



Chair, **Leo Zuber**, City of Ripon  
Vice Chair, **Nancy Young**, City of Tracy  
Commissioner, **Lisa Craig**, City of Lodi  
Commissioner, **Jose Nuño**, City of Manteca

Commissioner, **Kimberly Warmlesley**, City of Stockton  
Commissioner, **Miguel Villapudua**, San Joaquin County  
Commissioner, **Melissa Hernandez**, City of Dublin  
Commissioner, **Lily Mei**, City of Fremont

Executive Director, **Stacey Mortensen**

## SAN JOAQUIN REGIONAL RAIL COMMISSION REGULAR BOARD MEETING

Friday, October 6, 2023 – 8:00 am

### **CHANGE IN MEETING LOCATION**

San Joaquin Regional Transit District (SJRTD)  
Downtown Transit Center  
Boardroom  
421 East Weber Avenue  
Stockton, CA 95202

### Conference Call Locations 📞

Scott Haggerty Heritage House  
4501 Pleasanton Ave.  
Pleasanton, CA 94566

1719 Monte Diablo Avenue  
Stockton, CA 95203

Call-In Information: **+1 (332) 249-0500** Phone Conference ID: 707-839-619#  
Microsoft Teams Link: [Click here to join the meeting](#)

Members of the public may attend the meeting at the above address, or may observe the meeting by dialing **+1 (332) 249-0500** with Phone Conference ID: 707-839-619# or log-in using a computer, tablet or smartphone on Microsoft Teams using link: [Click here to join the meeting](#)

Persons wishing to address the Commission on any item of interest to the public regarding rail shall state their names and address and make their presentation. 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 Commissioners 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://www.sjrcc.com/events/> subject to staff's ability to post the documents prior to the meeting. If a member of the public wishes to make a public comment:

1. Submit written comments to SJRRC staff via email at [publiccommentssjrcc@acerail.com](mailto:publiccommentssjrcc@acerail.com), in which staff will read the comment aloud during the public comment period.
2. Complete a Request to Speak form (available at the entrance to the Board Room) and give it to the SJRRC Secretary before the Item is considered by the Board.

3. Join from the Microsoft Teams meeting link and notify SJRRC staff by alerting them via the “Raise hand” or “Chat” function; call +1 (332)-249-0500, enter Phone Conference ID: 707-839-619#, dial \*5 to raise your hand when you wish to speak, and dial \*6 to unmute when you are requested to speak. Please note that if participating using Microsoft Teams, all members of the public will be placed on mute until such times allow for public comments to be made.

**Public comments should be limited to five (5) 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](http://www.sjrrc.com).*

## **1. Call to Order, Pledge of Allegiance, Roll Call**

Chair Zuber

Roll Call: Hernandez, Mei, Craig, Nuño, Villapudua, Warmesley, Vice Chair Young, Chair Zuber

Ex- Officios: Nguyen, Clifford, Agar, Zwahlen

## **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 five 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://www.sjrrc.com/events/> subject to staff's ability to post the documents prior to the meeting.

### 3. Consent Calendar

- |      |   |                    |
|------|---|--------------------|
| 3.1  | Minutes of SJRRC Board Meeting September 1, 2023<br>(Regular and Special Voting Members)  | <b>ACTION</b>      |
| 3.2  | Rail Commission/ACE Monthly Expenditure   | <b>INFORMATION</b> |
| 3.3  | ACE Monthly Fare Revenue  | <b>INFORMATION</b> |
| 3.4  | ACE Ridership   | <b>INFORMATION</b> |
| 3.5  | ACE On-Time Performance   | <b>INFORMATION</b> |
| 3.6  | Washington Update   | <b>INFORMATION</b> |
| 3.7  | Update on Silicon Valley and Tri-Valley Outreach Contracts<br>Activities  | <b>INFORMATION</b> |
| 3.8  | Approve a Resolution of the Board of Commissioners of the San<br>Joaquin Regional Rail Commission Rescinding SJRRC Resolution<br>22/23-55 and Authorizing the Executive Director to Submit and<br>Execute Any and All Grant Applications, Agreements, Certifications<br>and Assurances and Any Other Documents Necessary to Claim<br>\$622,987 from the Low Carbon Transit Operations Program<br>(LCTOP) for the ACE COVID-19 Operational Support Program<br>(Regular and Special Voting Members)   | <b>ACTION</b>      |
| 3.9  | Approve a Resolution of the Board of Commissioners of the San<br>Joaquin Regional Rail Commission Approving an Agreement with<br>Odyssey Landscaping Co., Inc. for Landscaping and<br>Groundskeeping Services for an Amount Not-To-Exceed \$214,029<br>and Authorizing the Executive Director to Negotiate, Award, and<br>Execute Any and All Agreements and Documents Related to the<br>Project including Approving Any and All Amendments thereto within<br>Her Spending Authority<br>(Regular and Special Voting Members)  | <b>ACTION</b>      |
| 3.10 | Approve a Resolution of the Board of Commissioners of the San<br>Joaquin Regional Rail Commission Approving Agreements for<br>Ongoing Operating Services for the Altamont Corridor Express<br>(ACE) Service for Fiscal Year 2023/2024 and Authorizing the<br>Executive Director to Execute Any and All Documents Related to the<br>Project including Approving any and all Amendments thereto within<br>Her Spending Authority Related to the Projects with the Following<br>Agencies:<br><br>a. Wabtec – PTC     \$353,700<br>(Regular and Special Voting Members) | <b>ACTION</b>      |

4. **Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Approving Agreements for Ongoing Shuttle Services for the Altamont Corridor Express (ACE) Service for Fiscal Year 2023/2024 and Authorizing the Executive Director to Execute Any and All Documents Related to the Project including Approving any and all Amendments thereto within Her Spending Authority Related to the Projects with the Following Agencies:**

**a. Santa Clara Valley Transportation Authority     \$1,565,000**  
(Tamika Smith) (Regular and Special Voting Members)

**ACTION**
5. **Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Approving Amendment 01 to the Agreement with American Guard Services, Inc. for Security Services Increasing the Amount by \$477,165 for a New Not-To-Exceed Amount of \$2,305,924 and Authorizing the Executive Director to Negotiate, Award, and Execute Any and All Agreements and Documents Related to the Project including Approving Any and All Amendments thereto within Her Spending Authority**  
(Cameron Paler/Autumn Gowan) (Regular and Special Voting Members)

**ACTION**
6. **ACE 25<sup>th</sup> Anniversary Presentation**  
(Marques Cook)

**INFORMATION**
7. **Presentation on Industry Day**  
(Autumn Gowan/Laurence Farrell)

**INFORMATION**
8. **Board Member Comments**
9. **Ex-Officio Comments**
10. **Executive Director's Report**
11. **CLOSED SESSION**  
**Conference with Real Property Negotiators**  
**Pursuant to Government Code Section 54956.8**  
**Property: 392 Moffat Blvd., Manteca, CA (APN 221-030-080)**  
**Agency Negotiator: Bill Tanner, Paragon Partners Consultants, Inc.**  
**Negotiating parties: Sarish Kahn, County of San Joaquin**  
**Under negotiation: Price and payment terms**  
(Regular Voting Members Only)
12. **Adjournment**  
The next regular meeting is scheduled for:  
November 3, 2023 – 8:00 am

# SAN JOAQUIN REGIONAL RAIL COMMISSION

Meeting of October 6, 2023

## Item 3.1

**ACTION**

### Minutes of SJRRC Board Meeting September 1, 2023

The meeting of the San Joaquin Regional Rail Commission was held at 8:00 a.m., September 1, 2023, via teleconference, videoconference, and in person.

#### 1. Call to Order, Pledge of Allegiance, Roll Call

Chair Zuber called the meeting to order at 8:37 a.m. and led the audience in the Pledge of Allegiance.

Commissioners Present: Hernandez, Mei, Nuño, Villapudua, Vice Chair Young, Chair Zuber

Commissioners Absent: Craig, Warmsley

Ex-Officio Members Present: Mr. Dumas, Ms. Nguyen, Mr. Baxter, Ms. Zwahlen

#### 2. Public Comments

There were no public comments.

#### 3. Consent Calendar

3.1	Minutes of SJRRC Board Meeting August 4, 2023 (Regular and Special Voting Members)	<b>ACTION</b>
3.2	Rail Commission/ACE Monthly Expenditure	<b>INFORMATION</b>
3.3	ACE Monthly Fare Revenue	<b>INFORMATION</b>
3.4	ACE Ridership	<b>INFORMATION</b>
3.5	ACE On-Time Performance	<b>INFORMATION</b>
3.6	Washington Update	<b>INFORMATION</b>
3.7	Update on Silicon Valley and Tri-Valley Outreach Contracts Activities	<b>INFORMATION</b>

**M/S/C (Hernandez/Mei) to Approve Items 3.1-3.7 of the Consent Calendar.  
Passed and Adopted by the San Joaquin Regional Rail Commission on the 1<sup>st</sup>  
day of September 2023 by the following vote to wit:**

AYES: 6 Hernandez, Mei, Nuño, Villapudua, Vice Chair Young, Chair  
Zuber

NOES: 0

ABSTAIN: 0

ABSENT: 2 Craig, Warmsley

#### 4. City of Tracy Presentation on New ACE Shuttles

**INFORMATION**

Mr. David Lipari introduced Mr. Ed Lovell, Transit Manager for the City of Tracy.

Mr. Lovell gave a presentation on this item.

Commissioner Nuño inquired if there was any information regarding demographics of the riders who are using the service.

Mr. Lovell responded that he did not have information regarding demographics for the ages of riders, but that they were primarily commuters and likely in the range between 20-30.

Mr. Lovell further commented that the service is being promoted as free to get use, but there were some people who were hesitant to use the service due to the negative connotation within the community of obtaining things that are free. Mr. Lovell foresees that the ridership could increase when the promotional period of free ridership has ended.

Vice Chair Young discussed the program and how there are some members of the community who do have a negative stigma when it comes to receiving things for free. Vice Chair Young thanked Mr. Lovell for his presentation.

**5. Rail Safety Month Presentation**

**INFORMATION**

Mr. Freddy Rodriguez provided a presentation on this item.

Chair Zuber thanked Mr. Rodriguez for the informative presentation.

Vice Chair Young commented that she was not aware of the suicide prevention hotline and inquired about how staff would be able to promote it.

Mr. Rodriguez explained that it is a line that has live trained professionals who are there to take the calls and help. Mr. Rodriguez explained that the Suicide Prevention signs are along the corridors of our stations.

Vice Chair Young expressed that she was happy to have this information and come up with a way to promote this feature.

**6. Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Approving the Assignment of the Herzog Transit Services, Inc. (HTSI) Agreement for ACE Operations and Maintenance to Transit America Services, Inc. (TASI) and Authorizing the Executive Director to Negotiate, Award, and Execute Any and All Agreements and Documents Related to the Assignment including Any and All Amendments thereto within Her Spending Authority (Regular and Special Voting Members)**

**ACTION**

Ms. Stacey Mortensen gave the presentation on this item.

Commissioner Nuño inquired about the number of staff that the proposed amount of \$1,100,000 dollars would cover.

Mr. John Paul Zanaska, the General Manager of Herzog, stated that currently there are 65 on staff.

Commissioner Nuño asked what the target number of staff is.

Mr. Zanaska explained that Herzog is at the approved number of staff, however in the upcoming years they would like to be able to double the current number of staff during the Valley Rail expansion.

Commissioner Nuño inquired about the proposed budget increase and to how that would be best utilized for upcoming staff needs.

Mr. Zanaska indicated that the budget would then increase in upcoming years and that it would depend on how many people there were on staff. Mr. Zanaska explained that the proposed impact would be due to the change, but over time the financial impact would grow as the workforce expands.

There were no public comments.

**M/S/C (Villapudua/Hernandez) to Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Approving the Assignment of the Herzog Transit Services, Inc. (HTSI) Agreement for ACE Operations and Maintenance to Transit America Services, Inc. (TASI) and Authorizing the Executive Director to Negotiate, Award, and Execute Any and All Agreements and Documents Related to the Assignment including Any and All Amendments thereto within Her Spending Authority**

**Passed and Adopted by the San Joaquin Regional Rail Commission on the 1<sup>st</sup> day of September 2023 by the following vote to wit:**

- AYES: 6 Hernandez, Mei, Nuño, Villapudua, Vice Chair Young, Chair Zuber
- NOES: 0
- ABSTAIN: 0
- ABSENT: 2 Craig, Warmsley

**7. Approve Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Adopting Fiscal Year 2023/2024 Budget Amendment #1: ACTION**

**a) Increasing the ACE Operating Budget Revenue and Expense Line for a Net Increase of \$1,100,000 from \$32,999,267 to \$34,099,267 (Regular and Special Voting Members)**

Mr. Nick Perez gave a presentation on this item. Chair Zuber inquired if the proposed \$1,100,000 in LTF funding was initially not going to be used.

Mr. Perez confirmed this was correct.

There were no public comments.

**M/S/C (Young/Nuño) to Approve Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Adopting Fiscal Year 2023/2024 Budget Amendment #1:**

**a) Increasing the ACE Operating Budget Revenue and Expense Line for a Net Increase of \$1,100,000 from \$32,999,267 to \$34,099,267**

**Passed and Adopted by the San Joaquin Regional Rail Commission on the 1<sup>st</sup> day of September 2023 by the following vote to wit:**

- AYES: 6 Hernandez, Mei, Nuño, Villapudua, Vice Chair Young, Chair Zuber
- NOES: 0
- ABSTAIN: 0
- ABSENT: 2 Craig, Warmesley

**8. Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Approving an Agreement with RailPros, Inc. for Consulting Services for ACE Operations and Maintenance for an Amount Not-To-Exceed \$499,928 and Authorizing the Executive Director to Negotiate, Award, and Execute Any and All Agreements and Documents Related to the Project including Any and All Amendments thereto within Her Spending Authority (Regular and Special Voting Members)**

**ACTION**

Ms. Tamika Smith and Ms. Autumn Gowan gave a presentation on this item.

There were no comments on this item.

**M/S/C (Villapudua/Young) to Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Approving an Agreement with RailPros, Inc. for Consulting Services for ACE Operations and Maintenance for an Amount Not-To-Exceed \$499,928 and Authorizing the Executive Director to Negotiate, Award, and Execute Any and All Agreements and Documents Related to the Project including Any and All Amendments thereto within Her Spending Authority**

**Passed and Adopted by the San Joaquin Regional Rail Commission on the 1<sup>st</sup> day of September 2023 by the following vote to wit:**

- AYES: 6 Hernandez, Mei, Nuño, Villapudua, Vice Chair Young, Chair Zuber
- NOES: 0
- ABSTAIN: 0
- ABSENT: 2 Craig, Warmesley

**9. Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Approving an Agreement with Corys Inc. for**

**ACTION**



**Train Simulator Equipment and Maintenance Services for an Amount Not-To-Exceed \$968,880 and Authorizing the Executive Director to Negotiate, Award, and Execute Any and All Agreements and Documents Related to the Project including Any and All Amendments thereto within Her Spending Authority**

(Regular and Special Voting Members)

Mr. Nathan Alastra and Ms. Autumn Gowan presented this item.

Commissioner Nuño inquired about the typical lifespan of the equipment.

Mr. Alastra explained that there is not a lifespan for the equipment, however part of the contract is to keep the simulator up-to-date and includes an extended warranty.

Commissioner Nuño stated that the simulator would be beneficial for training, and inquired if new rail is added, would this be something that could be added to the simulator through maintenance or software.

Mr. Alastra responded absolutely.

There were no public comments on this item.

**M/S/C (Nuño/Young) to Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Approving an Agreement with Corys Inc. for Train Simulator Equipment and Maintenance Services for an Amount Not-To-Exceed \$968,880 and Authorizing the Executive Director to Negotiate, Award, and Execute Any and All Agreements and Documents Related to the Project including Any and All Amendments thereto within Her Spending Authority**

**Passed and Adopted by the San Joaquin Regional Rail Commission on the 1<sup>st</sup> day of September 2023 by the following vote to wit:**

- AYES: 6 Hernandez, Mei, Nuño, Villapudua, Vice Chair Young, Chair Zuber
- NOES: 0
- ABSTAIN: 0
- ABSENT: 2 Craig, Warmsley

**10. ACE Passenger Survey Update**

**INFORMATION**

Mr. David Lipari gave a presentation on this item.

Mr. Michael Barnbaum inquired about what type of outreach would need to be done between this survey and the next survey, especially in the expansion areas of the service to increase brand awareness. Mr. Barnbaum inquired about the potential for a future survey question regarding the shuttle service to the

Sacramento International Airport from the future Rio Linda Station in Northern Sacramento County.

Ms. Mortensen commented that staff will send Mr. Barnbaum a link to the outreach strategy that has been presented to the board before.

**11. Presentation to the Board on the Draft Accessibility Compliance with U.S. Department of Transportation (USDOT) Level Boarding Regulation for the Valley Rail Program Stations Existing and Proposed** **INFORMATION**

Mr. Bryan Pennino and Ms. Danielle Peña gave a presentation on this item.

There were no comments on this item.

**12. Update on ACE Platform Extension Project** **INFORMATION**

Mr. Laurence Farrell and Mr. Daniel Hartman gave a presentation on this item.

There were no comments on this item.

**13. Board Member Comments**

There were no Board Member comments.

**14. Ex-Officio Comments**

Mr. Ken Baxter of SJRTD commented that last week on August 24th, SJRTD staff met with Congressman Josh Harder and his staff. Mr. Baxter commented that staff toured the Regional Transportation Center and were able to share SJRTD's upcoming project, the hydrogen fuel-celled buses. Mr. Baxter commented that on August 4th, SJRTD had their employee BBQ and it was a great team-building exercise. Mr. Baxter reported that SJRTD participated in the National Night Out at two locations in Stockton, at the Courthouse Plaza and the Yosemite Street Village, and staff had the opportunity to share safety information with the public as they use public transportation.

Ms. Diane Nguyen of SJCOG commented that the California State Transportation Agency (CalSTA) has released guidelines for two funding programs, the Transit Intercity Rail Capital Program (TIRCP) and Zero-Emission Transit Capital Program. Ms. Nguyen explained that there is various eligibility for those programs in terms of projects, and projects may be eligible for capital in operating improvements. Ms. Nguyen highlighted that this is the first time in these programs that the state is offering the Regional Transportation Planning Agency. In this case of the San Joaquin Region that is the Council of Governments to be the allocation authority to set the process and make funding decisions to allocate the funds in this multiyear allocation package. Ms. Nguyen explained that the cumulative total for both programs is \$93.5 million, and the state will be finalizing guidelines and the establishment of the process through the end of September. Ms. Nguyen explained that this infusion of state dollars

for public transit operators comes at an opportune time, as operators in this region and throughout the state are still struggling in financing their capital and operations needs and reaching pre-Covid ridership levels and the San Joaquin Council of Governments Boards of Directors will work closely with their transit partners in the allocation process.

Mr. Thomas Dumas of Caltrans reported that the California Local Technical Assistance program is offering a free grant writing workshop on September 28<sup>th</sup>. Mr. Dumas explained that grant writing is very critical, and having the technical skills and understanding of it goes a long way in getting successful grants. Mr. Dumas commented that the webinar is free and can be accessed at [www.caltap.org](http://www.caltap.org).

Ms. Sue Zwahlen from StanCOG announced that the City of Modesto was awarded \$33 million for the Transformational Seventh Street Village Development and explained that this will be a commercial ground floor and 79 residential units on the corner of Seventh and J Streets. Ms. Zwahlen commented that this is the first mixed fused development in Downtown Modesto and will include transit improvements, and is right next door to the renovated transit centers.

## **15. Executive Director's Report**

Executive Director Ms. Stacy Mortensen introduced new members on SJRRC Staff, Bee Thao, the Manager of Connecting Services, Momoko Tamaoki, the Manager of Grants and Programming, and Samantha Goss, on Administration staff.

## **16. CLOSED SESSION**

### **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

**Pursuant to Government Code Sections 54956.9(d)(4): Thirteen (13) Cases. Regarding Real Property located at: 6362 Blacktop Rd., Suites A, B, C, D, E, F, F2, H, I, J; and 6400 Blacktop Road, Suites A, B, C, D, F, G, H, I, J & Yard 3, Rio Linda, CA, Occupied by: (1) Sacramento Towing and Transport and Francesca Roediger; (2) Hernandez Brothers Auto Repair LLC; (3) Donation Station and Jana Jenkins; (4) Auto Boss, LLC and Sergei Raspotniyk; (5) Alfredo Castro; (6) Andrey Rusakov; (7) Deals 4 Wheels and Diane Casolare; (8) Highway Breakers, LLC and Aaron Lloyd, Jr.; (9) United Automotive and Hani Najjar; (10) Alex Medvedev; (11) AG Auto Group LLC and Alexandr Glushenko; (12) Shah Rasooli; and (13) Orcy Auto Sales**

(Regular Voting Members Only)

## **17. CLOSED SESSION**

### **17.1 Conference with Real Property Negotiators Pursuant to Government Code Section 549568**

**Property: E. Weber Avenue between Sacramento Street and Union Street, San Joaquin County**  
**Agency Negotiator: Kim Bibolet, Monument**  
**Negotiating parties: City of Stockton, The Heirs and Devisees of Carlos Weber, also known as Charles M. Weber, Deceased, subject to the Administration of the Estate of said Decedent**  
**Under negotiation: Price and payment terms**  
(Regular Voting Members Only)

- 17.2 Conference with Real Property Negotiators Pursuant to Government Code Section 549568**  
**Property: E. Main Street between Sacramento Street and Union Street, San Joaquin County**  
**Agency Negotiator: Kim Bibolet, Monument**  
**Negotiating parties: City of Stockton, The Heirs and Devisees of Carlos Weber, also known as Charles M. Weber, Deceased, subject to the Administration of the Estate of said Decedent**  
**Under negotiation: Price and payment terms**  
(Regular Voting Members Only)
- 17.3 Conference with Real Property Negotiators Pursuant to Government Code Section 549568**  
**Property: E. Market Street between Sacramento Street and Union Street, San Joaquin County**  
**Agency Negotiator: Kim Bibolet, Monument**  
**Negotiating parties: City of Stockton, The Heirs and Devisees of Carlos Weber, also known as Charles M. Weber, Deceased, subject to the Administration of the Estate of said Decedent**  
**Under negotiation: Price and payment terms**  
(Regular Voting Members Only)
- 17.4 Conference with Real Property Negotiators Pursuant to Government Code Section 549568**  
**Property: SR4 between Sacramento Street and Union Street, San Joaquin County**  
**Agency Negotiator: Kim Bibolet, Monument**  
**Negotiating parties: Caltrans, The Heirs and Devisees of Carlos Weber, also known as Charles M. Weber, Deceased, subject to the Administration of the Estate of said Decedent**  
**Under negotiation: Price and payment terms**  
(Regular Voting Members Only)
- 17.5 Conference with Real Property Negotiators Pursuant to Government Code Section 549568**  
**Property: E. Lafayette Street between Sacramento Street and Union Street, San Joaquin County**  
**Agency Negotiator: Kim Bibolet, Monument**

**Negotiating parties: City of Stockton, The Heirs and Devisees of Carlos Weber, also known as Charles M. Weber, Deceased, subject to the Administration of the Estate of said Decedent**  
**Under negotiation: Price and payment terms**  
(Regular Voting Members Only)

- 17.6 Conference with Real Property Negotiators Pursuant to Government Code Section 549568**  
**Property: E. Sonora Street between Sacramento Street and Union Street, San Joaquin County**  
**Agency Negotiator: Kim Bibolet, Monument**  
**Negotiating parties: Union Pacific Railroad Company, a Delaware corporation, City of Stockton, The Heirs and Devisees of Carlos Weber, also known as Charles M. Weber, Deceased, subject to the Administration of the Estate of said Decedent**  
**Under negotiation: Price and payment terms**  
(Regular Voting Members Only)
- 17.7 Conference with Real Property Negotiators Pursuant to Government Code Section 549568**  
**Property: E. Church Street between Sacramento Street and Union Street, San Joaquin County**  
**Agency Negotiator: Kim Bibolet, Monument**  
**Negotiating parties: City of Stockton, The Heirs and Devisees of Carlos Weber, also known as Charles M. Weber, Deceased, subject to the Administration of the Estate of said Decedent**  
**Under negotiation: Price and payment terms**  
(Regular Voting Members Only)
- 17.8 Conference with Real Property Negotiators Pursuant to Government Code Section 549568**  
**Property: E. Hazelton Avenue between Sacramento Street and Union Street, San Joaquin County**  
**Agency Negotiator: Kim Bibolet, Monument**  
**Negotiating parties: City of Stockton, The Heirs and Devisees of Carlos Weber, also known as Charles M. Weber, Deceased, subject to the Administration of the Estate of said Decedent**  
**Under negotiation: Price and payment terms**  
(Regular Voting Members Only)
- 17.9 Conference with Real Property Negotiators Pursuant to Government Code Section 549568**  
**Property: E. Scotts Avenue between Sacramento Street and Union Street, San Joaquin County**  
**Agency Negotiator: Kim Bibolet, Monument**

**Negotiating parties: City of Stockton, The Heirs and Devisees of Carlos Weber, also known as Charles M. Weber, Deceased, subject to the Administration of the Estate of said Decedent**  
**Under negotiation: Price and payment terms**  
(Regular Voting Members Only)

- 17.10 Conference with Real Property Negotiators Pursuant to Government Code Section 549568**  
**Property: E. Taylor Street between Sacramento Street and Union Street, San Joaquin County**  
**Agency Negotiator: Kim Bibolet, Monument**  
**Negotiating parties: Burlington Northern Santa Fe, City of Stockton, The Heirs and Devisees of Carlos Weber, also known as Charles M. Weber, Deceased, subject to the Administration of the Estate of said Decedent**  
**Under negotiation: Price and payment terms**  
(Regular Voting Members Only)
- 17.11 Conference with Real Property Negotiators Pursuant to Government Code Section 549568**  
**Property: E. Worth Street between Sacramento Street and Union Street, San Joaquin County**  
**Agency Negotiator: Kim Bibolet, Monument**  
**Negotiating parties: Union Pacific Railroad Company, a Delaware corporation, The Heirs and Devisees of Carlos Weber, also known as Charles M. Weber, Deceased, subject to the Administration of the Estate of said Decedent**  
**Under negotiation: Price and payment terms**  
(Regular Voting Members Only)
- 17.12 Conference with Real Property Negotiators Pursuant to Government Code Section 549568**  
**Property: E. Anderson Street between Sacramento Street and Union Street, San Joaquin County**  
**Agency Negotiator: Kim Bibolet, Monument**  
**Negotiating parties: Union Pacific Railroad Company, a Delaware corporation, The Heirs and Devisees of Carlos Weber, also known as Charles M. Weber, Deceased, subject to the Administration of the Estate of said Decedent**  
**Under negotiation: Price and payment terms**  
(Regular Voting Members Only)
- 17.13 Conference with Real Property Negotiators Pursuant to Government Code Section 549568**  
**Property: E. Jefferson Street between Sacramento Street and Union Street, San Joaquin County**  
**Agency Negotiator: Kim Bibolet, Monument**  
**Negotiating parties: Union Pacific Railroad Company, a Delaware corporation, The Heirs and Devisees of Carlos**

**Weber, also known as Charles M. Weber, Deceased, subject to the Administration of the Estate of said Decedent  
Under negotiation: Price and payment terms  
(Regular Voting Members Only)**

- 17.14 Conference with Real Property Negotiators Pursuant to Government Code Section 549568  
Property: E. Jackson Street between Sacramento Street and Union Street, San Joaquin County  
Agency Negotiator: Kim Bibolet, Monument  
Negotiating parties: Union Pacific Railroad Company, a Delaware corporation, The Heirs and Devisees of Carlos Weber, also known as Charles M. Weber, Deceased, subject to the Administration of the Estate of said Decedent  
Under negotiation: Price and payment terms  
(Regular Voting Members Only)**
- 17.15 Conference with Real Property Negotiators Pursuant to Government Code Section 549568  
Property: E. Clay Street between Sacramento Street and Union Street, San Joaquin County  
Agency Negotiator: Kim Bibolet, Monument  
Negotiating parties: Union Pacific Railroad Company, a Delaware corporation, The Heirs and Devisees of Carlos Weber, also known as Charles M. Weber, Deceased, subject to the Administration of the Estate of said Decedent  
Under negotiation: Price and payment terms  
(Regular Voting Members Only)**
- 17.16 Conference with Real Property Negotiators Pursuant to Government Code Section 549568  
Property: MLK Jr. Boulevard between Sacramento Street and Union Street, San Joaquin County  
Agency Negotiator: Kim Bibolet, Monument  
Negotiating parties: City of Stockton, Union Pacific Railroad Company, a Delaware corporation The Heirs and Devisees of Carlos Weber, also known as Charles M. Weber, Deceased, subject to the Administration of the Estate of said Decedent  
Under negotiation: Price and payment terms  
(Regular Voting Members Only)**
- 17.17 Conference with Real Property Negotiators Pursuant to Government Code Section 549568  
Property: S. Union Street between E. Scotts Ave and MLK Jr. Boulevard, San Joaquin County  
Agency Negotiator: Kim Bibolet, Monument  
Negotiating parties: City of Stockton, Union Pacific Railroad Company, a Delaware corporation, The Heirs and Devisees**

**of Carlos Weber, also known as Charles M. Weber, Deceased,  
subject to the Administration of the Estate of said Decedent  
Under negotiation: Price and payment terms  
(Regular Voting Members Only)**

**18. Return to Open Session and Disclosure of Action**

General Counsel, Ms. Janice D. Magdich reported that the Board returned to Open Session from Closed Session at 10:49 a.m. and announced that all of the Commissioners that were present in Closed Session were present at the time of the report. Ms. Magdich reported Action from Closed Session Item 16, that Staff was directed to commence unlawful detainer actions against tenants at the Real Property located at 6362 and 6400 Blacktop Road in Sacramento County Superior Court. Ms. Magdich explained that these actions will be taken if any tenant is in breach of a material term under the lease, is engaged in illegal conduct on the property, or fails to comply with the requirements to execute a lease, provide proof of insurance, or pay rent. Ms. Magdich reported that for Closed Session Items 17.1-17.17, there was no other reportable action.

**19. Adjournment**

Chair Zuber adjourned the meeting at 10:51 am.

The next meeting is scheduled for:  
October 6, 2023 – 8:00 am



**San Joaquin Regional Rail Commission  
 Altamont Corridor Express  
 Operating and Capital Expense Report  
 July 2023  
 8% of Budget Year Elapsed**

<b>OPERATING EXPENSES</b>	<b>SJRRC FY 23-24 ALLOCATION</b>	<b>EXPENSE TO DATE</b>	<b>% SPENT TO DATE</b>	<b>ACE FY 23-24 ALLOCATION</b>	<b>EXPENSE TO DATE</b>	<b>% SPENT TO DATE</b>
<b>Project Management, Services &amp; Supplies Subtotal</b>	\$ 3,726,173	\$ 260,799	7%	\$ 5,043,070	\$ 318,268	6%
<b>Contracted Services Subtotal</b>	\$ 601,821	\$ 33,835	6%	\$ 27,233,658	\$ 1,234,027	5%
<b>Shuttle Services</b>				\$ 1,822,539	\$ 151,878	8%
<b>TOTAL OPERATING EXPENSES</b>	\$ 4,327,994	\$ 294,634	7%	\$ 34,099,267	\$ 1,704,174	5%

<b>OPERATING EXPENSES</b>	<b>SJRRC - CONTRACTED SERVICES FY 23-24 ALLOCATION</b>	<b>EXPENSE TO DATE</b>	<b>% SPENT TO DATE</b>	<b>SJRRC - TRACC FY 23-24 ALLOCATION</b>	<b>EXPENSE TO DATE</b>	<b>% SPENT TO DATE</b>
<b>Project Management, Services &amp; Supplies Subtotal</b>	\$ 100,000	-	0%	\$ 112,205	-	0%
<b>Contracted Services Subtotal</b>	\$ 4,000,000	\$ 49,366	1%	\$ 1,600,000	-	0%
<b>TOTAL CONTRACTED SERVICES EXPENSES</b>	\$ 4,100,000	\$ 49,366	1%	\$ 1,712,205	-	0%

<b>CAPITAL PROJECTS</b>		<b>CAPITAL FY 23-24 ALLOCATION</b>	<b>EXPENSE TO DATE</b>	<b>SPENT TO DATE</b>
<b>SAN JOAQUIN RAIL COMMISSION</b>				
1	East Channel Street Improvements	10,740,488	-	0%
2	Robert J. Cabral Station Master Plan Expansion	4,853,875	3,000	0%
3	Robert J. Cabral Building Improvements	760,000	-	0%
4	Non-Revenue Vehicles (Agency Vehicles)	200,000	-	0%
<b>TOTAL CAPITAL PROJECT SJRRC</b>		<b>\$ 15,594,363</b>	<b>\$ 3,000</b>	<b>0%</b>

<b>ALTAMONT CORRIDOR EXPRESS</b>				
1	ACE Platform Extension Projects (5)	15,637,405	1,519	0%
2	ACE Rail Car Procurement	11,170,782	-	0%
3	ACE Stations and Facility Program	500,000	-	0%
4	ACE Ticketing Platform Project - Phase 1	1,200,000	-	0%
5	ACE Valley Rail	175,429,870	7,927,562	5%
6	ACE Wifi Phase 2	960,393	12,006	1%
7	Caltrans Contracted Services: Pre-Revenue	2,000,000	-	0%
8	Caltrans Contracted Services: Truck Overhaul Phase 2	3,500,000	-	0%
9	BNY Debt Service	1,774,900	-	0%
10	Caltrain Guadalupe River Bridge Replacemnet & Extension	665,215	-	0%
11	Capital Access Fees (UPRR)	3,242,516	-	0%
12	Capital Spares/Rolling Stock/Preventative Maintenance	1,000,000	-	0%
13	Capitalized Maintenance (UPRR)	4,000,000	665,215	17%
14	Construction Management Software	90,000	-	0%
15	Del Paso Area Action Plan	250,000	-	0%
16	Fremont Station Platform Extension	3,025,496	-	0%
17	Locomotive (options)	10,196,393	-	0%
18	Locomotive Conversion	700,000	-	0%
19	Locomotive Simulator	1,000,000	-	0%
20	Martin Luther King Jr. Underpass Enviromental Study	300,000	-	0%
21	Newark-Albrae Siding Connection	1,300,000	43,905	3%
22	North Valley Rail Environmental & Preliminary Engineering	1,750,000	-	0%
23	Positive Train Control (PTC)	464,245	13,719	3%
24	Public Information Display System (PIDS)	700,000	-	0%
25	Rail Car Equipment	3,001,300	-	0%
26	Rail Car Midlife Overhaul	4,422,776	154,124	3%
27	Rail Maintenance Facility (RMF) Expansion	18,773,281	1,183,497	6%
28	RMF Equipment	245,000	-	0%
29	Safety Security - ACE	55,410	-	0%
30	Short Range Transit Plan (SJCOG)	156,421	-	0%
31	SJ COG Debt Service	1,118,012	1,118,012	100%
32	Station Signage and Wayfinding System	250,000	-	0%
33	Stockton Diamond Grade Seperation Project	44,741,657	120,486	0%
34	Stockton Track Extension	6,320,229	106,913	2%
35	Stockton Yard South Crossover	2,000,000	-	0%
36	Title VI Plan Service Equity Analysis (Service Expanison Manteca,Ripon,North lathrop)	125,000	-	0%
37	TRAC-C Facility	3,090,400	-	0%
38	Tracy Station Improvements & Egress	1,141,943	-	0%
39	Union City Intermodal Station Phase 3	1,250,000	-	0%
<b>TOTAL CAPITAL PROJECTS ACE</b>		<b>\$ 327,548,644</b>	<b>\$ 11,346,958</b>	<b>3%</b>

<b>TOTAL CAPITAL PROJECTS SJRRC &amp; ACE</b>		<b>\$ 344,103,007</b>	<b>\$ 11,349,958</b>	<b>3%</b>
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## Status of FY 23/24 Capital Projects – Notes based on Expenses through July 2023

### San Joaquin Rail Commission

1	<b>East Channel Street Improvements</b>	Expenditures are below forecast due to coordination with the City of Stockton and confirmation of which agency would bid and manage the construction contract. This project is anticipated to begin construction (under the management of the City of Stockton) in FY23/24.
2	<b>Robert J. Cabral Parking Lot Expansion</b>	Project has been delayed due to coordination with the City of Stockton on off-site improvement requirements. Also, approval of the Federal Grant programmed to Construction and required to proceed with construction is not expected to be approved until December 2023. This project is anticipated to begin construction in Spring of 2023.
3	<b>Robert J. Cabral Building Improvements</b>	Project has not started. Procurement anticipated to be released in Fall 2023.
4	<b>Non-Revenue Vehicles (Agency Vehicles)</b>	Project has not started. Procurement anticipated to be released in Fall 2023.

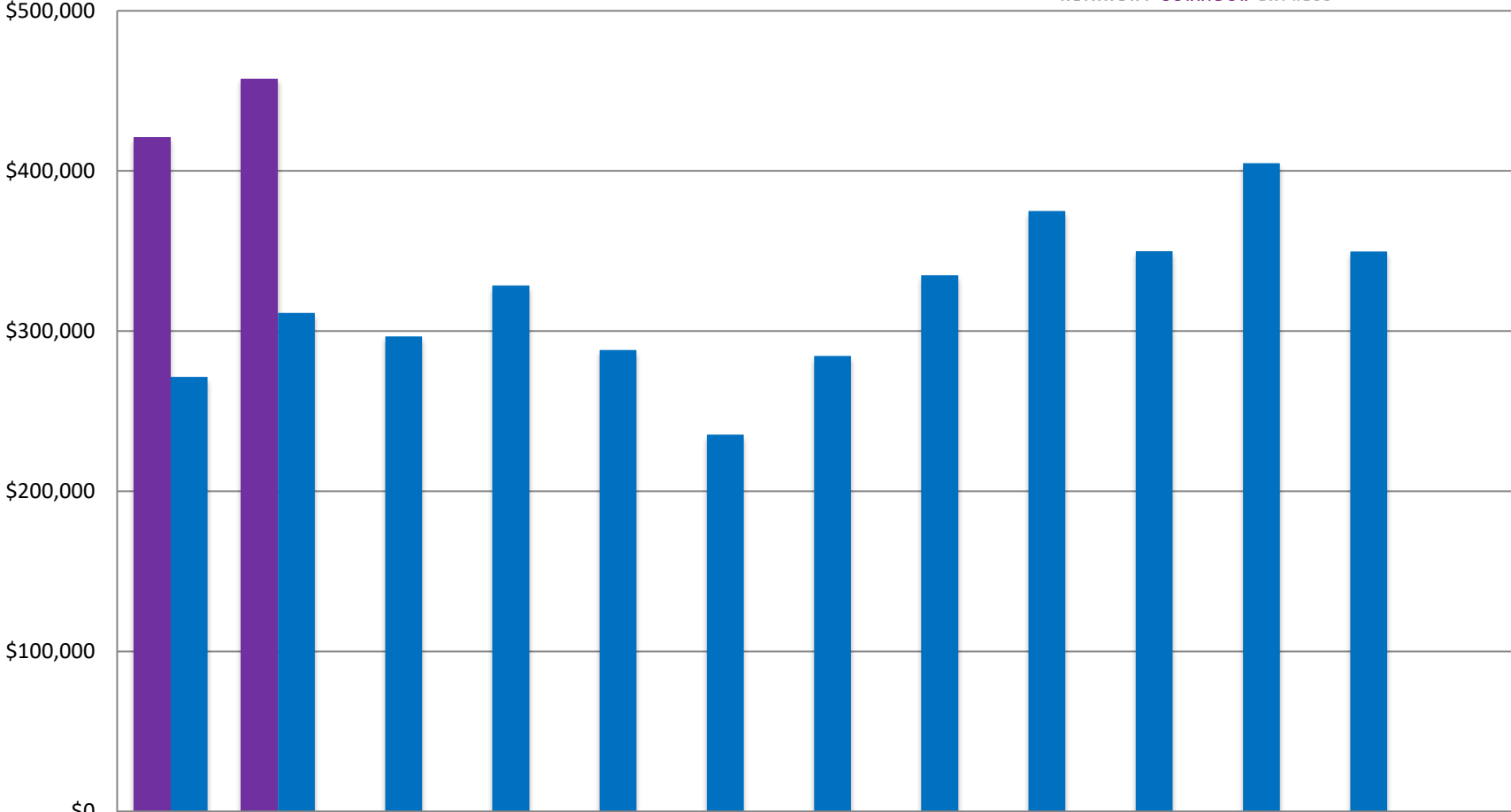
### Altamont Corridor Express

1	<b>ACE Platform Extension Projects (5)</b>	UPRR has recently approved the revised design. Design has started in all platforms. Construction is expected to begin in summer of 2024.
2	<b>ACE Rail Car Procurement</b>	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 a Multiyear project for the procurement of five (5) passenger rail cab cars and 16 passenger coach cars. 9 cars have been delivered with the remaining cars scheduled by the end of August 2023. A field modification for the Battery Boxes on the cars is in process. Completion of the Battery Box modification will allow for the start of conditional Acceptance of the cars and the cars will be put in revenue service, Battery Box modifications are anticipated to be complete in September 2023.
3	<b>ACE Stations and Facility Program</b>	Project has not started.
4	<b>ACE Ticketing Platform Project – Phase 1</b>	The Project Scope of Work for the RFP is in review with the procurement scheduled to be released Fall 2023.
5	<b>ACE Valley Rail</b>	<p>The following projects/phases are behind schedule in terms of expenditures:</p> <ul style="list-style-type: none"> <li>• Del Paso PS&amp;E – Design is taking longer than expected due to coordination/modification of the project limits by UP.</li> <li>• Downtown Mobility Project CON – Construction is underway.</li> <li>• Elk Grove Double Track PA&amp;ED – This effort was pushed to FY23/24.</li> <li>• Elk Grove Station PS&amp;E – Engineering is underway.</li> <li>• Elk Grove Station ROW – Property is being negotiated with the seller.</li> <li>• Lodi Station PS&amp;E – Engineering is underway.</li> <li>• Lodi Station ROW – Property is being negotiated with the seller.</li> <li>• Midtown PS&amp;E – Design is in coordination with At-Grade Crossings and nearby track geometry.</li> <li>• Midtown CONSUP and CON – Construction is anticipated to commence.</li> <li>• Phillips Siding PS&amp;E – Design is being coordinated with UP.</li> <li>• Phillips Siding CONSUP and CON – Construction is anticipated to commence in FY23/24.</li> <li>• Pollock Siding PS&amp;E – Design is being coordinated with UP.</li> <li>• Pollock Siding CONSUP and CON – Design is being coordinated with UP.</li> <li>• Ceres Station PS&amp;E – PS&amp;E is being extended to Keyes for the new layover facility.</li> <li>• Ceres Station CON – The extension to Keyes in addition to the fiber optic utility conflict coordination has delayed the construction start.</li> <li>• Lathrop Wye PS&amp;E – PS&amp;E is underway for the at-grade crossings.</li> <li>• Lathrop Wye CON – There is ongoing coordination on the culvert construction and maintenance agreements which has delayed the construction.</li> <li>• Manteca Station PS&amp;E – Recently the project was changed from an underpass to an overpass due to engineering constraints with the track construction.</li> <li>• Manteca Station CON – Due to the change in pedestrian access to the platform (overcrossing), construction will be delayed.</li> <li>• North Lathrop Transfer Station PS&amp;E – Due to coordination of the track geometry with UP, PS&amp;E will extend into FY23/24.</li> </ul>

		<ul style="list-style-type: none"> <li>Stanislaus River Bridge PS&amp;E – Due to coordination of the conflict with the Kinder Morgan gas line, PS&amp;E will extend into FY23/24.</li> <li>Tuolumne River Bridge PS&amp;E – Due to coordination of the conflict with the Kinder Morgan gas line and multiple fiber optic utilities, PS&amp;E will extend into FY23/24.</li> <li>Ceres Station - The full funding for this phase was awarded later in FY22/23 and will commence in FY23/24.</li> </ul>
6	<b>ACE WIFI Phase 2</b>	The Passenger Wi-Fi Phase 2 Project was delayed in conditional Acceptance of the vehicles. Staff worked to hold Alstom harmless on any work completed on the vehicles prior to conditional acceptance and received approval by Alstom to begin installation in July 2023.
7	<b>Caltrans Contracted Services: Pre-Revenue</b>	Project is currently underway.
8	<b>Caltrans Contracted Services: Truck Overhaul Phase 2</b>	Project is currently underway.
9	<b>BNY Debt Service</b>	Bond repayments are made bi-annually, payments FY 23/24 are made in November 2023 and May 2024.
10	<b>Caltrain Guadalupe River Bridge Replacement &amp; Extension</b>	Project has not started .
11	<b>Capital Access Fees (UPRR)</b>	Expenditures are paid January 1 and July 1 of each fiscal year.
12	<b>Capital Spares/Rolling Stock/Preventative Maintenance</b>	Project is under budget as Capital spares were procured as part of the Rail Car Midlife Overhaul project and the Charger locomotives were able to be rotated reducing the need for parts.
13	<b>Capitalized Maintenance (UPRR)</b>	This amount is contractually set aside for UP to perform Capitalized Maintenance on the corridor.
14	<b>Construction Management Software</b>	Estimated Completion date is August 2024.
15	<b>Del Paso Area Action Plan</b>	Project has not started .
16	<b>Fremont Station Platform Extension</b>	Project has not started.
17	<b>Locomotive (Options)</b>	The two option Charger Locomotive units. The Project is on schedule for completion in late 2024. Progress payments continue to be processed to allow for construction.
18	<b>Locomotive Conversion</b>	Consultant contract was awarded at the February 2023 Board meeting for the Near Zero Locomotive Study. The scope of this project is to study and recommend a proven technology or combination of technologies that allow the existing ACE F40 diesel locomotives to be converted to near-zero emission units while still providing the necessary power and range to operate ACE's service between Stockton and San Jose.
19	<b>Locomotive Simulator</b>	A contract with Corys, Inc was awarded at the September 1 <sup>st</sup> Rail Commission Board meeting. Staff and Corys are negotiating the final contract language and a kick-off meeting is anticipated for October 2023.
20	<b>Martin Luther King Jr. Underpass Environmental Study</b>	Coordinating with City on Funding Agreement. PA&ED contract is under negotiation with the most responsive bidder.
21	<b>Newark-Albrae Siding Connection</b>	Project is currently in design phase.
22	<b>North Valley Rail Environmental &amp; Preliminary Engineering</b>	Project has not started.
231	<b>Positive Train Control</b>	Staff continues to work with UPRR, Caltrain, FRA and all passenger rail partners on software updates and system improvements. Staff are working with WABTEC (the hardware provider for new on-board computers for locomotives and cab cars). New updated computers are scheduled to be procured in Summer 2023 with delivery in Spring 2024. The lead time in the PTC hardware is approximately 42 weeks.
242	<b>Public Information Display System (PIDS)</b>	Project has not started.
253	<b>Rail Car Equipment</b>	Project has not started.
264	<b>Rail Car Midlife Overhaul</b>	Midlife overhauls of ACE's existing fleet of 30 railcars continues to move forward with 20 cars repainted to the new paint scheme. The vehicles are approximately 60% complete in the overhaul process, with the Passenger Information Systems (PIS) and camera system being the last component to be installed on each vehicle.
275	<b>Rail Maintenance Facility (RMF) Expansion</b>	Due to supply chain issues and weather, construction completion has been delayed. Construction is currently underway and expected to be completed FY 23/24.
28	<b>RMF Equipment</b>	Equipment has been delayed due to production and estimated delivery date is February 2024.
29	<b>Safety Security - ACE</b>	Project has not started.
30	<b>Short Range Transit Plan (SJCOG)</b>	Project has not started.

31	<b>SJCOG Debt Service</b>	The loan payment is due July 1 of each fiscal year. All FY23/24 invoices for project have been received.
32	<b>Station Signage and Wayfinding System</b>	Procurement was released on August 30, 2023. Anticipate bring contract to Board for approval late Fall 2023.
33	<b>Stockton Diamond Grade Separation Project</b>	PS&E and ROW activities are expected to be completed in FY23/24.
34	<b>Stockton Track Extension</b>	Due to the inability to come to commercial terms with UP in regard to the Construction and Maintenance Agreement, construction was halted in January. This significantly reduced the expenditures for the Project. Fiber optic utility relocations are still underway.
35	<b>Stockton Yard South Crossover</b>	Union Pacific has started Preliminary Engineering.
36	<b>Title VI Plan Service Equity Analysis</b>	Project has not started.
37	<b>TRAC-C Facility</b>	SJRRC was awarded HUD funding for the Administration Building, staff will complete the HUD requirements by Q4 2023.
38	<b>Tracy Station Improvements &amp; Egress</b>	Plans are being finalized with the City in order to obtain the building and encroachment permits. Construction is delayed until January 2024, since Federal funding is expected to be available in December 2023.
39	<b>Union City Intermodal Station Phase 3</b>	Project has not started.

# Fare Revenue



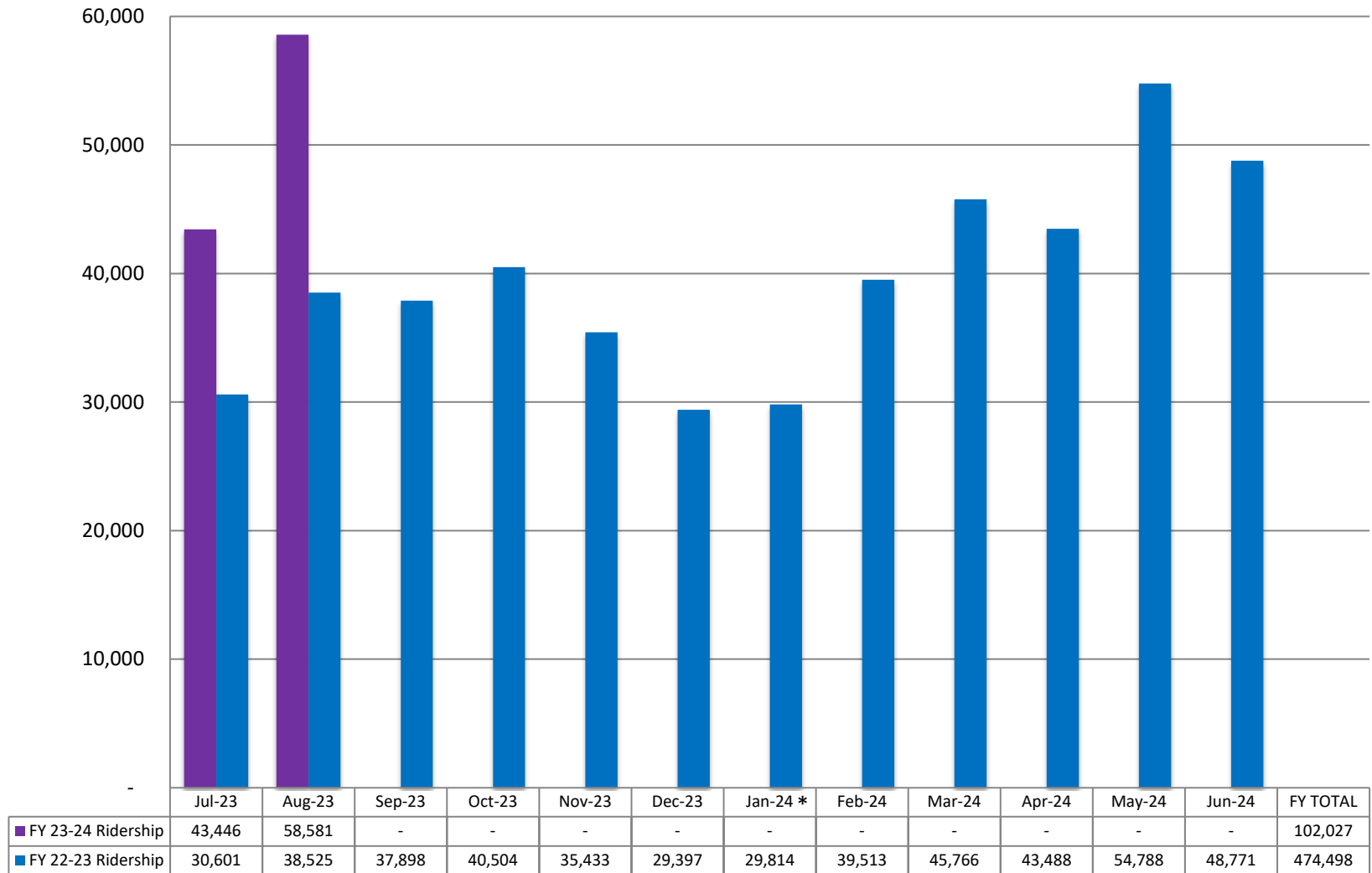
	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	Jan-24 *	Feb-24	Mar-24	Apr-24	May-24	Jun-24	FY TOTAL
■ FY 23-24 Revenue	\$420,901	\$457,738	\$-	\$-	\$-	\$-	\$-	\$-	\$-	\$-	\$-	\$-	\$878,639
■ FY 22-23 Revenue	\$271,492	\$311,393	\$296,654	\$328,448	\$288,159	\$235,456	\$284,482	\$334,876	\$375,035	\$349,912	\$404,863	\$349,801	\$3,830,570

% of Budget Year Elapsed: 17%  
 FY 23-24 % of Budgeted Fare Revenue Received to Date: 19.9%  
 Projected Annual Fare Revenue (includes Amtrak Thruway Service): \$4,401,000.00  
 Budget of \$6,326,000.00 contains revenue from previous years where Fare Revenue exceeded budget spending authority.  
 \* Service Disruption: January 17th and 18th 2023.  
 Canceled Service: January 19th and 20th 2023.

# Ridership

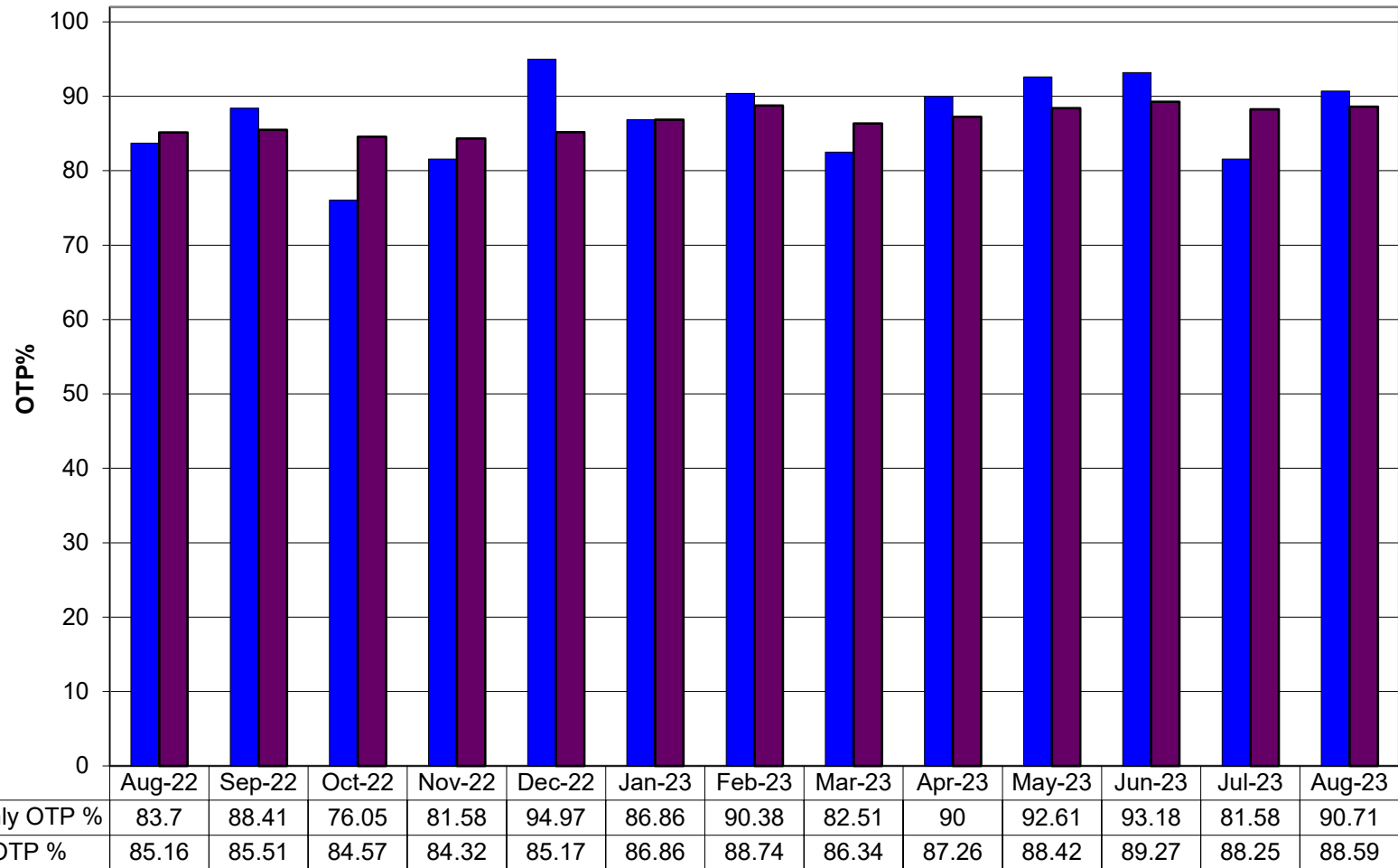


Item 3.4



\*Service Disruption: January 17th and 18th 2023. Canceled Service: January 19th and 20th 2023.

## ACE ON TIME PERFORMANCE







# TAI GINSBERG & ASSOCIATES, LLC

**TO:** San Joaquin Regional Rail Commission (SJRRRC)  
**FROM:** TG&A Staff  
**SUBJECT:** Monthly Progress Report for SEPTEMBER 2023  
**DATE:** September 27, 2023

## THE BIDEN ADMINISTRATION/EXECUTIVE BRANCH

September 20, 2023. President Joe Biden issued an Executive Order (No. 14108) "[Ensuring the People of East Palestine Are Protected Now and in the Future](#)." The order states, in part, "It is critical that Norfolk Southern continue to be held fully accountable under the law for this disaster, and continue to provide resources to address the effects in East Palestine and surrounding communities."

September 15, 2023. The White House [released](#) an [updated technical assistance guide](#) (click [here](#) to access the [Investing in America Technical Assistance Guide](#)) that focuses on federal and state technical assistance programs aimed at accessing and deploying Bipartisan Infrastructure Law and Inflation Reduction Act funding. The updated technical assistance guide builds on the Bipartisan Infrastructure Law's Guidebook, [Rural Playbook](#), and [Tribal Playbook](#), and the [Inflation Reduction Act's Guidebook](#) and Tribal Playbook. This new guide highlights programs that help communities navigate programs and resources that can help them deliver infrastructure, clean energy, and climate resilience projects.

September 1, 2023. The Biden Administration is seeking an additional \$4 billion to the [initial \\$40 billion supplemental request](#). The additional \$4 billion would be for natural disaster relief funding added to the \$12 billion the White House initially sought for FEMA, bringing the total to \$16 billion. Biden is seeking about \$44 billion in total supplemental funding. The White House also submitted a list of requests for the looming Continuing Resolution that lawmakers will need to consider to avoid a partial government shutdown. The White House wants to attach the supplemental request to the CR, which is expected to run into early December 2023. See here for [FY 2024 Continuing Resolution \(CR\) Appropriations Issues](#)."

## BIDEN 2023 TRANSPORTATION-RELATED NOMINATIONS/CONFIRMATIONS

Since the August 2023 report, there are no relevant changes in status to transportation-related nominees. **A full 2022/2023 listing of "Nominations" is available from TG&A upon request.**

## APPROPRIATIONS/BUDGET

### FY 2024 APPROPRIATIONS UPDATE/PROCESS

FY 2023 expires September 30, 2023, and Congress has not completed work on any of the 12 annual appropriations bills that set discretionary spending levels for

FY 2024. Unless a stop-gap bill (aka a Continuing Resolution - CR) is enacted, funding for the federal government will expire and large portions of the federal government will shut down. The odds of a shut-down seem to be increasing due to the lack of comity and to disagreements over government funding. In a "shutdown," federal agencies must discontinue all non-essential discretionary functions until new funding legislation is passed and signed into law.

OVERALL FY 2024 APPROPRIATION BILL SUMMARY		
	<b>Bills Passed:</b>	House (1 of 12)
		Senate (0 of 12)
	<b>Bills Vetoed:</b>	(0 of 12)
	<b>Both Chambers Passed:</b>	(0 of 12)
	<b>Bills Enacted:</b>	(0 of 12)

Essential services continue to function, as do mandatory spending programs. In conjunction with the Office of Management and Budget (OMB) every agency in government maintains a contingency plan for a lapse in appropriations – see the updated US DOT plan [here](#) and nearby US DOT furlough summary spreadsheet. Not every federal employee will be furloughed in the case of a shutdown; however, ***US DOT is estimating it would furlough approximately 18,744 (across all modes) if a government shut down were to transpire.*** Agencies are allowed to continue activities involving the safety of human life or the protection of property. As of this writing (9/27/2023) neither the House or Senate has passed a Continuing Resolution (CR) which would provide stop-gap funding for the looming predicament. See the Committee on Responsible Federal Budget report on “[Q&A: Everything You Should Know About Government Shutdowns.](#)” The American Association of State Highway and Transportation Officials (AASHTO) sent a [9/21/23 letter](#) to Senate/House leaders on, calling for passage of FY 2024 US DOT appropriations bills. See Democrat letter to Speaker McCarthy on reaching a resolution to the FY 2024 appropriations bottleneck [here](#).

US Department of Transportation												
(FY 2024 Shutdown Plan Summary Overview)												
Updated: 8/3/2023												
	FAA	FHWA	FMCSA	NHTSA	FTA	FRA	PHMSA	MARAD	GLS	OIG	OST	Total
Total Agency Employees On Board:	45,248	2,832	1,121	765	700	1,006	599	830	130	395	1,794	55,420
<b>Furloughed Employees:</b>	<b>17,251</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>350</b>	<b>197</b>	<b>196</b>	<b>-</b>	<b>295</b>	<b>455</b>	<b>18,744</b>
FEDERAL AVIATION ADMINISTRATION (FAA)	PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION (PHMSA)											
FEDERAL HIGHWAY ADMINISTRATION (FHWA)	MARITIME ADMINISTRATION (MARAD)											
FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION (FMCSA)	GREAT LAKES ST. LAWRENCE SEAWAY DEVELOPMENT CORPORATION (GLS)											
NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION (NHTSA)	OFFICE OF INSPECTOR GENERAL (OIG)											
FEDERAL TRANSIT ADMINISTRATION (FTA)	OFFICE OF THE SECRETARY (OST)											
FEDERAL RAILROAD ADMINISTRATION (FRA)												

On September 26, 2023, US Senator Patty Murray (D-WA) and Chair of the Senate Appropriations Committee, [released a bipartisan CR](#) to extend government funding through November 17, prevent a government shutdown at the end of the month, and allow work on full-year appropriations bills to continue. [Text of CR [here](#) and Section-by-Section [here](#).] ***Title II of the CR provides a 3-month extension (through December 31, 2023) of the authorization for the FAA Airport Improvement Program (AIP), which provides federal grants for airports for planning and development, mainly of capital infrastructure projects related to aircraft operations such as runways and taxiways.*** The CR provides \$6.15 billion in emergency funding in aid to Ukraine and \$6 billion in emergency funding to the Federal Emergency Management Agency for the Disaster Relief fund. House Majority Leader Steve Scalise (R-LA) has indicated that the Senate CR is a non-starter in the House due to its lack of border provisions.

Meanwhile, the House has yet to advance a workable CR proposal; although House Speaker Kevin McCarthy is vowing to introduce a CR measure on the floor sometime this week (9-27 – 9/30). Several House Republicans have intimated that they will not vote for a CR and instead want only full-year appropriations bills to advance. Dissident Republicans are opposed to continued aid to Ukraine, seek continued cuts in overall spending (an extra \$60 billion) from the levels than those agreed-to in the debt-ceiling deal reached earlier this year ([Fiscal Responsibility Act](#)), and seek that Congress agree/enact strict border-security measures and fix the asylum system. Consequently, the House is marching forward on debate on four full-year funding bills covering Defense, the Department of Homeland Security, Agriculture, and the State Department. It remains unclear if the House can mover forward later in the week on a CR to buy more time to pass full-year bills. Due to House Speaker Kevin McCarthy’s slim majority in the House (221-212 – there are two vacancies in the House from 435) he needs almost every Republican on board (217 votes) to pass a measure, especially if all Democrats are opposed. Earlier, on September 17, the House released a Continuing Resolution (CR) to keep the government funded through October 31, 2023. That proposal, [Continuing Appropriations and Border Security Enhancement Act, 2024](#), was universally opposed by Democrats and several Republicans and has gone nowhere to date.

Complicating matters is the Biden Administration supplemental spending request of \$44 billion for disaster relief and Ukraine aid. And, further complicating matters is a provision in the [Fiscal Responsibility Act of 2023](#) which suspended the debt limit through January 1, 2025. To incentivize timely enactment of federal spending bills, the Public Law contains a mechanism that will reduce FY 2024 funding below current FY 2023 funding by one percent if Congress fails to enact all 12 appropriations bills by January 1, 2024. If such a provision were enacted, it would cut overall transportation funding (most funds in the IJA should be unharmed).

Regarding the earlier reported FY 2024 House/Senate Transportation, Housing and Urban Development (THUD) appropriation bills, a chasm exists between overall funding levels. The Senate bill allocates overall higher levels of transportation funding than the House proposed bill. A Congressional Research Service (CRS) report on [THUD Appropriations 2024](#) details the differences in those funding levels:

- July 20th, the **Senate Appropriations Committee** reported its FY 2024 THUD appropriations bill proposing **\$167.5 billion in total regular funding**—including \$88.1 billion in regular discretionary budget authority—as well as \$10.8 billion in emergency funding; and on
- July 24th, the **House Appropriations Committee** reported its FY 2024 THUD appropriations bill proposing **\$144.6 billion in total funding**—\$65.2 billion in discretionary funding—for THUD in FY2024.

**Table 2. THUD Appropriations by Bill Title, FY2023-FY2024**  
(dollars in millions)

	FY2023 Enacted	FY2024 Request	FY2024 House Comm.	FY2024 Senate Comm.	FY2024 Enacted
Title I: DOT	106,349 <sup>a</sup>	107,252	100,915	107,366 <sup>b</sup>	
Discretionary	28,735 <sup>a</sup>	27,850	21,574	27,964 <sup>b</sup>	
Mandatory	77,614	79,402	79,342	79,402	
Title II: HUD	58,178 <sup>c</sup>	70,573	68,217	70,060 <sup>d</sup>	
Title III: Related Agencies	420	453	452	438	
Title IV: General Provisions		0	-25,035	0	
<b>Total</b>	<b>164,946<sup>d</sup></b>	<b>178,278</b>	<b>144,550</b>	<b>167,493<sup>e</sup></b>	
<b>Total Discretionary</b>	<b>87,332<sup>d</sup></b>	<b>98,876</b>	<b>65,208</b>	<b>88,091<sup>e</sup></b>	
<b>Total Mandatory</b>	<b>77,614</b>	<b>79,402</b>	<b>79,342</b>	<b>79,402</b>	
Emergency Appropriations	9,640 <sup>f</sup>	0	0	10,840 <sup>g</sup>	
Additional (Advance) Appropriations (DOT)	36,811	36,811	36,811	36,811	

**US Department of Transportation (THUD) Appropriation Status Table FY 2024**

	Subcommittee Approval		Full Committee Approval		Initial Passage		Resolution of House-Senate Differences			Presidential Approval
	House	Senate	House	Senate	House	Senate	Conference Rpt.	House	Senate	
Transportation-HUD										
	HR 4820 (voice vote) 7/12/2023		HR 4820 (34-27) 7/18/2023	S 2437 (29-0) 7/20/2023						
<a href="#">HR 4820</a>										
<a href="#">H Rpt. 118-154</a>										
<a href="#">S 2437</a>										
<a href="#">S Rpt. 118-70</a>										
Notes:										
<a href="#">House Committee on Appropriations - 7/18/2023 Full Committee THUD Press Release</a>										
<a href="#">Senate Committee on Appropriations - 7/20/2023 Full Committee THUD Press Release</a>										

**OTHER UPCOMING CONGRESSIONAL FISCAL POLICY DEADLINES**

- Disaster Relief Fund exhaustion Possible late August 2023** - The FEMA Disaster Relief Fund is expected to run out of money by late August. A bill introduced in the Senate would appropriate \$11.5 billion to replenish the fund. The White House released a [supplemental appropriations request](#) that included \$12 billion for the fund;
- Funding the Government / Appropriations September 30, 2023** - Congress enacted a [FY 2023 omnibus](#) in late December that funds the government through the end of the fiscal year. Discretionary spending for FY 2024 and FY 2025 will be subject to statutory caps enacted in the Fiscal Responsibility Act. [Q&A: Everything You Should Know About Government Shutdowns](#);
- FAA Reauthorization September 30, 2023** - The current authorization law for Federal Aviation Administration operational, safety, and infrastructure programs expires. Multi-year reauthorization bills have advanced in the [House](#) and [Senate](#);

- **[Continuing Resolution Penalty January 1, 2024](#)** - The [Fiscal Responsibility Act](#) includes a penalty for the use of a continuing resolution (CR) in FY 2024, reducing both defense and nondefense funding levels by 1 percent if appropriations bills are not enacted by January, which would take effect through a sequestration order to be issued by April 30, 2024. (A similar penalty and timeline also apply for FY 2025.);
- **[Longer-Term Deadlines - FY 2028 - Highway Trust Fund insolvency](#)**;
- **[Longer-Term Deadlines - Statutory PAYGO December 2024 or January 2025](#)** - Statutory pay-as-you-go (PAYGO) rules provide for an across-the-board sequester of non-exempt mandatory spending programs if lawmakers enact net deficit-increasing legislation over the course of the year. A provision in the FY 2023 omnibus shifted the sequestration totals from the 2023 and 2024 scorecards and added them to the 2025 scorecard. Statutory PAYGO requires the Office of Management and Budget (OMB) to issue a sequestration order within 15 days of the end of a congressional session.

September 18, 2023. The Committee for a Responsible Federal Budget sent a [letter](#) to Congressional leaders “to encourage the establishment of a bipartisan fiscal commission to help address the nation’s many budgetary and economic challenges.” The letter continues by noting, “Though the recent Fiscal Responsibility Act improved the nation’s fiscal outlook, the national debt continues to approach record levels, major trust funds remain at risk of insolvency, and rising interest costs are increasingly crowding out other priorities.” In closing the letters stated, “Members of Congress from both sides of the aisle have come out in favor of a commission-based approach, and we encourage you to consider the ideas they and others have put forward.

September 13, 2023. The US Department of Treasury issued its [Monthly Treasury Statement Receipts and Outlays of the United States Government For FY 2023 Through August 31, 2023](#). The government scored a **\$89 billion surplus in the month of August 2023** with **total August receipts reaching \$283 billion** against **August outlays of \$194 billion**. **The FY 2023 cumulative deficit for the eleven-month period ending in August 2023 is \$1.524 trillion**.

### **SELECTED CONGRESSIONAL HEARINGS/BUSINESS**

September 22, 2023. The House Committee on Energy and Commerce, Subcommittee on Environment, Manufacturing, and Critical Materials, [postponed](#) a field hearing (in East Palestine, Ohio) to discuss and receive testimony on matters pertaining to “Life After the Train Derailment: Ensuring Transparency and Accountability for the People of East Palestine.” [Committee Link](#).

September 20, 2023. The House Committee on Transportation and Infrastructure held a hearing to discuss and receive testimony on matters pertaining to, “[Oversight of the Department of Transportation’s Policies and Programs](#).” [Committee Link and Testimony](#).

September 13, 2023. The Senate Committee on Environment and Public Works held a full committee hearing to discuss and receive testimony on matters pertaining to, “[Examining the Effects of Extreme Heat and Weather on Transportation](#).” US DOT Secretary Pete Buttigieg presented testimony. [Committee Link and Testimony](#).

### **RAIL SAFETY BILL SUMMARY**

[Update: The Railway Safety Act of 2023 ([S 576](#) – summary [here](#)) introduced in response to the February 3, 2023, Norfolk Southern train derailment in East Palestine, Ohio, and sponsored by Senators Sherrod Brown (D-OH) and J.D. Vance (R-OH), has remained stalled. However, Senator Vance recently told reporters that Senate Democratic leaders have told him that a vote will be held this fall. Senator Vance does not expect the vote in September due to Congress’s focus on appropriations. In the House, Congressman Chris Deluzio (D-PA) [held a press conference in Darlington Township](#) (September 8) calling for congressional leadership to act on rail safety legislation upon Congress’s return to Washington.

Congressman Deluzio also announced that the Railway Safety Act ([HR 1674](#)), which he introduced with Congressman Nick LaLota (R-NY), has significant bipartisan momentum, including nine Republican co-sponsors, from different wings of the conference. The House bill would institute requirements for wayside defect detectors, increase fines for wrongdoing committed by rail carriers, enhance safety procedures for trains carrying hazardous materials, establish a permanent requirement for railroads to operate with at least two-person crews. Some Republicans want to wait until the National Transportation Board completes its investigation before acting on any new regulations or reforms.] On September 19, Congresswoman Melanie Stansbury (D-NM and Congressman Jamaal Bowman (D-NY) introduced the Rail Worker and Community Safety Act. The Rail Worker and Community Safety Act makes much-needed improvements to federal rail safety regulations. See One-Page Summary [here](#), and a press release [here](#).]

**SELECTED CONGRESSIONAL “TRANSPORTATION-RELATED” BILLS – SEPTEMBER**

SENATE BILLS - SEPTEMBER			
<a href="#">S 2744</a>	C. Masto (D-NV) To provide grants to transit operators and airports for human trafficking awareness, education, and prevention efforts. Introduced 9/7/23.	<a href="#">S TBA</a> <a href="#">Press Release</a>	T. Kaine (D-VA) “End Shutdown Act.” The bill would initiate an automatic Continuing Resolution (CR) on October 1, if an appropriations bill is not passed by that date. It would stop the Senate from moving forward with any legislation, outside of an emergency scenario, until Congress reached an agreement on a long-term spending deal. Introduced 9/6/23.
HOUSE BILLS - SEPTEMBER			
<a href="#">HR 5672</a>	Don Bacon (R-NE) “Bipartisan Keep America Open Act.” Makes continuing appropriations for FY 2024 Introduced 9/22/23.	<a href="#">HR TBA</a> <a href="#">One-Pager</a> <a href="#">Press Release</a> <a href="#">Article</a>	M. Stansbury (D-NM) “Rail Worker and Community Safety Act.” This bill will make much needed improvements to federal rail safety regulations, including mandates for a two-person crew, changes to ways hazardous materials can be transported, increases funding for rail safety inspectors, and codifies mandatory sick leave for all rail workers. Introduced 9/19/2023.

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

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

**Selected/Anticipated Transportation-Related NOFO Announcement Dates in 2023**

**(As of September 22, 2023 - Hyperlink and US DOT Grants Dashboard [here](#))**

See [White House](#) Document on [Open/Upcoming NOFOs](#)

See **US DOT Federal Transportation Funding: FY 2023 Disc. Grant Preparation Checklist for Prospective Applicants [here](#), & Federal Railroad Administration Calendar of Upcoming Awards/NOFOs calendar [here](#).**

Month Est.	Notice of Funding Opportunity (NOFO)	Operating/Admin. Office
Summer 2023	<a href="#">Thriving Communities – NOFO 9/12/23.</a>	FHWA/Office of the Secretary
TBA 2023	<a href="#">All Stations Accessibility Program</a>	FTA
Summer 2023	<a href="#">Bridge Investment Program</a>	FHWA
Summer 2023	<a href="#">Railroad Crossing Elimination Grant Program</a>	FRA
Fall 2023	<a href="#">Consolidated Rail Infrastructure and Safety Improvements (CRISI) Program</a>	FRA
Fall 2023	Transportation Access Pilot Program	FHWA
Fall 2023	Building Resilient Infrastructure and Communities Program	DHS/FEMA
Winter 2023	Innovative Coordinated Access and Mobility Program	FTA
Winter 2023/2024	<a href="#">National Culvert Removal, Replacement, and Restoration Grants</a>	FHWA

**UPCOMING NOFO(s):**

- FRA is expected to soon announce the availability of \$104 million through the [FY22-23 Restoration and Enhancement Grant Program](#), funding operating assistance grants for initiating, restoring, or enhancing intercity passenger rail transportation.

Per a US DOT Newsletter (9/22/2023) the following NOFOs are to be opening soon:

- FHWA's \$2.5 billion Large [Bridge Investment Program](#) NOFO;
- The Federal Transit Administration (FTA) \$350 million [All Stations Accessibility Program](#);

- The Build America Bureau \$38.8 million [Innovative Finance and Asset Concession Assistance Program](#) (FY22-23); and,
- DOT's \$1.5 billion [FY 2024 RAISE Program](#).

September 25, 2023. The Federal Railroad Administration (FRA) [announced](#) more than \$1.4 billion in awards under the [FY 2022 Consolidated Rail Infrastructure and Safety Improvement \(CRISI\) Program Selections](#). [[See project summaries here](#).] The money is funding 70 projects in 35 states and Washington, D.C. The purpose of the CRISI program is to fund projects that improve the safety, efficiency, and/or reliability of intercity passenger and freight rail systems. The federal share of total costs under the CRISI program are not to exceed 80 percent. The FRA said that it received 234 application requests totaling \$6.1 billion in grants.

September 19, 2023. The US DOT held a webinar on Utilizing DOT Data and Mapping Tools for Stronger Grant Applications. The webinar highlighted the DOT Navigator's new section on Data and Mapping Tools, and included presentations on using the Federal Highway Administration (FHWA)'s [Screening Tool for Equity Analysis of Projects](#) (STEAP) and the DOT [Equitable Transportation Community \(ETC\) Explorer](#). View the slide deck [here](#).

September 12, 2023. The US DOT [announced](#) (and [here](#) and [here](#) for applications)/released a Notice of Funding Opportunity (NOFO) for up to \$22 million in grants to provide technical assistance and a [Call for Letters of Interest](#) (LOI) from communities seeking support through the [Thriving Communities Program](#). The Thriving Communities Program (TCP) provides intensive technical assistance to under-resourced and disadvantaged communities to help them identify, develop, and deliver transportation and community revitalization opportunities. Under the \$22 million NOFO, USDOT is accepting applications for both the Thriving Communities National [Capacity Builder Program](#) and a new [Regional Pilot Program](#) to fund State and Regional TCP activities. **LOIs must be submitted via webform by 4:59 p.m. ET on November 15, 2023. The deadline for application submission is November 28, 2023.**

### **OTHER TRANSPORTATION-RELATED FEDERAL REGISTER NOTICES**

September 25, 2023. The Federal Transit Administration (FTA) issued a [Notice of Availability/Request for Comments](#) regarding a Programmatic Assessment of Greenhouse Gas Emissions from Transit Projects. The Programmatic Assessment is a streamlining tool that analyzes estimated greenhouse gas (GHG) emissions generated from the construction, operations, and maintenance phases of transit projects. **Comments must be received by November 24, 2023.**

September 18, 2023. The Federal Highway Administration (FHWA) issued a [Notice of Proposed Rulemaking/Request for Comments](#) (and [here](#)) regarding regulations governing changes in access to the Dwight D. Eisenhower National System of Interstate and Defense Highways (Interstate System). As a condition of funding for Federal-aid highway projects, Federal law prohibits State departments of transportation (State DOT) from adding any point of access to or from the Interstate System without the approval of the Secretary of Transportation (Secretary). This proposed rule would codify and clarify existing policies and practices regarding State DOT requests for and FHWA approval of changes in access to the Interstate System. **Comments are due by October 19, 2023.**

September 11, 2023. The Federal Railroad Administration (FRA) issued [Safety Bulletin 2023-06](#) regarding a switching accident that resulted in the amputation of a crew member's leg on September 1, 2023. FRA's investigation into this accident is ongoing, however, FRA reminds railroads of the importance of ensuring switching operations are conducted safely.

September 11, 2023. The Federal Railroad Administration (FRA) issued [Notice of Safety Advisory](#) (and [here](#)) that recommends railroads utilize Wheel Impact Load Detectors (WILD) to properly identify and replace high-impact railcar wheels that could cause significant damage to rails and supporting track structures.

FRA's preliminary investigation of a recent train derailment in Gothenburg, Nebraska, indicates that high-impact wheels damaged the rail the train was operating over and caused the derailment. Current industry practices for using WILDs to identify and replace high-impact wheels could help prevent such incidents in the future.

September 7, 2023. The [Surface Transportation Board](#) (STB) issued a [Notice of Proposed Rulemaking and Closure](#) (and [here](#) and [here](#)) proposing , a new set of regulations that would provide for the prescription of reciprocal switching agreements to address inadequate rail service, as determined using objective standards based on a carrier's original estimated time of arrival, transit time, and first-mile and last-mile service. The proposed new rule sets specific, objective, and measurable criteria for when prescription of a reciprocal switching agreement will be warranted. To help implement the new regulations, the Board proposes (1) to require Class I carriers to submit certain data, which would be publicly accessible and generalized; and (2) to adopt a new requirement that, upon written request by a customer, a rail carrier must provide to that customer individualized, machine-readable service data. Proposed backers of the rule intimate that the rule will increase competition; while, the railroad industry argues that the rule will undercut the railroads' business and will increase congestion. See article [here](#) and [here](#). **Comments are due by October 23, 2023. Replies are due by November 21, 2023.**

September 5, 2023. The Surface Transportation Board (STB) issued a [Notice of Decision](#) announcing the 2022 revenue adequacy determinations for the nation's Class I railroads. Five Class I railroads (BNSF Railway Company, CSX Transportation, Inc., Norfolk Southern Combined Railroad Subsidiaries, Soo Line Corporation, and Union Pacific Railroad Company) were found to be revenue adequate. The designation generally means those railroads achieved a rate of return equal to or greater than the board's calculation of the average cost of capital for the freight-rail industry. The STB determined that those railroads achieved a rate of return on net investment (ROI) equal to or greater than the agency's calculation of the average cost of capital for the freight rail industry, which for 2022 is 10.58 percent. The 2022 ROIs are: BNSF at 12.89 percent, CSX at 16.17 percent, Norfolk Southern at 14.55 percent, Soo Line (the US affiliate of Canadian Pacific) at 13.31 percent and Union Pacific at 17.96 percent. **The decision is effective on September 5, 2023.**

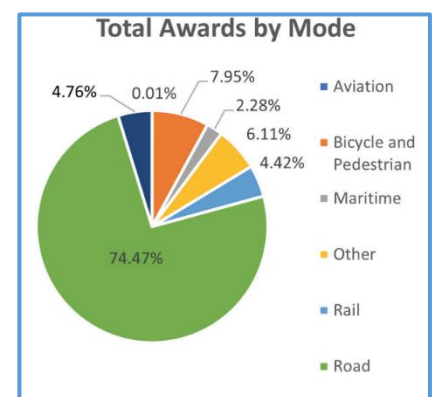
August 23, 2023. The Office of Management and Budget (OMB) published a [Final Rule](#) pertaining to revisions to support implementation of the Build America, Buy America Act provisions of the IIJA and to clarify existing provisions related to domestic preferences. See [here](#) for article with section-by-section summary. **The effective date for the revised guidance is October 23, 2023.**

## GOVERNMENT NOTICES/REPORTS/NEWS ARTICLES

September 22, 2023. The American Road & Transportation Builders Association (ARTBA) analyzed the first year of the IIJA discretionary awards and found that more than 70 percent (over \$5 billion) went to road and bridge projects. Formula programs account for 87 percent of IIJA funding, the remaining funds are distributed by the US DOT. The ARTBA report, "[Year-One of the Infrastructure and Jobs Act Discretionary Grant Awards](#)" detailed modal awards on a percentage basis. See nearby pie chart.

September 21, 2023. The Federal Transit Administration (FTA) issued a [Dear Colleague Letter](#) to promote equity in public transportation. The FTA is highlighting federal grant programs that can be used to provide paratransit service to eligible riders on a real-time basis and/or allow for intermediate stops. Examples of how FTA funds can support enhanced paratransit service include:

- Urbanized Area Formula Grants – 5307/Formula Grants for Rural Areas – 5311;
- Enhanced Mobility of Seniors & Individuals with Disabilities - Section 5310; and,
- Grants for Buses and Bus Facilities Formula Program - 5339(a).



Funding from the aforementioned programs can be used to support local decisions to provide real-time paratransit and/or allow for intermediate stops.

September 19, 2023. The Federal Transit Administration (FTA) issued [Safety Advisory 23-1](#) (overview [here](#)) to recommend that transit agencies that provide bus service consider mitigation strategies to reduce bus-to-person collisions. Transit agencies should identify specific hazards that may cause or contribute to bus-to-person collisions, assess the associated safety risk, and implement appropriate mitigations to reduce the likelihood and severity of those collisions. FTA will host a webinar Thursday, October 5, 2023 at 2 p.m. ET to review key elements from the safety advisory and share resources to assist transit agencies with safety risk assessments and strategies to minimize bus-to-persons collisions. [Register now](#). Other resources can be found [here](#).




September 19, 2023. The Congressional Research Service (CRS) issued an updated paper entitled, [“Environmental Reviews and the 118th Congress.”](#) NEPA requires that federal agencies consider potential impacts of their actions that may affect the human environment. If a major federal action could result in significant impacts, NEPA requires the preparation of an Environmental Impact Statement (EIS) that analyzes effects of the proposed action and alternatives to that action. The paper includes a useful table summarizing selected NEPA requirements.

September 11, 2023. The National Association of Counties (NACo) sent a [letter to Congressional leaders](#) concerning their FY 2024 appropriations priorities. One key priority stressed in the letter was to, “Maintain Critical Investments in Competitive Transportation Grant Program.” That is, “The IIJA authorized roughly \$100 billion in competitive grant funding directly accessible by counties to improve local transportation and infrastructure assets. These programs provide key opportunities for county governments, who do not receive direct funding for most local infrastructure, including 45 percent of public road miles and 38 percent of the nation’s bridges owned and operated solely by counties.”

August 23, 2023. The American Public Transportation Association (APTA) is urging, [via an advocacy campaign](#), “to honor the promise of the Bipartisan Infrastructure Law and fully fund public transit and passenger rail in the FY 2024 THUD Appropriations bill.” APTA supports funding of \$21.6 billion for public transit and \$20.2 billion for passenger rail in the FY 2024 THUD Appropriations bill. APTA is also urging Congress to provide \$4.6 billion for Capital Investment Grants (CIG) to help communities meet mobility demands.

### UPCOMING CONGRESSIONAL CALENDAR – OCTOBER

October						
Sun.	Mon.	Tues.	Wed.	Thurs.	Fri.	Sat.
1	2	3	4	5	6	7
8	9 Columbus Day	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

-  Both chambers in session
-  Senate only in session
-  House only in session

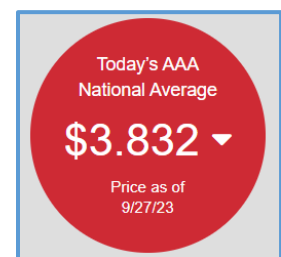


## UPCOMING DEADLINES/EVENTS

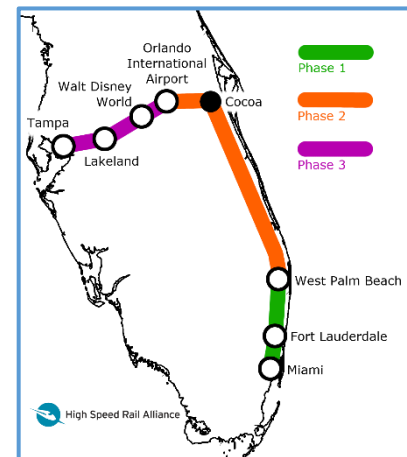
October 1-4	<a href="#">Railway Interchange Conference</a> (Indianapolis, IN);
October 5	<a href="#">FTA Webinar – Bus-to-Person Collisions</a> ;
October 9-11	<a href="#">APTA TRANSform Conference &amp; EXPO</a> (Orlando, FL);
October 10-12	<a href="#">AASHTO Committee on Data Management/Analytics Annual Mtg.</a> (Denver, CO);
October 10-13	<a href="#">AASHTO/SPRC Annual Meeting</a> (San Diego, CA);
October 15-18	<a href="#">AASHTO 2023 TransComm Meeting</a> (Portland, Maine);
October 17-19	<a href="#">AASHTO Safety Summit</a> (Kansas City, MO);
October 23-24	<a href="#">FHWA/FTA Transit Virtual Peer Exchange on Asset Management</a> ;
November 1-2	<a href="#">FHWA/FTA Highway Virtual Peer Exchange on Asset Management</a> ;
November 2	<a href="#">Women in Rail Conference</a> (Chicago, IL);
November 6-7	<a href="#">Passenger Rail Law Workshop</a> (Washington, D.C.);
November 7-8	<a href="#">AASHTO Council on Public Transportation Winter Meeting</a> (Nashville, TN);
November 12-16	<a href="#">AASHTO Annual Meeting</a> (Indianapolis, IN);
November 15-16	<a href="#">Light Rail 2023</a> (Jersey City, NJ);
November 28-29	<a href="#">Rail Share</a> (Kansas City, MO);
Jan. 30 – Feb 2	2024 Winter Rail Meeting (Washington, D.C.).

## SCUTTLEBUTT/ICYMI

September 27, 2023. The Automobile Association of America (AAA) national average gas price can be found [here](#) (price per gallon as of 9/27/23). One month ago, the average price for regular gas was \$3.818 and one year ago the average price was \$3.747.



September 22, 2023. [Brightline](#) Orlando Station in partnership with Orlando Health opened connecting South Florida (Miami) and Orlando with high-speed inter-city rail for the first time. The private passenger rail service has been operating in Florida since 2018 (Miami, Fort Lauderdale, and West Palm Beach), but the new route connects the state's two biggest tourist hubs and will see trains reach up to 125 mph (200 kph) on the 3.5-hour, 235-mile (378-kilometer) trip. Brightline's new Orlando station is located in the Orlando International Airport and will arguably offer the most direct connection from an intercity rail line to an airport terminal in the United States. Brightline's new route in Florida is a \$5 billion project backed by Fortress Investment Group. Phase 3 of the project (see nearby project map), Orlando International Airport to Tampa is still in the planning phase.



September 19, 2023. The [US DOT Volpe Center celebrated the official opening](#) of its new state-of-the-art facility with a ribbon cutting ceremony, attended by US DOT leadership, state and local leaders, as well as partners from the U.S. General Services Administration (GSA) and the Massachusetts Institute of Technology (MIT). The new facility will enable the U.S. DOT Volpe Center to continue its innovative work of addressing the nation's most complex transportation challenges, which center on U.S. DOT's priorities of safety, equity, climate and sustainability, transformation, and infrastructure modernization. The new facility will be home to more than 600 U.S. DOT Volpe Center staff, in addition to contractors, U.S. DOT Region 1 headquarters for FHWA, FMCSA, FRA, FTA, and NHTSA, as well as regional offices for the Federal Emergency Management Agency and U.S. Army North.

September 14, 2023. The American Road & Transportation Builders Association (ARTBA) [announced the election of its 2023-2024 officers](#) during the association's national convention, held in Dan Diego, California. 2023 ARTBA Chair Paula Hammond (WSP USA) passed the gavel to 2023-24 Chair Tim Duit (Duit Construction Co., Inc.).

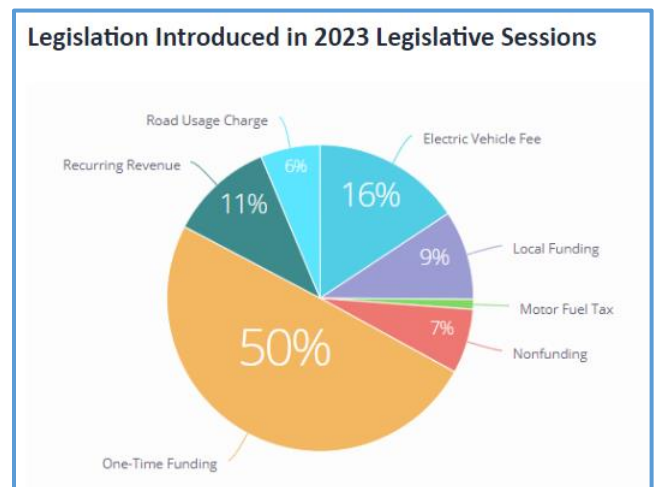
September 11, 2023. Canadian National Railway Company (CN), and Norfolk Southern Corporation (NS) [announced](#) a new domestic intermodal service. Launching on October 2, the service will provide customers with an integrated, market-competitive, and efficient all-rail service. The service will link CN-served Canadian markets with Norfolk Southern-served Kansas City and Atlanta. The two carriers will utilize new intermodal steel wheel interchanges in Detroit and Chicago to seamlessly operate like a single-line intermodal product. Click [here](#) for complete transit times.



September 8, 2023. The Federal Railroad Administrator (FRA) Amit Bose sent a [letter](#) to several executives at the Union Pacific Railroad Company “to express serious concern about specific and significant risk to rail safety on the Union Pacific Railroad. The compliance of the rolling stock (freight cars and locomotives) on the UP network is poor and UP was unwilling or unable to take steps to improve the condition of their equipment.” Administrator Bose said the 19.93 percent defect rate on railcars and the 72.69 percent rate for locomotives that inspectors found in July and August are both twice the national average. Administrator Bose requested that UP to address the system-wide mechanical safety issues.

September 7, 2023. [Operation Lifesaver \(OLI\) released](#) a new public service announcement (PSA) educating the public about risky decisions around railroad tracks and crossings. The Risk is Real PSA illustrates consequences of unsafe choices around railroad tracks and crossings. The PSA is available in 60, 30 and 20-second versions in English and Spanish on the [OLI website](#) as well as in the website’s [Materials section](#). Funding for the project was provided by the Federal Railroad Administration. Also, [OLI released](#) five new transit posters for nationwide use reminding transit riders to make safe choices when traveling on transit and commuter trains.

September 6, 2023. [ARTBA’s Transportation Investment Advocacy Center](#) reports that as of the end of September, lawmakers in 28 states approved 36 measures for \$23 billion combined in new transportation revenue. See Executive Summary and State-by-State initiatives [here](#).




August 31, 2023. The Los Angeles – San Diego – San Luis Obispo (LOSSAN) Rail Corridor Agency, which manages the Amtrak Pacific Surfliner service, [announced](#) Operation Safe Surfs, a Rail Safety Initiative. The initiative designed to enhance rail safety awareness and curtail pedestrian and automobile incidents along the railroad, is slated to launch in September to coincide with Rail Safety Month. The Pacific Surfliner travels along a 351-mile coastal route through San Diego, Orange, Los Angeles, Ventura, Santa Barbara, and San Luis Obispo counties, serving 29 stations. It is the busiest state-supported intercity passenger rail route in the United States.

August 30, 2023. Sixteen US transportation industry stakeholders sent a [letter](#) to US DOT Secretary Pete Buttigieg to urge the establishment of an Office of Multimodal Freight Infrastructure and Policy within the US DOT, per the requirement of the IJA. The letter notes that, “the Freight Office will serve as an important tool to help coordinate activities across the federal government and provide senior-level leadership to guide federal decision making in supply chain competitiveness, security, and fluidity.

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

 <b>SELECTED TRANSPORTATION NOTICE OF FUNDING OPPORTUNITIES (NOFOs) &amp;/OR AWARDS</b> (TG&A SCORECARD for CY 2023)										
DEPT//AGENCY	NOFO TITLE	TYPE	NOFO	NOFO \$s	APPLICATION	NOFO \$	AWARDS	AWARDS URL	AWARDED - DATE	COMMENTS
		(NOFO / AWARD)	ISSUANCE DATE	NOFO URL	MADE AVAILABLE	DEADLINE				
ARMY CORPS	Credit Assistance Under the Corps Water Infrastructure Financing Program	NOFO	9/20/2023	<a href="#">NOFO URL</a>	81,000,000	12/19/2023	TBD	TBD	TBD	
DOE										
	FY 2023 Ride and Diver Electric Program	NOFO	5/18/2023	<a href="#">NOFO URL</a>	51,000,000	7/28/2023	TBD	TBD	TBD	Concept papers due 6/16/23.
EPA	<a href="#">Water Infrastructure Finance and Innovation Act (WIFIA) Program</a>	NOFO	9/22/2023	<a href="#">NOFO URL</a>	6,500,000,000	Rolling Basis	TBD	TBD	TBD	<a href="#">WIFIA Resources</a>
	<a href="#">State Water Infrastructure Finance and Innovation Act (SWIFIA) Program</a>	NOFO	9/22/2023	<a href="#">NOFO URL</a>	1,000,000,000	Rolling Basis	TBD	TBD	TBD	<a href="#">WIFIA Resources</a>
	Innovative Water Infrastructure Workforce Development Program	NOFO	9/26/2023	<a href="#">NOFO URL</a>	20,800,000	11/17/2023	TBD	TBD	TBD	
FAA										
	FY 2023 Airport Terminal Program	NOFO/AWARD	9/27/2022	<a href="#">NOFO URL</a>	1,000,000,000	10/24/2022	1,000,000,000	<a href="#">AWARD URL</a>	2/27/2023	<a href="#">Award Press Release.</a>
	FAA Aircraft Pilots Workforce Development Grant Program - 2nd Round	NOFO/AWARD	4/26/2022	<a href="#">NOFO URL</a>	5,000,000	6/17/2022	5,000,000	<a href="#">AWARD URL</a>	3/2/2023	Deadline extended to 6/17/22.
	FAA Aviation Maint. Tech. Workers Workforce Development Grant Pgm. - 2nd Round	NOFO/AWARD	4/26/2022	<a href="#">NOFO URL</a>	5,000,000	6/17/2022	5,000,000	<a href="#">AWARD URL</a>	3/2/2023	Deadline extended to 6/17/22.
	Small Community Air Service Development Program (SCASDP)	NOFO	3/16/2023	<a href="#">NOFO URL</a>	15,000,000	5/17/2023	TBD	TBD	TBD	
	FY 2023 Contract Tower Competitive Grant Program	NOFO	11/8/2022	<a href="#">NOFO URL</a>	20,000,000	12/6/2022	20,000,000	<a href="#">AWARD URL</a>	3/31/2023	<a href="#">Airport Award List</a>
	FY 2023 Competitive Funding Opportunity: Airport Improvement Program	NOFO	4/14/2023	<a href="#">NOFO URL</a>	1,500,000,000	7/14/2023	TBD	TBD	TBD	
	Fueling Aviation's Sustainable Transition (FAST) Grant Program.	NOFO	5/24/2023	<a href="#">RE-NOFO URL</a>	291,000,000	TBD	TBD	TBD	TBD	Full NOFO to come at Grants.Gov
	FY 2022 Airport Improvement Program Competitive Supplemental Disc. Grants	NOFO/AWARD	12/28/2022	<a href="#">NOFO URL</a>	268,728,965	1/31/2023	267,741,520	<a href="#">AWARD URL</a>	7/11/2023	<a href="#">Airport Award List</a>
	FY 2023 FAA Aviation Maintenance Tech. Workers Workforce Development Gnt. Pgm.	NOFO	12/18/2023	<a href="#">NOFO URL</a>	9,000,000	8/16/2023	TBD	TBD	TBD	
	FY 2023 FAA Aircraft Pilots Workforce Development Grant Program	NOFO	12/18/2023	<a href="#">NOFO URL</a>	4,500,000	8/16/2023	TBD	TBD	TBD	
	FY 2024 Airport Terminal Program (ATP)	NOFO	9/13/2023	<a href="#">NOFO URL</a>	1,000,000,000	10/16/2023	TBD	TBD	TBD	
	<a href="#">Fueling Aviation's Sustainable Transition via Sustainable Aviation Fuels (FAST-SAF) and Low-Emission Aviation Technologies (FAST-Tech) Grant Program.</a>	NOFO	9/26/2023	<a href="#">NOFO URL</a>	291,000,000	11/27/2023	TBD	TBD	TBD	Funding splits: FAST-SAF (\$244.5 m.) and FAST-Tech (\$46.54).
FHWA										
	FY 2022 Bridge Investment Program (Large Bridge Grant Receipts)	NOFO/AWARD	6/10/2022	<a href="#">NOFO URL</a>	2,360,000,000	7/25 - 9/8/22	2,087,150,000	<a href="#">AWARD URL</a>	1/4/2023	<a href="#">Award Press Release.</a>
	FY 2022 Bridge Investment Program (Bridge Grant Receipts)	NOFO/AWARD	6/11/2022	<a href="#">NOFO URL</a>	2,360,000,000	7/25 - 9/8/23	295,748,713	<a href="#">AWARD URL</a>	4/13/2023	<a href="#">Award Recipients</a>
	FY 2023 Admn. of the Dwight David Eisenhower Transpo. Fellowship Pgm. (DDETFP)	NOFO	2/18/2023	<a href="#">NOFO URL</a>	1,000,000	3/28/2023	TBD	TBD	TBD	Institution of Higher Education (IHE) of Minority Serving Institutions
	FY 2022-2026 D. E. Eisenhower Transportation Fellowship Pgm. Graduate Fellowship	NOFO	2/22/2023	<a href="#">NOFO URL</a>	1,000,000	4/7/2023	TBD	TBD	TBD	\$1 million per year (Fys 2022-2026).
	Center of Excellence on New Mobility and Automated Vehicles (Mobility COE)	NOFO	4/5/2023	<a href="#">NOFO URL</a>	1,500,000	6/6/2023	TBD	TBD	TBD	Total potential funding of \$7.5 million.
	Fys 2022-2023 Wildlife Crossings Pilot Program (WCPP)	NOFO	4/5/2023	<a href="#">NOFO URL</a>	111,850,000	8/1/2023	TBD	TBD	TBD	
	FY 2022/'23 Promoting Resilient Ops./Transformative, Efficient/Cost-Saving Transpo.	NOFO	4/21/2023	<a href="#">NOFO URL</a>	848,000,000	8/18/2023	TBD	TBD	TBD	
	FY 2022/2023 Reduction of Truck emissions at Port Facilities Grant Program (RTEPF)	NOFO	4/28/2023	<a href="#">NOFO URL</a>	160,000,000	6/26/2023	TBD	TBD	TBD	
	FY 2022 National Scenic Byways Program	NOFO/AWARD	3/17/2022	<a href="#">NOFO URL</a>	22,000,000	5/16/2022	21,849,689	<a href="#">AWARD URL</a>	4/28/2023	Letter of intent due 4/4/2022.
	FY 2023 Innovative Asphalt Pavement Technologies Program	NOFO	5/3/2023	<a href="#">NOFO URL</a>	5,000,000	6/28/2023	TBD	TBD	TBD	
	Advancing Sustainability and Resilience in Pavements Program	NOFO	5/12/2023	<a href="#">NOFO URL</a>	7,500,000	6/26/2023	TBD	TBD	TBD	
	FY 2022 Advanced Transportation Tech. & Innovative Mobility Deployment Pgm.	NOFO	9/19/2022	<a href="#">NOFO URL</a>	60,000,000	10/12/2022	52,780,000	<a href="#">AWARD URL</a>	5/25/2023	AKA ATTAIN
	FY 2023 Work Zone Safety Grants	NOFO	6/1/2023	<a href="#">NOFO URL</a>	10,000,000	7/14/2023	TBD	TBD	TBD	
	FY 2022-2026 Advanced Digital Construction Management Systems (ADCMS)	NOFO	6/27/2023	<a href="#">NOFO URL</a>	115,000,000	8/28/2023	TBD	TBD	TBD	\$34 m. for each of FY '22/'23; \$17 m. for each of FY '24-'26.
	FY 2023 Nationally Significant Federal Lands and Tribal Projects Program	NOFO	7/7/2023	<a href="#">NOFO URL</a>	88,290,000	9/6/2023	TBD	TBD	TBD	
	FY 2022 Nationally Significant Federal Lands and Tribal Projects Program	NOFO/AWARD	8/18/2022	<a href="#">NOFO URL</a>	125,215,000	10/24/2022	130,548,129	<a href="#">AWARD URL</a>	7/6/2023	<a href="#">Award Press Release</a>
	FY 2022 National Culvert Removal, Replacement, and Restoration Grant Program	NOFO/AWARD	10/6/2022	<a href="#">NOFO URL</a>	196,000,000	2/6/2023	195,877,358	<a href="#">AWARD URL</a>	8/16/2023	<a href="#">Awards URL</a>
	FY 2021 Accelerated Innovation Deployment (AID) Demonstration Program	NOFO/AWARD	7/2/2021	<a href="#">NOFO URL</a>	10,000,000	9/28/2021	8,842,307	<a href="#">AWARD URL</a>	8/22/2023	
	Electric Vehicle Charger Reliability and Accessibility Accelerator Program	NOFO	9/14/2023	<a href="#">NOFO URL</a>	100,000,000	11/13/2023	TBD	TBD	TBD	
FRA										
	FY 2023 Northeast Corridor Commission (NECC) Project	NOFO	1/20/2023	<a href="#">NOFO URL</a>	6,000,091	2/2/2023	TBD	TBD	TBD	
	<a href="#">FY 2022 Corridor Identification and Development Grant Program (Updated NOFO)</a>	NOFO	1/14/2023	<a href="#">NOFO URL</a>	365,000,000	3/27/2023	TBD	TBD	TBD	<a href="#">FR Notice 12/20/2022</a>
	<a href="#">FY 2022 Federal-State Partnership for Intercity Passenger Rail Program (FSP) for projects NOT located on the Northeast Corridor (Updated NOFO)</a>	Updated NOFO	2/2/2023	<a href="#">NOFO URL</a>	4,566,300,000	4/21/2023	TBD	TBD	TBD	<a href="#">FR Notice 3 February 2023</a>
	FY2022 CRISI ME Northern Rail	NOFO	2/23/2023	<a href="#">NOFO URL</a>	12,960,000	3/10/2023	TBD	TBD	TBD	Congressionally Directed Funding to the State of Maine.
	FY 2023 Supplemental for Amtrak	NOFO	4/28/2023	<a href="#">NOFO URL</a>	878,172,428	5/5/2023	N/A	N/A	N/A	Amtrak is the only entity eligible to apply.
	FY 2023 Supplemental for Amtrak's Northeast Corridor	NOFO	4/28/2023	<a href="#">NOFO URL</a>	1,065,313,888	5/5/2023	N/A	N/A	N/A	Amtrak is the only entity eligible to apply.
	FY 2022/2023 Rail Research & Development Center of Excellence (CoE)	NOFO	5/1/2023	<a href="#">NOFO URL</a>	5,000,000	7/3/2023	N/A	N/A	N/A	<a href="#">NOFO Correction 5/23/23.</a>
	Fys 2022/2023 Competitive Grants for Rail Vehicle Replacement Program	NOFO/AWARD	10/12/2022	<a href="#">NOFO URL</a>	600,000,000	1/5/2023	703,093,337	<a href="#">AWARD URL</a>	5/5/2023	Note: \$300 m for each of Fys 2022/2023.
	Interstate Rail Compacts Grant Program	NOFO	5/8/2023	<a href="#">NOFO URL</a>	5,815,800	7/10/2023	TBD	TBD	TBD	<a href="#">FR Notice 9 May 2023.</a>
	FY 2023 Northeast Corridor IIA Supplemental Cooperative Agreement to Amtrak	NOFO	6/1/2023	<a href="#">NOFO URL</a>	1,189,000,000	6/15/2023	TBD	TBD	TBD	Amtrak is the only entity eligible to apply.
	FY 2023 Supplemental State-Amtrak Intercity Passenger Rail Committee	NOFO	6/1/2023	<a href="#">NOFO URL</a>	1,565,000	6/9/2023	TBD	TBD	TBD	NNEPRA is the only entity eligible to apply
	FY 2023 National Network IIA Supplemental Cooperative Agreement	NOFO	6/1/2023	<a href="#">NOFO URL</a>	3,143,000,000	6/15/2023	TBD	TBD	TBD	Amtrak is the only entity eligible to apply.
	FY 2022 Railroad Crossing Elimination Program	NOFO/AWARD	6/30/2022	<a href="#">NOFO URL</a>	573,264,000	10/11/2022	570,000,000	<a href="#">AWARD URL</a>	6/5/2023	<a href="#">FRA Press Release.</a>
	FY 2023 Rail Safety Innovations Deserving Exploratory Analysis (Rail Safety IDEA)	NOFO	6/28/2023	<a href="#">NOFO URL</a>	400,000	7/14/2023	TBD	TBD	TBD	The National Academy of Sciences is the only entity eligible to apply.
	FY 2017-2023 Special Transportation Circumstances Projects Program	NOFO	8/17/2023	<a href="#">NOFO URL</a>	139,022,333	9/29/2023	TBD	TBD	TBD	Exclusive Alaska, South Dakota &
	FY 2023 Highway-Rail Grade Crossing Safety Education and Enforcement Program	NOFO	8/21/2023	<a href="#">NOFO URL</a>	1,000,000	9/22/2023	TBD	TBD	TBD	Exclusive to Operation Lifesaver.
	FY 2023 Reconstruction of Substation 41	NOFO	8/29/2023	<a href="#">NOFO URL</a>	21,000,000	9/1/2023	TBD	TBD	TBD	Amtrak is the only entity eligible to
	FY 2022 Consolidated Rail Infrastructure and Safety Improvement Program (CRISI)	NOFO/AWARD	9/1/2022	<a href="#">NOFO URL</a>	1,427,462,902	12/1/2022	1,400,000,000	<a href="#">AWARD URL</a>	9/25/2023	<a href="#">FY '22 CRISI Project Summaries</a>
DEPT. OF LABOR										
	Building Pathways to Infrastructure Jobs Grant Program	NOFO	4/5/2023	<a href="#">NOFO URL</a>	80,000,000	7/7/2023	TBD	TBD	TBD	

 TAI GINSBERG & ASSOCIATES, LLC 9/26/2023		<b>SELECTED TRANSPORTATION NOTICE OF FUNDING OPPORTUNITIES (NOFOs) &amp;/OR AWARDS</b> <b>(TG&amp;A SCORECARD for CY 2023)</b>									
DEPT/AGENCY	NOFO TITLE	TYPE (NOFO / AWARD)	NOFO ISSUANCE DATE	NOFO URL	NOFO \$ MADE AVAILABLE	APPLICATION DEADLINE	NOFO \$ AWARDS	AWARDS URL	AWARDED - DATE	COMMENTS	
FTA	FY 2023 Areas of Persistent Poverty Program	NOFO/AWARD	1/6/2023	<a href="#">NOFO URL</a>	20,041,870	3/10/2023	20,041,613	<a href="#">AWARD URL</a>	7/20/2023	<a href="#">FTA Press Release</a>	
	<a href="#">FY 2023 Low or No Emission Grant Program</a>	NOFO/AWARD	1/26/2023	<a href="#">NOFO URL</a>	1,221,350,117	4/13/2023	1,700,000,000	<a href="#">AWARD URL</a>	6/26/2023	<a href="#">List of Awards</a>	
	<a href="#">FY 2023 Grants for Buses and Bus Facilities Program</a>	NOFO/AWARD	1/26/2023	<a href="#">NOFO URL</a>	469,445,424	4/13/2023	1,700,000,000	<a href="#">AWARD URL</a>	6/26/2023	<a href="#">List of Awards</a>	
	FY 2022 Ferry Grant Programs (3 Separate Programs Combined)	NOFO/AWARD	7/8/2022	<a href="#">NOFO URL</a>	294,500,000	9/6/2022	384,354,926	<a href="#">AWARD URL</a>	1/26/2023	<a href="#">List of Awards</a>	
	FY 2022 Safe Streets and Roads for All (SS4A) Grant Program	NOFO/AWARD	5/16/2022	<a href="#">NOFO URL</a>	1,000,000,000	9/15/2022	800,000,000	<a href="#">AWARD URL</a>	2/1/2023	473 Action Plan Awards and 37 Implementation Grant Awards	
	FY 2021 Mobility, Access, Transpo. Insecurity-Creating Links/Opportunity Demo.	NOFO/AWARD	8/8/2022	<a href="#">NOFO URL</a>	6,000,000	10/11/2022	6,000,000	<a href="#">AWARD URL</a>	2/8/2023.		
	FTA Emergency Relief Funding for CYs 2017, 2020, 2021, 2022	NOFO/AWARD	3/24/2023	<a href="#">NOFO URL</a>	212,301,048	5/26/2023	102,325,551	<a href="#">AWARD URL</a>	7/31/2023	<a href="#">FR Notice 27 March 2023.</a>	
	Community Mobility Design Challenge 2023	NOFO	3/26/2023	<a href="#">NOFO URL</a>	25,000 each to 4 teams	8/4/2023	TBD	TBD	TBD	<a href="#">Application Package</a>	
	<a href="#">FY 2023 Passenger Ferry Grant Program</a>	NOFO	5/17/2023	<a href="#">NOFO URL</a>	50,100,000	7/17/2023	TBD	TBD	TBD		
	<a href="#">FY 2023 Ferry Service for Rural Communities Program</a>	NOFO	5/17/2023	<a href="#">NOFO URL</a>	170,000,000	7/17/2023	TBD	TBD	TBD		
	<a href="#">Public Transportation Innovation Program</a>	NOFO/AWARD	9/21/2022	<a href="#">NOFO URL</a>	6,500,000	11/21/2022	11,637,691	<a href="#">AWARD URL</a>	6/8/2023	<a href="#">List of Awards</a>	
<a href="#">FY 2023 Pilot Program for Transit-Oriented Development Planning (TOD Pilot Program)</a>	NOFO	8/7/2023	<a href="#">NOFO URL</a>	13,460,978	10/10/2023	TBD	TBD	TBD			
MARAD	2023 Port Infrastructure Development Program (PIDP)	NOFO	12/31/2022	<a href="#">NOFO URL</a>	662,203,512	4/28/2023	TBD	TBD	TBD	Full NOFO Published on 2/8/23.	
	FY 2023 Small Shipyard Grants Program	NOFO/AWARD	1/17/2023	<a href="#">NOFO URL</a>	20,800,000	2/27/2023	20,800,000	<a href="#">AWARD URL</a>	5/3/2023	<a href="#">Maritime NOFO</a>	
	FY 2023 US Marine Highway Program	NOFO/AWARD	2/28/2023	<a href="#">NOFO URL</a>	12,423,000	4/28/2023	11,999,191	<a href="#">AWARD URL</a>	9/21/2023		
NHTSA / FMCSA	FY 2023 High Priority Program – Innovative Technology Deployment	NOFO	2/1/2023	<a href="#">NOFO URL</a>	2,000,000	4/3/2023	TBD	TBD	TBD		
	FY 2023 Commercial Motor Vehicle Operator Safety Training Program	NOFO	2/1/2023	<a href="#">NOFO URL</a>	3,200,000	4/3/2023	TBD	TBD	TBD		
	FY 2023 Commercial Driver's License Program Implementation	NOFO	2/1/2023	<a href="#">NOFO URL</a>	70,400,000	4/3/2023	TBD	TBD	TBD		
	FY 2023 High Priority Program – Commercial Motor Vehicle	NOFO	2/1/2023	<a href="#">NOFO URL</a>	43,300,000	4/3/2023	TBD	TBD	TBD		
	Collegiate Impaired Driving Learning Collaborative (CIDLC) Program	NOFO	2/15/2023	<a href="#">NOFO URL</a>	750,000	5/15/2023	TBD	TBD	TBD		
	Native American Pedestrian Safety Demonstration	NOFO	6/16/2023	<a href="#">NOFO URL</a>	507,000	7/14/2023	TBD	TBD	TBD	\$507,000 is available to fund up to one (1) discretionary Cooperative Agreement.	
	Fiscal Year 2024 Commercial Vehicle Safety Plans to Support National Safety Goals	NOFO	6/22/2023	<a href="#">NOFO URL</a>	4,792,025,000	8/21/2023	TBD	TBD	TBD		
	OPERATION LIFESAVER	Public Safety Awareness Campaigns in 12 States	AWARD	N/A	N/A	N/A	N/A	230,925	<a href="#">AWARD URL</a>	3/30/2023	
Innovative Rail Safety Competitive Grant for Xing Safety in New York		AWARD	N/A	N/A	N/A	N/A	50,000	<a href="#">AWARD URL</a>	4/6/2023		
Crossing Safety Public Awareness Campaigns in 12 States		AWARD	N/A	N/A	N/A	N/A	214,075	<a href="#">AWARD URL</a>	4/25/2023		
DHS / FEMA	FY 2022 Assistance to Firefighters Grants	NOFO	1/9/2023	<a href="#">NOFO URL</a>	324,000,000	2/10/2023	TBD	TBD	TBD	<a href="#">AFG Grants.Gov Reference</a>	
	FY 2022 Assistance to Firefighters Grants (SAFER) Program	NOFO	2/6/2023	<a href="#">NOFO URL</a>	360,000,000	3/17/2023	TBD	TBD	TBD		
	FY 2022 AFG Program, Fire Prevention and Safety Grants Program (FP&S)	NOFO	2/22/2023	<a href="#">NOFO URL</a>	36,000,000	3/31/2023	TBD	TBD	TBD		
	FY 2023 Port Security Grant Program (PSGP)	NOFO	2/27/2023	<a href="#">NOFO URL</a>	100,000,000	5/18/2023	TBD	TBD	TBD		
	FY 2023 Intercity Passenger Rail Program (IPR)	NOFO	2/27/2023	<a href="#">NOFO URL</a>	10,000,000	5/18/2023	TBD	TBD	TBD		
	FY 2023 Intercity Bus Security Grant Program (IBSGP)	NOFO	2/27/2023	<a href="#">NOFO URL</a>	2,000,000	5/18/2023	TBD	TBD	TBD		
	FY 2023 Transit Security Grant Program (TSGP)	NOFO	2/27/2023	<a href="#">NOFO URL</a>	93,000,000	5/18/2023	TBD	TBD	TBD		
	FY 2023 State Fire Training Systems Grant (SFTSG) program	NOFO	6/9/2023	<a href="#">NOFO URL</a>	1,000,000	7/10/2023	TBD	TBD	TBD	Awards of \$20K to 50 projects.	
US DOT	FY 2023 National Infrastructure Investments (Local/Reg. Proj. Asst.) - RAISE Grants	NOFO/AWARD	12/1/2022	<a href="#">NOFO URL</a>	2,275,000,000	2/28/2023	2,200,000,000	<a href="#">Award URL</a>	6/28/2023	NOFO updated 1/6/23 to reflect added FY '23 Omnibus funding of \$800 million.	
	University Partnership Program	NOFO	1/20/2023	<a href="#">NOFO URL</a>	590,000	3/13/2023	TBD	TBD	TBD		
	FY 2022 National Infrastructure Project Assistance (Mega Projects)	NOFO/AWARD	3/25/2022	<a href="#">NOFO URL</a>	1,000,000,000	5/23/2022	1,172,171,053	<a href="#">AWARD URL</a>	1/31/2023		
	Reconnecting Communities Pilot (RCP) Discretionary Grant Program	NOFO/AWARD	6/30/2022	<a href="#">NOFO URL</a>	195,000,000	10/13/2022	185,000,000	<a href="#">AWARD URL</a>	2/28/2023	<a href="#">Award Press Release.</a>	
	Thriving Communities Technical Assistance (Dept. of Housing/Urban Development)	NOFO	3/1/2023	<a href="#">NOFO URL</a>	5,000,000	3/2/2023	TBD	TBD	TBD		
	FY 2022/FY 2023 Charging and Fueling Infrastructure (CFI) Discretionary Grant Pgm.	NOFO	3/14/2023	<a href="#">NOFO URL</a>	700,000,000	6/13/2023	TBD	TBD	TBD		
	<a href="#">FY 2022 Strengthening Mobility &amp; Revolutionizing Transportation Grants Pgm.</a>	NOFO/AWARD	9/19/2022	<a href="#">NOFO URL</a>	100,000,000	12/18/2022	94,783,781	<a href="#">AWARD URL</a>	3/21/2023		
	FY 2023 Safe Streets and Roads for All Funding Opportunity (SS4A)	NOFO	3/31/2023	<a href="#">NOFO URL</a>	1,177,213,000	7/10/2023	TBD	TBD	TBD		
	FY 2022 Thriving Communities Program	NOFO/AWARD	10/6/2022	<a href="#">NOFO URL</a>	25,000,000	11/29/2022	21,150,000	<a href="#">AWARD URL</a>	4/7/2023	<a href="#">LOI Announcement</a>	
	FY 2022/2023 Regional Infrastructure Accelerator (RIA) Grant Program	NOFO	4/26/2023	<a href="#">NOFO URL</a>	24,000,000	5/30/2023	TBD	TBD	TBD		
	RRIF Express Program	NOFO	5/31/2023	<a href="#">NOFO URL</a>	35,000,000,000	12/1/2023	TBD	TBD	TBD		
	FY 2022/2023 Rural and Tribal Assistance Pilot Program	NOFO	6/14/2023	<a href="#">NOFO URL</a>	3,400,000	<a href="#">See Comments and here for NOFO Correction</a>	TBD	TBD	TBD	Reviewed on a rolling (first-come, first-served) basis until available funding is expended. The application window will open on 8/14/2023.	
	MPDG - National Infrastructure Project Assistance grants Program (Mega)	Combined NOFO	6/27/2023	<a href="#">NOFO URL</a>	1,800,000,000	8/21/2023	TBD	TBD	TBD		
	MPDG - Nationally Significant Multimodal Freight/Highways Projects Program (INFRA)	Combined NOFO	6/27/2023	<a href="#">NOFO URL</a>	3,100,000,000	8/21/2023	TBD	TBD	TBD		
	MPDG - Rural Surface Transportation Grant Program (Rural)	Combined NOFO	6/27/2023	<a href="#">NOFO URL</a>	675,000,000	8/21/2023	TBD	TBD	TBD		
	FY 2023 Reconnecting Communities Pilot (RCP) Program	Combined NOFO	7/5/2023	<a href="#">NOFO URL</a>	198,000,000	9/28/2023	TBD	TBD	TBD		
	FY 2023 Neighborhood Access and Equity (NAE) Program	Combined NOFO	7/5/2023	<a href="#">NOFO URL</a>	3,155,000,000	9/28/2023	TBD	TBD	TBD		
FY 2023 Strengthening Mobility & Revolutionizing Transportation (SMART) Gnts. Pgm.	NOFO	8/8/2023	<a href="#">NOFO URL</a>	50,000,000	10/10/2023	TBD	TBD	TBD	\$50 m. for Stage 1 and \$50 m. for Stage 2.		
<a href="#">FY 2023 Thriving Communities Program</a>	NOFO	8/16/2023	<a href="#">NOFO URL</a>	22,000,000	12/15/2023	TBD	TBD	TBD	<a href="#">Call for LOIs - Deadline 11/15/2023</a>		
<a href="#">FY 2022/2023 Innovative Finance and Asset Concessions Grant Program</a>	NOFO	8/16/2023	<a href="#">NOFO URL</a>	38,860,000	11/17/2023	TBD	TBD	TBD	<b>Forecasted Opportunity</b>		
Bridge Research and Technology (UTC)	NOFO	9/7/2023	<a href="#">NOFO URL</a>	5,000,000	10/13/2023	TBD	TBD	TBD	Must be US DOT-funded Univ. Transp. Cntr		

# SAN JOAQUIN REGIONAL RAIL COMMISSION

Meeting of October 6, 2023

## STAFF REPORT

### Item 3.7

### INFORMATION

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#### Update on Silicon Valley and Tri-Valley Outreach Contracts Activities

##### Background:

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

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

#### **August – September 2023**

##### Silicon Valley Outreach Summary for Winter Consulting:

- Shuttles
  - Shuttles strategy meeting with VTA 8/22
- Stakeholder Engagement
  - Meet with Dan Leavitt and Laura Tolkoff from SPUR to discuss ACE initiatives 8/25
  - Meet with Mayor Matt Mahan's staff, Alejandra Leynez Chantres, to connect on ACE's mayor's trip 8/25
- Marketing (General)
  - Livermore and student marketing strategy meeting with Marques Cook 8/24
  - Marketing and engagement check-in with Marques Cook and Rene Gutierrez 9/6
  - Finalize ACE Marketing scope and timeline for FY24 8/16
- Levi's/49ers Initiative
  - Connect on Levi's/49ers Strategy with Marques Cook, Rene Gutierrez, and Jeffrey Scott Agency (JSA) 9/8
  - Send Ed Sheeran marketing materials to the following: Silicon Valley Leadership Group, Fremont Chamber, City of Santa Clara, Silicon Valley Central Chamber, Santa Clara Councilmember Sudhanshu Jain, San Joaquin Community Foundation
- Student Initiative
  - Meet with Santa Clara University and Carmen Setness to discuss marketing and collaboration opportunities 9/13

- Meet with Carmen Setness about student ambassador strategy 9/8
- Meet with Tiffany from San Jose State University Department of Transportation to discuss ACE/SJSU collaboration 8/16
- Create social media post ideas and edit the student ambassador outline
- Livermore Initiative
  - Research top restaurants, hotels, and attractions in Livermore and develop a marketing strategy for outreach
  - Meet with Ann Luke from the Livermore Wine Trolley and Marques Cook to discuss collaboration opportunities 9/13

Tri-Valley Outreach Summary for California Gold Advocacy Group:

- Chamber of Commerce
- Innovation Tri-Valley
- Hacienda Bus Park
- Special Event Train
- Tri-Valley Job Fair Prep organization

Upcoming Outreach Events:

- Sacramento – Downtown Mobility Project Ribbon Cutting October 4, 2023
- Pleasanton – 3<sup>rd</sup> Annual Job Fair & Career Expo on October 5, 2023
- Ripon – Main Street Day on October 21, 2023
- Pleasanton – Tradeshow Mixer on November 8, 2023

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 6, 2023

## STAFF REPORT

### Item 3.8

### ACTION

**Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Rescinding SJRRC Resolution 22/23-55 and Authorizing the Executive Director to Submit and Execute Any and All Grant Applications, Agreements, Certifications and Assurances and Any Other Documents Necessary to Claim \$622,987 from the Low Carbon Transit Operations Program (LCTOP) for the ACE COVID-19 Operational Support Program**

#### Background:

The Low Carbon Transit Operations Program (LCTOP) is one of several programs that are part of the Transit, Affordable Housing, and Sustainable Communities Program established by the California Legislature in 2014 with Senate Bill 862 (SB 862). SB 862 established LCTOP as a noncompetitive, formulaic program, with 5% of annual auction proceeds being continually appropriated at the beginning of each calendar year.

LCTOP was created to provide operating and capital assistance to transit agencies with the goal of reducing greenhouse gas (GHG) emissions and improving mobility, with an emphasis on serving Disadvantaged Communities (DAC). Monies from the program shall be expended to provide transit operating or capital assistance that include:

- Expenditures that directly enhance or expand transit service by supporting new or expanded bus or rail services, new or expanded water-borne transit, or expanded intermodal transit facilities, and may include equipment acquisition, fueling, and maintenance, and other costs to operate those services or facilities.
- Operational expenditures that increase transit mode share.
- Expenditures related to the purchase of zero-emission buses, including electric buses, and the installation of the necessary equipment and infrastructure to operate and support these zero-emission buses.

Transit ridership declines have been lingering post-pandemic, and ACE ridership is approaching 50% of pre-pandemic levels. Ridership is expected to continue increasing at a steady pace, but the ACE Operational Support Program will need to utilize LCTOP funding to maintain the current operational frequency of four (4) weekday round trips.

At the June 2, 2023, Board meeting, the Board approved a resolution authorizing the Executive Director to submit and execute any and all documents to claim \$243,052 in LCTOP Funding. In July 2023, Caltrans notified staff that there is additional funding available to claim. Staff is recommending that the Board rescind the previously approved resolution and approve a new resolution for the full amount available to the Rail Commission, \$622,987.

#### Fiscal Impact:

Allocated LCTOP funding is included in the FY 2023-2024 SJRRC/ACE Operating Budget.

Recommendation:

Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Rescinding SJRRC Resolution 22/23-55 and Authorizing the Executive Director to Submit and Execute Any and All Grant Applications, Agreements, Certifications and Assurances and Any Other Documents Necessary to Claim \$622,987 from the Low Carbon Transit Operations Program (LCTOP) for the ACE COVID-19 Operational Support Program.



## **SJRRC RESOLUTION 23/24-**

### **RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE SAN JOAQUIN REGIONAL RAIL COMMISSION RESCINDING SJRRC RESOLUTION 22/23-55 AND AUTHORIZING THE EXECUTIVE DIRECTOR TO SUBMIT AND EXECUTE ANY AND ALL GRANT APPLICATIONS, AGREEMENTS, CERTIFICATIONS AND ASSURANCES AND ANY OTHER DOCUMENTS NECESSARY TO CLAIM \$622,987 FROM THE LOW CARBON TRANSIT OPERATIONS PROGRAM (LCTOP) FOR ACE COVID-19 OPERATIONAL SUPPORT PROGRAM**

WHEREAS, the San Joaquin Regional Rail Commission (Rail Commission) is an eligible project sponsor and may receive state funding from the Low Carbon Transit Operations Program (LCTOP) for transit projects; and

WHEREAS, the statutes related to state-funded transit projects require a local or regional implementing agency to abide by various regulations; and

WHEREAS, Senate Bill 862 (2014) named the Department of Transportation (Department) as the administrative agency for the LCTOP; and

WHEREAS, the Department has developed guidelines for the purpose of administering and distributing LCTOP funds to eligible project sponsors (local agencies); and

WHEREAS, the Rail Commission wishes to delegate authorization to execute these documents and any amendments thereto to the Executive Director; and

WHEREAS, the Rail Commission seeks to reduce greenhouse gas (GHG) emissions in Disadvantaged Communities (DAC) throughout the ACE Corridor and surrounding stations, including the Robert J. Cabral Station in Stockton and the Lathrop/Manteca ACE Station; and

WHEREAS, the Rail Commission is committed to enhancing regional mobility and transit affordability for low-income populaces; and

WHEREAS, the Rail Commission Board approved a Resolution (SJRRC Resolution 22/23-55) at the June 2023 Board meeting authorizing the Executive Director to submit and execute any and all grant applications, agreements, certifications and assurances and any other documents necessary to claim \$243,052 from the LCTOP for ACE COVID-19 Operational Support Program; and

WHEREAS, in discussion with Caltrans there is more funding available to claim than requested; and

WHEREAS, staff is recommending that the Board rescind SJRRC Resolution 22/23-55 and approve a new Resolution authorizing the Executive Director to submit and execute any and all grant applications, agreements, certifications and assurances and any other documents necessary to claim \$622,987 from the LCTOP for ACE COVID-19 Operational Support Program; and

WHEREAS, the Rail Commission proposes to expend funds on operational expenses related to ACE COVID-19 Operational Support Program; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the San Joaquin Regional Rail Commission Rescinds SJRRC Resolution 22/23-55 and Authorizes the Executive Director to Submit and Execute Any and All Grant Applications, Agreements, Certifications and Assurances and Any Other Documents Necessary to Claim \$622,987 from the Low Carbon Transit Operations Program (LCTOP) for ACE COVID-19 Operational Support Program.

PASSED AND ADOPTED, by the Board of Commissioners this 6<sup>th</sup> day of October 2023, by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

ATTEST:

SAN JOAQUIN REGIONAL  
RAIL COMMISSION

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STACEY MORTENSEN, Secretary

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LEO ZUBER, Chair

# SAN JOAQUIN REGIONAL RAIL COMMISSION

Meeting of October 6, 2023

## STAFF REPORT

### Item 3.9

### ACTION

**Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Approving an Agreement with Odyssey Landscaping Co., Inc. for Landscaping and Groundskeeping Services for an Amount Not-To-Exceed \$214,029 and Authorizing the Executive Director to Negotiate, Award, and Execute Any and All Agreements and Documents Related to the Project including Approving Any and All Amendments thereto within Her Spending Authority**

#### Background:

Landscaping plays a crucial role in creating a welcoming and aesthetically pleasing environment for the San Joaquin Regional Rail Commission (Rail Commission) facilities, which has a direct impact on the Rail Commission's brand image and the satisfaction of our passengers.

The Rail Commission sought a qualified landscaping contractor to provide groundskeeping services to the following sites:

- Site #1 – Stockton Rail Maintenance Facility (Stockton RMF), 1020 E. Alpine Avenue, Stockton, CA 95204
- Site #2 – Stockton Robert J. Cabral Station (Cabral Station), 949 E. Channel Street, Stockton, CA 95202
- Site #3 – Lathrop/Manteca ACE Station, 17800 Shideler Parkway, Lathrop, CA 95330
- Site #4 – Tracy ACE Station, 4800 S. Tracy Boulevard, Tracy, CA 95377
- Site #5 – Vasco Road Station, 575 South Vasco Road, Livermore, CA 94550

The scope of work includes but is not limited to irrigation, pruning, shaping, and training of trees, shrubs, turf, and groundcover plants; fertilization; litter control; weed control; control of all plant diseases and pests; mowing; edging; renovation and aeration; sweeping; signs, riparian trails, and all other maintenance required to maintain the sites in a safe, attractive and useable condition and to maintain the plant material in good condition with horticulturally acceptable growth and color. Contractors may perform other duties as required and any additional services will be pre-approved in writing.

The contractor is required to ensure that all plants, shrubs, planters, and trees are in a healthy and growing condition throughout the term of their contract with the Rail Commission. The contractor is required to provide all equipment, labor, and materials necessary for performing landscape maintenance and irrigation services according to the scope of work. The contractor is required to provide all equipment, complete transportation, and labor required to remove transport, and dispose of landscaping foliage and trimmings. This ongoing effort contributes to a positive first impression for visitors and employees.

Procurement Approach:

An initial Request for Proposals (RFP) was released for Landscaping and Groundskeeping Services via vendor portal Planet Bids in April 2023. Nineteen (19) firms showed interest by either viewing or downloading the RFP documents. One (1) proposal was received on the due date.

Staff reached out to those firms that expressed interest to see why they did not submit a proposal. Staff received three responses stating that they were a Plan Room, they had project overload, and they do not offer those services.

The proposal received was reviewed for completeness and responsiveness by the Procurement and Contracts Department and deemed responsive in meeting the RFP requirements. The responsive proposal was evaluated by a panel consisting of the Rail Commission's Staff.

Following the evaluation, which included price as a factor, the price proposal was determined to be well over the independent costs estimate. The Project Manager determined that the price was too high and with concurrence from the Procurement & Contracts Department determined that it was in the best interest not to award the project, re-evaluate the scope of work, and release a new solicitation.

On June 15, 2023, a new RFP was released via vendor portal Planet Bids. In addition to Planet Bids, a Notice Inviting Proposals was also shared with surrounding Chambers of Commerce and certified Disadvantage Business Enterprise (DBE) firms, which directed interested proposers to Planet Bids. Thirteen (13) firms showed interest by either viewing or downloading the RFP documents.

On the due date of August 3, 2023, one (1) proposal was received from the following firm:

- Odyssey Landscaping Co Inc.

The proposal received was reviewed for completeness and responsiveness by the Procurement and Contracts Department and deemed responsive in meeting the RFP requirements. The responsive proposal was evaluated by a panel consisting of the Rail Commission's Staff.

Due to receiving only one responsive proposal, staff reached out to those vendors that expressed interest to see why they did not submit a proposal. Staff received one response and the reason was that the tree units in the scope of work were beyond their capabilities as a firm.

After reviewing the response, and based on previous work history with Odyssey Landscaping, staff deemed that there is not enough adequate competition available to justify resoliciting these services for the third time. The Rail Commission agreed to the exact scope and price presented by Odyssey Landscaping Co Inc., with the pricing provided coming under the Project Manager's independent costs estimate. Therefore, it is in the Rail Commission's best interest to move forward with recommending the single proposal received.

The agreement will be effective upon execution by both parties and have a base term of three (3) years. Once the base term is concluded, the Rail Commission will be able to utilize two (2)

one-year option periods at their sole discretion. The option years, if utilized, will be negotiated in advance.

The base contract amount is \$214,029, and is broken down as follows:

<b>Description</b>	<b>Amount</b>
Year One (1) – Upon Execution of Agreement – June 30, 2024	\$56,529
Year Two (2) – July 1, 2024 – June 30, 2025	\$77,604
Year Three (3) – July 1, 2025 – June 30, 2026	\$79,896
<b>Total for all Three (3) Years</b>	<b>\$214,029</b>

The Notice of Intent to Award was published on September 20, 2023. Pursuant to the approved and adopted protest procedure, the proposal protest period closes on October 5, 2023, at 2:00 P.M. PDT. As of the date of the staff report, no Proposal Protests have been received. Staff will update the Rail Commission at the October 6<sup>th</sup> Board meeting as to the latest status of any Proposal Protests received.

Fiscal Impact:

Expenses and Revenues for the contract are identified in the Fiscal Year 2023/2024 Operating Budget under the SJRRC/ACE Contracted Services – Maintenance of San Joaquin County Facilities, Maintenance & Improvements System Wide ACE Stations, and Rail Maintenance Facility Lines.

Recommendation:

Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Approving an Agreement with Odyssey Landscaping Co., Inc. for Landscaping and Groundskeeping Services for an Amount Not-To-Exceed \$214,029 and Authorizing the Executive Director to Negotiate, Award, and Execute Any and All Agreements and Documents Related to the Project including Approving Any and All Amendments thereto within Her Spending Authority.

**SJRRC RESOLUTION 23/24-**

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE SAN JOAQUIN REGIONAL RAIL COMMISSION APPROVING AN AGREEMENT WITH ODYSSEY LANDSCAPING CO., INC. FOR LANDSCAPING AND GROUNDSKEEPING SERVICES FOR AN AMOUNT NOT-TO-EXCEED \$214,029 AND AUTHORIZING THE EXECUTIVE DIRECTOR TO NEGOTIATE, AWARD, AND EXECUTE ANY AND ALL AGREEMENTS AND DOCUMENTS RELATED TO THE PROJECT INCLUDING APPROVING ANY AND ALL AMENDMENTS THERETO WITHIN HER SPENDING AUTHORITY**

WHEREAS, landscaping plays a crucial role in creating a welcoming and aesthetically pleasing environment for the San Joaquin Regional Rail Commission (Rail Commission) facilities, which has a direct impact on the Rail Commission's brand image and the satisfaction of our passengers; and

WHEREAS, the scope of work includes but is not limited to irrigation, pruning, shaping, and training of trees, shrubs, turf, and groundcover plants; fertilization; litter control; weed control; control of all plant diseases and pests; mowing; edging; renovation and aeration; sweeping; signs, riparian trails, and all other maintenance required to maintain the sites in a safe, attractive and useable condition and to maintain the plant material in good condition with horticulturally acceptable growth and color; and

WHEREAS, following procurement procedures, staff deemed Odyssey Landscaping Co. as the most responsive and responsible proposer to the Request for Proposals (RFP) released on June 15, 2023; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the San Joaquin Regional Rail Commission hereby Approves an Agreement with Odyssey Landscaping Co., Inc. for Landscaping and Groundskeeping Services for an Amount Not-To-Exceed \$214,029 and Authorizing the Executive Director to Negotiate, Award, and Execute Any and All Agreements and Documents Related to the Project including Approving Any and All Amendments thereto within Her Spending Authority.

PASSED AND ADOPTED, by the SJRRC on this 6<sup>th</sup> day of October 2023, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

SAN JOAQUIN REGIONAL  
RAIL COMMISSION

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STACEY MORTENSEN, Secretary

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LEO ZUBER, Chair

**SAN JOAQUIN REGIONAL RAIL COMMISSION**

Meeting of October 6, 2023

STAFF REPORT

**Item 3.10**

**ACTION**

**Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Approving Agreements for Ongoing Operating Services for the Altamont Corridor Express (ACE) Service for Fiscal Year 2023/2024 and Authorizing the Executive Director to Execute Any and All Documents Related to the Project including Approving any and all Amendments thereto within Her Spending Authority Related to the Projects with the Following Agencies:**

**a. Wabtec – PTC**

**\$353,700**

Background

Positive Train Control (PTC) was mandated by Congress in the Rail Safety Improvement Act (RSIA) of 2008 for all railroads that carry passengers or hazardous materials with a mandated implementation date of December 31, 2018. PTC is a set of highly advanced technologies designed to automatically stop a train before certain types of accidents occur. PTC is designed to prevent train-to-train collisions, derailments caused by excessive speed, unauthorized incursions by trains onto sections of track where maintenance activities are taking place, and movement of a train through a track switch left in the wrong position.

To support the Altamont Corridor Express (ACE) PTC operation on Union Pacific Railroad (UPRR) and Caltrain territory, the trains require certain hardware and software. This Statement of Work (SOW) is for the provision of hardware and software and similar services related to Interoperable Electronic Train Management System (collectively, "I-ETMS®") and Locomotive Date Recording System-Video (LDRS-V) Recorder Support Services.

SJRRC previously assigned Herzog Transit Services (HTSI) all projects and procurement related to PTC; however, it is in the best interest of SJRRC to oversee these projects and any other PTC projects in relation to the ACE Service.

This is a non-competitive procurement due to Wabtec Railway Electronics being the sole provider of PTC services. A more detailed sole source justification is on file with the Procurement & Contracts Department.

The contract is to be awarded for a total not-to-exceed of \$1,768,500.00 over five (5) years. The breakdown below is by fiscal year.

Fiscal Year (June -July)	Annual Amount
FY23/24:	\$353,700
FY24/25:	\$353,700
FY25/26:	\$353,700
FY26/27:	\$353,700
FY27/28:	\$353,700

Total:	\$1,768,500
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Fiscal Impact:

Expenses and Revenues for this year, of the listed contracts, are identified in the Fiscal Year 2023/2024 SJRRC/ACE Operating Budgets. Contracts with future years' will be included in the SJRRC/ACE Operating Budget, which will be brought before the Board for consideration as part of the annual approval process.

Recommendation:

Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Approving Agreements for Ongoing Operating Services for the Altamont Corridor Express (ACE) Service for Fiscal Year 2023/2024 and Authorizing the Executive Director to Execute Any and All Documents Related to the Project including Approving any and all Amendments thereto within Her Spending Authority Related to the Projects with the Following Agencies:

- a. Wabtec – PTC \$353,700



**SJRRRC RESOLUTION 23/24 -**

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE SAN JOAQUIN REGIONAL RAIL COMMISSION APPROVING AGREEMENTS FOR ONGOING OPERATING SERVICES FOR THE ALTAMONT CORRIDOR EXPRESS (ACE) SERVICE FOR FISCAL YEAR 2023/2024 AND AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE ANY AND ALL DOCUMENTS RELATED TO THE PROJECT INCLUDING APPROVING ANY AND ALL AMENDMENTS THERETO WITHIN HER SPENDING AUTHORITY RELATED TO THE PROJECTS WITH THE FOLLOWING AGENCIES:**

**A. WABTEC – PTC                      \$353,700**

WHEREAS, Positive Train Control (PTC) was mandated by Congress in the Rail Safety Improvement Act (RSIA) of 2008 for all railroads that carry passengers or hazardous materials with a mandated implementation date of December 31, 2018; and

WHEREAS, to support the Altamont Corridor Express (ACE) PTC operation on Union Pacific Railroad (UPRR) and Caltrain territory, the trains require certain hardware and software; AND

WHEREAS, this Statement of Work (SOW) is for the provision of hardware and software and similar services related to Interoperable Electronic Train Management System (collectively, “I-ETMS®”) and Locomotive Data Recording System-Video (LDRS-V) Recorder Support Services; and

WHEREAS, the Rail Commission previously assigned Herzog Transit Services (HTSI) all projects and procurement related to PTC; however, it is in the best interest of SJRRRC to oversee these projects and any other PTC projects in relation to the ACE Service; and

WHEREAS, this is a non-competitive procurement due to Wabtec Railway Electronics being the sole provider of PTC services; and

WHEREAS, a more detailed sole source justification is on file with the Procurement & Contracts Department; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the San Joaquin Regional Rail Commission Approves Agreements for Ongoing Operating Services for the Altamont Corridor Express (ACE) Service for Fiscal Year 2023/2024 and Authorizing the Executive Director to Execute Any and All Documents Related to the Project including Approving any and all Amendments thereto within Her Spending Authority Related to the Projects with the Following Agencies:

a. Wabtec – PTC

\$353,700

PASSED AND ADOPTED, by the Board of Commissioners this 6<sup>th</sup> day of October 2023, by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

ATTEST:

SAN JOAQUIN REGIONAL  
RAIL COMMISSION

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STACEY MORTENSEN, Secretary

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LEO ZUBER, Chair

# SAN JOAQUIN REGIONAL RAIL COMMISSION

Meeting of October 6, 2023

## STAFF REPORT

### Item 4

### ACTION

**Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Approving Agreements for Ongoing Shuttle Services for the Altamont Corridor Express (ACE) Service for Fiscal Year 2023/2024 and Authorizing the Executive Director to Execute Any and All Documents Related to the Project including Approving any and all Amendments thereto within Her Spending Authority Related to the Projects with the Following Agencies:**

**a. Santa Clara Valley Transportation Authority**

**\$1,565,000**

#### Background

Shuttle services for the Altamont Corridor Express (ACE) began with the start of train service in October 1998. The ACE shuttles provide an essential transit link by directly connecting passengers to employers, business parks, and other transit modes such as the Santa Clara Valley Transportation Authority (VTA). Passengers with a valid ACE ticket are entitled to use the shuttle services free of charge.

VTA uses a mixture of transit buses and shuttle vans to provide service on eight (8) routes connecting with the ACE trains at the Santa Clara Great America Station. The VTA shuttle buses transport approximately 33% of total ACE ridership to major employment sites in Silicon Valley.

On June 2, 2023, the Board approved the estimated total VTA shuttle operating cost of \$2,441,097 for Fiscal Year (FY) 23/24 of which the ACE service portion of this cost was estimated to be \$1,400,000 (57%). Other regional funding and private funding sources fund the remaining 43%.

VTA tried up their numbers and provided an updated cost for FY23/24, resulting in an increase to the Rail Commission of \$165,980.

The agreement approved in June was not executed by both parties due to the increase. If approved today, the parties will execute the agreement.

#### Fiscal Impact:

Expenses and Revenues for this year, of the listed contracts, are identified in the Fiscal Year 2023/2024 SJRRC/ACE Operating Budgets. Contracts with future years' will be included in the SJRRC/ACE Operating Budget, which will be brought before the Board for consideration as part of the annual approval process.

Recommendation:

Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Approving Agreements for Ongoing Shuttle Services for the Altamont Corridor Express (ACE) Service for Fiscal Year 2023/2024 and Authorizing the Executive Director to Execute Any and All Documents Related to the Project including Approving any and all Amendments thereto within Her Spending Authority Related to the Projects with the Following Agencies:

a. Santa Clara Valley Transportation Authority	\$1,565,000
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**SJRRRC RESOLUTION 23/24 -**

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE SAN JOAQUIN REGIONAL RAIL COMMISSION APPROVING AGREEMENTS FOR ONGOING SHUTTLE SERVICES FOR THE ALTAMONT CORRIDOR EXPRESS (ACE) SERVICE FOR FISCAL YEAR 2023/2024 AND AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE ANY AND ALL DOCUMENTS RELATED TO THE PROJECT INCLUDING APPROVING ANY AND ALL AMENDMENTS THERETO WITHIN HER SPENDING AUTHORITY RELATED TO THE PROJECTS WITH THE FOLLOWING AGENCIES:**

**A. SANTA CLARA VALLEY TRANSPORTATION AUTHORITY \$1,565,000**

WHEREAS, shuttle services for the Altamont Corridor Express (ACE) began with the start of train service in October 1998 and provide an essential transit link by directly connecting passengers to employers, business parks, and other transit modes such as the Santa Clara Valley Transportation Authority (VTA); and

WHEREAS, on June 2, 2023, the Board approved the estimated total VTA shuttle operating cost of \$2,441,097 for Fiscal Year (FY) 23/24 of which the ACE service portion of this cost was estimated to be \$1,400,000 (57%); and

WHEREAS, other regional funding and private funding sources fund the remaining 43%; and

WHEREAS, VTA trued up their numbers and provided an updated cost for FY23/24, resulting in an increase to the Rail Commission of \$165,980; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the San Joaquin Regional Rail Commission Approves Agreements for Ongoing Shuttle Services for the Altamont Corridor Express (ACE) Service for Fiscal Year 2023/2024 and Authorizing the Executive Director to Execute Any and All Documents Related to the Project including Approving any and all Amendments thereto within Her Spending Authority Related to the Projects with the Following Agencies:

**a. Santa Clara Valley Transportation Authority \$1,565,000**

PASSED AND ADOPTED, by the Board of Commissioners this 6<sup>th</sup> day of October 2023, by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

ATTEST: SAN JOAQUIN REGIONAL  
RAIL COMMISSION

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STACEY MORTENSEN, Secretary

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LEO ZUBER, Chair

# SAN JOAQUIN REGIONAL RAIL COMMISSION

Meeting of October 6, 2023

## STAFF REPORT

### Item 5

### ACTION

**Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Approving Amendment 01 to the Agreement with American Guard Services, Inc. for Security Services Increasing the Amount by \$477,165 for a New Not-To-Exceed Amount of \$2,305,924 and Authorizing the Executive Director to Negotiate, Award, and Execute Any and All Agreements and Documents Related to the Project including Approving Any and All Amendments thereto within Her Spending Authority**

#### Background:

The San Joaquin Regional Rail Commission (Rail Commission) utilizes contracted security services in and around Rail Commission facilities, including the Rail Maintenance Facility (RMF), Cabral Station, Lathrop/Manteca Station, Livermore Station, and the remote Tamien Yard located in San Jose to protect Rail Commission property and for the safety of passengers and staff. Guard patrol of the remaining Altamont Corridor Express (ACE) stations is included on an as-needed basis.

In July 2022 the Rail Commission Board approved an agreement with American Guard Services for these services. The current scope of work includes but is not limited to after-hours and holiday standard security services for Rail Commission properties, passengers, and employees, and real-time tracking of the contract security guards.

Due to an increase in incidents including trespassing from nearby unhoused encampments, vehicle theft, vandalism, and overall safety concerns at Cabral Station and the RMF, Rail Commission staff are requesting additional security support services. The Commission would like to increase the hours of coverage at the Cabral Station to 24/7 security patrols and incorporate an additional eight (8) hours of coverage Monday through Thursday at the RMF.

This increase in security will provide additional patrol presence to help prevent trespassing and other activities that risk the safety of the buildings, staff, and passengers.

#### Procurement Approach:

This amendment will be for the remaining two (2) years of the contract, Fiscal Year (FY) 23/24 and FY24/25. This amendment was handled in accordance with the Rail Commission's Procurement Manual. This first amendment to the agreement with American Guard Services Inc., will increase the current contract amount of \$1,828,759 by \$477,165 (\$227,353 for FY2324 and \$249,812 for FY2425) for a new Not-to-Exceed Amount of \$2,305,924. This amendment commencement date will be effective upon execution of the amendment, with an end date of June 30, 2025, unless extended in writing.

Fiscal Impact:

Expenses and Revenues for the contract are identified in the Fiscal Year 2023/2024 Operating Budget under the SJRRC/ACE Contracted Services – Security Services/Safety Programs. Future years costs will be brought to the Board as part of the annual budget approval process.

Recommendation:

Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Approving Amendment 01 to the Agreement with American Guard Services, Inc. for Security Services Increasing the Amount by \$477,165 for a New Not-To-Exceed Amount of \$2,305,924 and Authorizing the Executive Director to Negotiate, Award, and Execute Any and All Agreements and Documents Related to the Project including Approving Any and All Amendments thereto within Her Spending Authority.

**SJRRRC RESOLUTION 23/24-**

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE SAN JOAQUIN REGIONAL RAIL COMMISSION APPROVING AMENDMENT 01 TO THE AGREEMENT WITH AMERICAN GUARD SERVICES, INC. FOR SECURITY SERVICES INCREASING THE AMOUNT BY \$477,165 FOR A NEW NOT-TO-EXCEED AMOUNT OF \$2,305,924 AND AUTHORIZING THE EXECUTIVE DIRECTOR TO NEGOTIATE, AWARD, AND EXECUTE ANY AND ALL AGREEMENTS AND DOCUMENTS RELATED TO THE PROJECT INCLUDING APPROVING ANY AND ALL AMENDMENTS THERETO WITHIN HER SPENDING AUTHORITY**

WHEREAS, the San Joaquin Regional Rail Commission (Rail Commission) utilizes contracted security services in and around Rail Commission facilities to protect Rail Commission property and for the safety of passengers and staff; and

WHEREAS, in July 2022 the Rail Commission Board approved an agreement with American Guard Services for these services; and

WHEREAS, due to the increase of trespassing from nearby unhoused encampments, car thefts, and overall safety concerns at Cabral Station and the Rail Maintenance Facility (RMF), staff is requesting additional security support services to increase the hours of coverage at the Cabral Station to 24/7 security patrols and incorporate an additional eight (8) hours of coverage Monday through Thursday at the RMF; and

WHEREAS, this amendment was handled in accordance with the Rail Commission's Procurement Manual; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the San Joaquin Regional Rail Commission hereby Approves Amendment 01 to the Agreement with American Guard Services, Inc. for Security Services Increasing the Amount by \$477,165 for a New Not-To-Exceed Amount of \$2,305,924 and Authorizing the Executive Director to Negotiate, Award, and Execute Any and All Agreements and Documents Related to the Project including Approving Any and All Amendments thereto within Her Spending Authority.

PASSED AND ADOPTED, by the SJRRRC on this 6<sup>th</sup> day of October 2023, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

SAN JOAQUIN REGIONAL  
RAIL COMMISSION

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STACEY MORTENSEN, Secretary

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LEO ZUBER, Chair



# SAN JOAQUIN REGIONAL RAIL COMMISSION

Meeting of October 6, 2023

## STAFF REPORT

**Item 6**

**INFORMATION**

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### **ACE 25<sup>th</sup> Anniversary Presentation**

Background:

In celebration of ACE's 25th Anniversary, staff will be leveraging its marketing and communications resources for passenger and employee engagement. Over the next several months, there will be a series of online and offline visuals that are placed throughout the communities we serve. The billboard at the Cabral station and street light poles in Downtown Stockton will be updated with new artwork including the anniversary seal. Staff will procure items branded with the seal for passenger and stakeholder engagement. For outreach, staff plan to do pop-up meet and greets at select stations. In addition to sharing the story and history of the ACE service through social media, we will also be launching an anniversary landing page on the website that will highlight past success and milestones.

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 6, 2023

STAFF REPORT

**Item 7**

**INFORMATION**

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**Presentation on Industry Day**

Background:

Staff will provide a presentation on the very successful Industry Day which was held in partnership with the San Joaquin County Small Business Development Center on September 14, 2023.

Fiscal Impact:

There is no fiscal impact.

Recommendation:

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