

STAFF REPORT FOR CALENDAR ITEM NO.: 12.2
FOR THE MEETING OF: November 12, 2015

TRANSBAY JOINT POWERS AUTHORITY

BRIEF DESCRIPTION:

Authorize the Executive Director to amend Professional Services Agreement No. 12-04-SEIS-000, for Supplemental Environmental Impact Statement/Environmental Impact Report (SEIS/EIR) Services (Agreement) between the Transbay Joint Powers Authority (TJPA) and AECOM Technical Services (AECOM), to exercise an option to extend the term of the agreement for an additional year with no additional compensation.

SUMMARY:

In November 2012, the TJPA Board of Directors authorized the Executive Director to award the Agreement to AECOM to prepare an SEIS/EIR for the Transbay Transit Center Program. The maximum compensation under the Agreement was originally \$1,300,000 and the original term was not to exceed two years, with the option to extend the term for two additional years.

To date, three amendments to the Agreement have been executed. Amendment No. 1 expanded the scope of services related to distribution of the Notice of Preparation (NOP) and added \$12,800 to the Agreement's original not-to-exceed value. Amendment No. 2 extended the term of the Agreement by one year, exercising one of the options, without changing the scope, price, or deliverables. Amendment No. 3 added scope to address additional analysis requested by participating agencies and \$54,400 in additional compensation, bringing the Agreement's total not-to-exceed value to \$1,367,200.

The SEIS/EIR is augmenting and updating the March 2004 Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project (Transbay Program) Final Environmental Impact Statement/ Environmental Impact Report (2004 FEIS/EIR) and addressing refinements to the Phase 2 Transbay Program elements. These refinements include changes to the Downtown Rail Extension tunnel curvature and the extension of rail levels of the Transit Center to accommodate high-speed rail requirements and other changes or new information. This evaluation is required by the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA).

TJPA is the lead agency for purposes of compliance with CEQA. FTA is the lead federal agency for purposes of compliance with NEPA, and FRA is a cooperating agency, pursuant to 40 CFR Section 1501.6. The outcome of this work will be CEQA and NEPA clearance for changes to Phase 2, which will involve certification of the SEIS/EIR and adoption of a Notice of Determination by TJPA, and issuance of a Record of Decision (ROD) by FTA.

The 2004 FEIS/EIR was certified by the TJPA, the Peninsula Corridor Joint Powers Board, and the San Francisco Board of Supervisors, and a ROD for the 2004 FEIS/EIR was signed in 2005 by the Federal Transit Administration (FTA). In 2010, the Federal Railroad Administration (FRA) published a ROD adopting those portions of the 2004 FEIS/EIR dealing with Phase 1 of

the Transbay Program as it related to FRA's funding of the train box to accommodate future high-speed trains.

Since November 2012, AECOM has, among other work, consulted with TJPA to issue the NOP, refined the purpose and need for the SEIS/EIR, analyzed effects to the physical and socioeconomic environments, and completed multiple administrative drafts of the SEIS/EIR. The document has been reviewed by FTA, FRA, and various participating agencies.

During development of the administrative drafts, TJPA and AECOM continued discussions with key stakeholder agencies, which led to the inclusion of additional technical studies and analysis that addressed a proposed turn-back track, the President's 2015 Executive Order on floodplain management, and the Governor's 2015 Executive Order on greenhouse gas emission reduction targets for 2030. Additionally, FTA comments required that the CEQA/NEPA conclusions be formatted in separate sections.

TJPA expects to continue to require AECOM's services over the next year to prepare and issue the Draft SEIS/EIR for public review, to address comments received, and to prepare and issue the Final SEIS/EIR.

Amendment No. 4 to the Agreement would extend the term of the Agreement to four years, but would not make any other changes to the Agreement. In particular, the maximum compensation under the Agreement would not change.

RECOMMENDATION:

Staff recommends that the Board of Directors authorize the Executive Director to amend Professional Services Agreement No. 12-04-SEIS-000, for Supplemental Environmental Impact Statement/ Environmental Impact (SEIS/EIR) Report Services with AECOM Technical Services to extend the term of the Agreement to four years with no change to the maximum compensation under the Agreement.

ENCLOSURES:

1. Resolution
2. Amendment

**TRANSBAY JOINT POWERS AUTHORITY
BOARD OF DIRECTORS**

Resolution No. _____

WHEREAS, On November 19, 2012, in Resolution No. 12-032, the Transbay Joint Powers Authority (TJPA) Board of Directors resolved to authorize the Executive Director to execute a professional services agreement (Agreement) with AECOM Technical Services (AECOM) to prepare a Supplemental Environmental Impact Statement/Environmental Impact Report (SEIS/EIR) for the Transbay Transit Center Program for a maximum compensation of \$1,300,000 and a term not to exceed two years, with the option to extend the Agreement for two years; and

WHEREAS, On April 18, 2014, Agreement Amendment No. 1, expanding the distribution of the Notice of Preparation and adding \$12,800 to the original Agreement value for associated costs, was executed, bringing the Agreement's total not-to-exceed value to \$1,312,800; and

WHEREAS, On November 15, 2014, Agreement Amendment No. 02, extending the Agreement for one year without changing the scope, price, or deliverables, was executed; and

WHEREAS, On February 6, 2015, Agreement Amendment No. 03 was executed to add scope to address the turn-back and maintenance of way track needed for rail operations and to add \$54,400 to the amended Agreement value for associated costs; and

WHEREAS, AECOM has, among other work, consulted with TJPA to issue the Notice of Preparation, refined the purpose and need for the SEIS/EIR, analyzed effects to the physical and socioeconomic environments, and prepared multiple administrative drafts for review by TJPA, Federal Transit Administration, Federal Railroad Administration, and other participating agencies; and

WHEREAS, During development of the administrative drafts, following discussions with key stakeholder agencies, AECOM undertook additional technical study to further refine the elements and additional environmental analyses; and

WHEREAS, TJPA expects to continue to require AECOM's services over the next year to prepare and issue the Draft SEIS/EIR for public review, to address comments received, and to prepare and issue the Final SEIS/EIR; and

WHEREAS, TJPA Staff recommends extending the term of the Agreement to four years, without increasing the maximum compensation under the Agreement; such change to the term requires a fourth amendment to the Agreement, but does not change the scope, price, or deliverables under the Agreement; now, therefore be it

RESOLVED, That the TJPA Board of Directors authorizes the Executive Director to execute Amendment No. 4 to the Agreement with AECOM Technical Services to modify the Agreement to extend the term of the Agreement to four years, without increasing the maximum compensation under the Agreement.

I hereby certify that the foregoing resolution was adopted by the Transbay Joint Powers Authority Board of Directors at its meeting of November 12, 2015.

Secretary, Transbay Joint Powers Authority

Amendment No. 04
Professional Services Agreement between
the Transbay Joint Powers Authority and AECOM Technical Services

THIS Amendment No. 4 to the Professional Services Agreement to furnish Supplemental Environmental Impact Statement/Environmental Impact Report (SEIS/EIR) services dated November 19, 2012 (Agreement) is entered into as of the 12th day of November, 2015 in San Francisco, California, by and between **AECOM Technical Services** (Contractor), and the **Transbay Joint Powers Authority** (TJPA).

Recitals

The TJPA and Contractor desire to extend the term of the Agreement without changing the scope, price, or deliverables under the Agreement. The TJPA and Contractor agree to amend Section 2 of the Agreement in its entirety to read as follows:

Terms and Conditions

2. Term of the Agreement.

Subject to Section 1, the term of this Agreement shall be for a period not to exceed four years from the Effective Date of the Agreement, as described in Section 3 below.

All other provisions of the Agreement shall remain in full force and effect. In particular, there shall be no change to the maximum compensation described in Section 5 of the Agreement.

TRANSBAY JOINT POWERS AUTHORITY

CONTRACTOR
AECOM Technical Services

Maria Ayerdi-Kaplan
Executive Director

Transbay Joint Powers Authority
Board of Directors

Resolution No.: _____

Adopted: _____

Attest:

Secretary, TJPA Board

Approved as to Form by:

TJPA Legal Counsel

Rod Jeung
Principal/Project Director
AECOM Technical Services, Inc.
300 California Street, Suite 400
San Francisco, CA 94111

Date

Tax Identification Number: 952661922