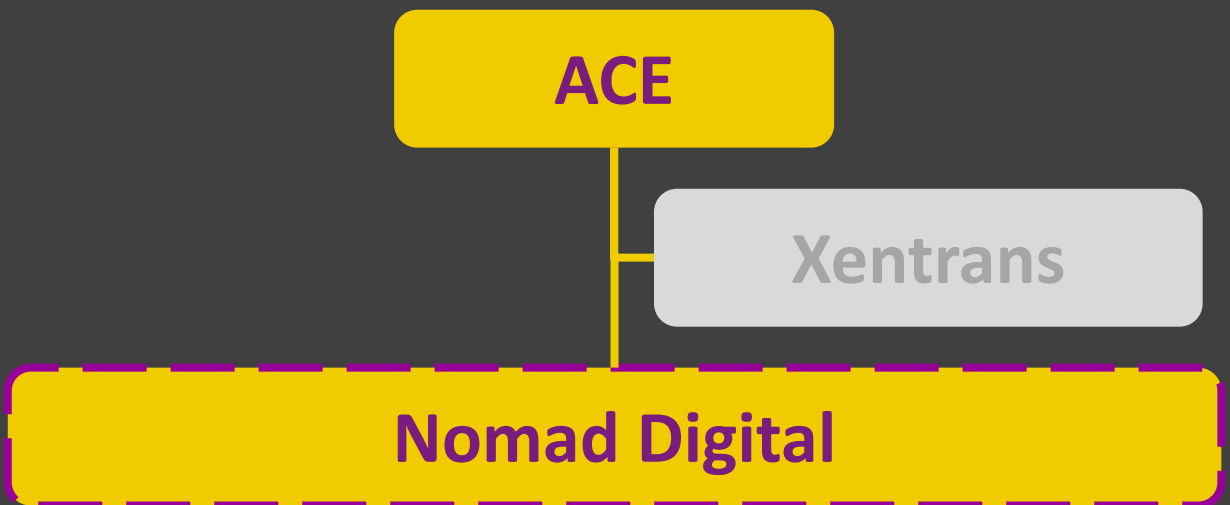
- As a result of the procurement, CCJPA awarded its contracts to Xentrans for Wi-Fi Management and Oversight Services and Nomad Digital for Wi-Fi hardware, installation, maintenance, and service operations.
 - Nomad Digital is contracted to provide the Wi-Fi solution
 - Xentrans is contracted to ensure the solution is specified properly, delivered as contracted and then operates within set performance metrics.





NEXT GENERATION WI-FI SOLUTION

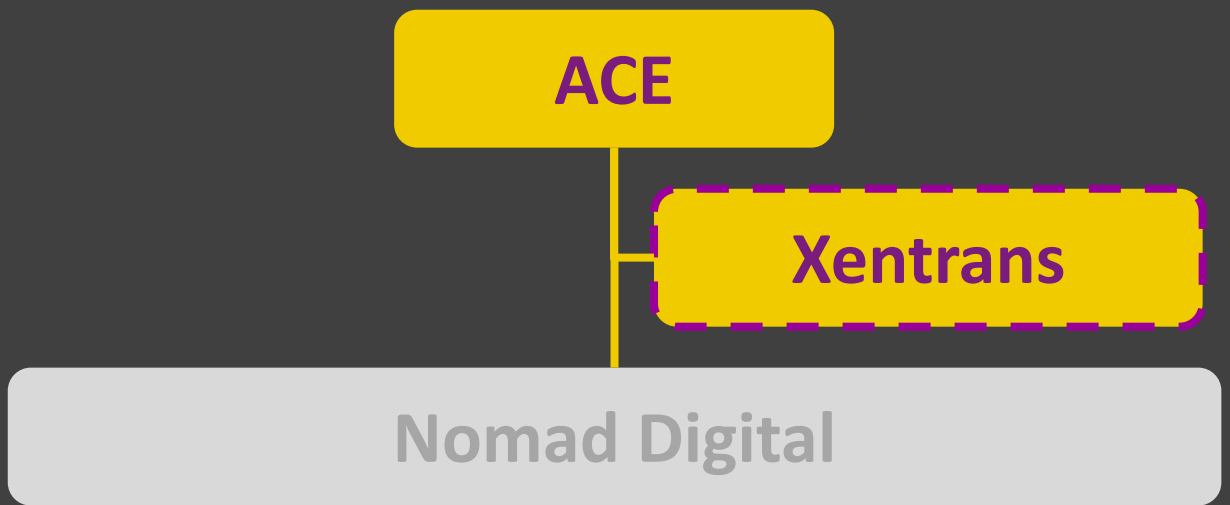
Nomad Digital, Inc	
Wi-Fi Hardware, Installation, Software, Service, and Support	
One-Time Capital Expenditure (Hardware and Installation)	Annual Operational Expenditure (Software Licensing, Service, and Support)
\$1,620,000	\$200,000





NEXT GENERATION WI-FI SOLUTION

Xentrans	
Wi-Fi Oversight, Service, and Support	
One-Time System Setup (Installation Oversight and Commissioning)	Annual Operational Expenditure (Software Licensing, Service, and Support)
\$130,000	\$140,000





PROJECT CAPITAL FUNDING

- Capital Costs will utilize funding from various sources, including:
 - State Rail Assistance (SRA) Program
 - Prop 1B – Transit System Safety, Security & Disaster Response Account (TSSSDRA)

- Capital Costs will be divided between Fiscal Years 2019-20 and 2020-21
 - \$800,000 in FY 2019-20
 - \$820,000 in FY 2020-21





PROJECT PROCUREMENT

- SJRRC's Procurement Manual allows for sole source procurements when "a single source of supply is immune from effective competition."
- "Such an immunity is created when the award to a different contractor would create a waste of SJRRC funds resulting from a substantial increase in support costs, a substantial schedule delay not owing to poor planning by SJRRC, an unacceptable technical risk towards completion of a project (or continuation of a warranty), or substantial increases in lifecycle costs."
- Pursuant to SJRRC's Procurement Manual, the Contracts and Compliance Department and a Director have confirmed that the procurement qualifies as a sole source purchase, budgeted funds are available, and SJRRC Legal Counsel has been consulted.





PROJECT PROCUREMENT

- The procurement for services with Nomad Digital, Inc. and Xentrans are immune to effective competition based on the following:
 - A waste of SJRRC funds would result in a substantial increase in support/staff costs if SJRRC were to solicit. With ACE trains not having any Wi-Fi, SJRRC could not justify releasing its own procurement which would cause further delay in getting Wi-Fi service restored on the ACE trains.
 - Schedule delay is not due to any poor planning of SJRRC. CCJPA has several high-profile technology related projects for the intercity rail program and lack of speedy progress on the joint Wi-Fi effort was further delaying restoration of ACE Wi-Fi service and antagonizing the passengers. Staff determined that working with firms directly would be the only choice to avoid further delays.
 - This is a unique situation where another agency has completed the procurement process which allows other agencies to cost share in a unique fashion. By utilizing CCJPA' s procurement and award, SJRRC will pay a fraction of the cost as opposed to burdening the entire cost.





FISCAL IMPACT

- Fiscal Impact:
 - Project capital costs for the current fiscal year will be amended into 2019/2020 Work Program & Budget within the Capital Projects Budget. Operating costs are identified in the 2019/2020 Work Program & Budget within the SJRRC/ACE Operating Budget. As a multi-year contract, future operating and capital costs will be included in subsequent year's Work Program & Budgets.



RECOMMENDATION

- Recommendation:
 - Approve Two (2) Resolutions of the Board of Commissioners of the San Joaquin Regional Rail Commission Approving Agreements with Nomad Digital, Inc. and Xenconsult, Inc. (dba Xentrans) for Wi-Fi Hardware, Software, Service, Support, and Oversight Services and Authorizing the Executive Director to Execute Any and All Documents Related to the Project
 - Action 1. Approve a Five (5) Year Agreement with a Five Year Extension Option with Nomad Digital, Inc. for Wi-Fi Hardware, Installation, Software, Service, and Support Not-To-Exceed \$2,620,000 and Authorizing the Executive Director to Execute Any and All Documents Related to the Project
 - Action 2. Approve a Five (5) Year Agreement with a Five Year Extension Option with Xenconsult, Inc. (dba Xentrans) for Wi-Fi Oversight, Service, and Support Not-To-Exceed \$830,000 and Authorizing the Executive Director to Execute Any and All Documents Related to the Project



ITEM 7

Appoint a Member and an Alternate of the San Joaquin Regional Rail Commission Who is a Resident of San Joaquin County to be a Board Member of the San Joaquin Joint Powers Authority



BACKGROUND

- Due to the passing of Commissioner Bob Johnson who was the Commission's primary representative on the San Joaquin Joint Powers Authority, the Commission needs to appoint a primary representative and an alternate.
- Currently, Commissioner Elliott serves as the Alternate Member to the Authority Board and is willing to serve as the primary representative
- The only requirement for serving on the Authority Board is that the members reside in San Joaquin County. However, if geographic balance can be achieved, Commissioners from central or north county are most directly affected by the San Joaquins



FISCAL IMPACT & RECOMMENDATION

- Fiscal Impact:
 - There is no fiscal impact.

- Recommendation:
 - Approve a Resolution of the San Joaquin Regional Rail Commission to Appoint a Member and an Alternate of the Rail Commission Who are Residents of San Joaquin County to Serve on the Governing Board of the San Joaquin Joint Powers Authority.