



Chair, **Lisa Craig-Hensley**, City of Lodi
Vice-Chair, **Leo Zuber**, City of Ripon
Commissioner, **Dan Arriola**, City of Tracy
Commissioner, **Steven Ding**, San Joaquin County

Executive Director, **Stacey Mortensen**

Commissioner, **Christina Fugazi**, City of Stockton
Commissioner, **Mike Morowit**, City of Manteca
Commissioner, **John Marchand**, City of Livermore
Commissioner, **Raj Salwan**, City of Fremont

SAN JOAQUIN REGIONAL RAIL COMMISSION SPECIAL BOARD MEETING

Tuesday, April 22, 2025 – 1:00 pm

Robert J. Cabral Station
Board Room
949 E. Channel Street
Stockton, CA 95202

Teleconference Locations:

3300 Capitol Ave.
Building A
Fremont, CA 94538

1052 S. Livermore Avenue
Livermore City Hall
Livermore, CA 94550

Members of the public may attend the meeting at the above addresses, or may observe the meeting by using the link or dial-in information below:

Join Zoom Meeting

<https://us06web.zoom.us/j/87961933868>

Or Telephone: +1 669 444 9171 US

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.sjrrc.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 clerk@sjrrc.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 Board Clerk before the Item is considered by the Board.
3. Join from the Zoom meeting link and notify SJRRC staff by alerting them via the "Raise hand" or "Chat" function; call +1 669 444 9171, dial *9 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 Zoom, 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.

Disclosures: *Commissioners shall disclose any agenda item in which they have a conflict of interest under State law and acknowledge whether they will recuse from hearing that item. Among other State laws, the Levine Act (Gov. C. §84308) may require recusal on agenda items involving a contract or entitlement before the Commission where a campaign donor is a participant, and the campaign contribution totals more than \$250 within the 12-month period before the decision on the item.*

1. Call to Order and Pledge of Allegiance

Chair Craig-Hensley

2. Roll Call

Roll Call: Arriola, Ding, Fugazi, Marchand, Morowit, Salwan, Vice-Chair Zuber,
Chair Craig-Hensley
Ex-Officios: Zwahlen (StanCOG), Nguyen (SJCOG), Clifford (SJRTD), Magsayo
(Caltrans)

3. Public Comment

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 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.

Public comments should be limited to five (5) minutes per comment.

4. **Adopt a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Approving Amendment 04 to the Agreement with WSP USA Inc. for Construction Management Services for the Stockton Rail Maintenance Facility Expansion Project Increasing the Compensation Amount by \$474,852 for a New Not-To-Exceed Amount of \$3,755,524 and Authorizing the Executive Director or Designee to Execute Any and All Documents related to the Project Including Approving Any and All Amendments thereto within Her Spending Authority**

(Josh Williamson/Autumn Gowan) (Regular Voting Members Only)

5. **CLOSED SESSION
Public Employment - Recruitment
One Position: Executive Director/Chief Executive Officer
Conference with General Counsel Janice D. Magdich and Consultant Brent Ives**

Pursuant to Government Code Section 54957

(Regular Voting Members Only)

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

(Janice D. Magdich)

7. **Adjournment**

The next regular meeting is scheduled for May 2, 2025 – 9:30 am

SAN JOAQUIN REGIONAL RAIL COMMISSION
Special Meeting of April 22, 2025

STAFF REPORT

Item 4

ACTION

Adopt a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Approving Amendment 04 to the Agreement with WSP USA Inc. for Construction Management Services for the Stockton Rail Maintenance Facility Expansion Project Increasing the Compensation Amount by \$474,852 for a New Not-To-Exceed Amount of \$3,755,524 and Authorizing the Executive Director or Designee to Execute Any and All Documents related to the Project Including Approving Any and All Amendments thereto within Her Spending Authority

Background:

The Stockton Regional Rail Maintenance Facility (RMF) Expansion project will provide a cost-effective option for maintaining intercity rail equipment by expanding the existing, centrally located ACE maintenance facility in Stockton. Currently, the RMF has the capacity to store six (6) full trainsets without affecting operations. The Stockton RMF Expansion would allow for the repair, maintenance, and storage of new state-owned Siemens Venture cars for the San Joaquins, anticipated for revenue service this calendar year.

Construction Management (CM) services are necessary to assist San Joaquin Regional Rail Commission (Rail Commission) staff in the oversight of the construction contractor for the project.





The Rail Commission Board approved an agreement with WSP USA Inc. (WSP) for Construction Management services in July of 2021 for an amount not-to-exceed \$1,699,698.

Amendment 01 was executed in May 2023 in the amount of \$957,788 to include additional CM services for the extended time due to a re-bid of the project and the construction duration was increased by six (6) months with the second Invitation for Bid (IFB). Additionally, during construction, the City of Stockton imposed new requirements for special electrical inspections and the Rail Commission requested WSP to include those inspections in their existing special inspection scope.

Amendment 02 was executed in July 2024 at zero cost to extend the term of the contract by six (6) months for a new end date of December 30, 2024, due to the anticipated completion date being extended. No additional services or increased costs were included in this amendment.

Amendment 03 was executed in October 2024 in the amount of \$623,186 to compensate WSP for the extended contract duration.

The original construction duration was set for a fast-track schedule due to the anticipated delivery of the new rolling stock. Despite the “fast track” schedule, the project encountered several factors that extended the construction duration. The main factors included adverse weather during the rainy season of 2023, procurement lead times for compliant products, and unforeseen conditions in underground work. In addition, a great amount of time has been spent negotiating contractor-initiated potential claims and potential change orders. The overall construction duration is projected to be forty (40) months, which is twenty-two (22) months beyond the original duration.

WSP has continued to provide services under this contract which should have been extended prior to December 30, 2024. WSP has been paid through the end of December 2024 and subsequent invoices were logged during this amendment's negotiation. All outstanding invoices will be paid upon the execution of this amendment. This fourth amendment will extend the term of the contract from December 30, 2024 to June 30, 2025 and includes additional compensation for WSP to continue to provide construction management services through close-out of the project.

Procurement Approach:

The amendment was handled in accordance with the Rail Commission’s Procurement Manual. This amendment will be effective upon execution by both parties and shall continue until June 30, 2025, unless extended in writing.

Procurement and Contracts Staff have confirmed that the price of the amendment is fair and reasonable and that the additional services are reasonable and necessary.

Fiscal Impact:

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|--|---|
| Project | Rail Maintenance Facility Expansion |
| Capital Project Budget Line Item | Rail Maintenance Facility Expansion |
| Phase for this Amendment | Construction Support (CONSUP) |
| Funding Sources for this Phase | Prop 116, and State Rail Assistance (SRA) |
| Budget for this Phase | \$3,896,007 |
| Encumbrances for this Phase | \$3,420,906 |
| Budget Remaining for This Phase | \$475,101 |
| Amendment Amount | \$474,852 |
| Budget Remaining For this Phase if Approved | \$249 |

Recommendation:

Adopt a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Approving Amendment 04 to the Agreement with WSP USA Inc. for Construction Management Services for the Stockton Rail Maintenance Facility Expansion Project Increasing the Compensation Amount by \$474,852 for a New Not-To-Exceed Amount of \$3,755,524 and Authorizing the Executive Director or Designee to Execute Any and All Documents related to the Project Including Approving Any and All Amendments thereto within Her Spending Authority.

SJRRC RESOLUTION 24/25 –

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE SAN JOAQUIN REGIONAL RAIL COMMISSION APPROVING AMENDMENT 04 TO THE AGREEMENT WITH WSP USA INC. FOR CONSTRUCTION MANAGEMENT SERVICES FOR THE STOCKTON RAIL MAINTENANCE FACILITY EXPANSION PROJECT INCREASING THE COMPENSATION AMOUNT BY \$474,852 FOR A NEW NOT-TO-EXCEED AMOUNT OF \$3,755,524 AND AUTHORIZING THE EXECUTIVE DIRECTOR OR DESIGNEE TO EXECUTE ANY AND ALL DOCUMENTS RELATED TO THE PROJECT INCLUDING APPROVING ALL AMENDMENTS THERETO WITHIN HER SPENDING AUTHORITY

WHEREAS, the Stockton Regional Rail Maintenance Facility (RMF) Expansion project will provide a cost-effective option for maintaining intercity rail equipment by expanding the existing, centrally located ACE maintenance facility in Stockton; and

WHEREAS, the Board approved an agreement with WSP USA Inc. (WSP) for Construction Management (CM) services in July of 2021; and

WHEREAS, Amendment 01 included CM services for the extended time due to a re-bid of the project, and the construction duration was increased by six (6) months with the second Invitation for Bid (IFB); and

WHEREAS, during construction, the City of Stockton imposed new requirements for special electrical inspections and the Rail Commission requested WSP to include those inspections in their existing special inspection scope; and

WHEREAS, Amendment 02 was a contract time extension only (no cost); and

WHEREAS, Amendment 03 was executed in October 2024 in the amount of \$623,186 to compensate WSP for the extended contract duration, continued materials testing and inspection and CM services to complete the construction phase; and

WHEREAS, Amendment 04 will extend the term of the contract from December 30, 2024 to June 30, 2025 and includes additional compensation for WSP to continue to provide construction management services through close-out of the project; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the San Joaquin Regional Rail Commission hereby Approves Amendment 04 to the Agreement with WSP USA Inc. for Construction Management Services for the Stockton Rail Maintenance Facility Expansion Project Increasing the Compensation Amount by \$474,852 for a New Not-To-Exceed Amount of \$3,755,524 and Authorizing the Executive Director or Designee to Execute Any and All Documents related to the Project Including Approving Any and All Amendments thereto within Her Spending Authority.

PASSED AND ADOPTED, by the San Joaquin Regional Rail Commission this 22nd day of April 2025, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

SAN JOAQUIN REGIONAL RAIL
COMMISSION