

**STAFF REPORT FOR CALENDAR ITEM NO. : 8.3  
FOR THE MEETING OF: November 13, 2014**

**TRANSBAY JOINT POWERS AUTHORITY**

**BRIEF DESCRIPTION:**

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

**SUMMARY:**

In November 2012, the TJPA Board of Directors authorized the Executive Director to award the Agreement to AECOM to prepare a Supplemental Environmental Impact Statement/Environmental Impact Report (SEIS/EIR) for the Transbay Transit Center Program. The Agreement was for a maximum compensation of \$1,300,000 and a term not to exceed two years, with the option to extend the term for two additional years.

The SEIS/EIR is augmenting and updating the March 2004 Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project (Transbay Program) Final Environmental Impact Statement/ Environmental Impact Report (2004 FEIS/EIR) and addressing refinements to the Phase 2 Transbay Program elements. These refinements include changes to the Downtown Rail Extension tunnel curvature and the extension of rail levels of the Transit Center to accommodate high-speed rail requirements and other changes or new information. The 2004 FEIS/EIR was certified by the predecessor agencies to the TJPA, and a Record of Decision (ROD) for the 2004 FEIS/EIR was signed in 2005 by the Federal Transit Administration (FTA). In 2010, the Federal Railroad Administration (FRA) published a ROD adopting those portions of the 2004 FEIS/EIR dealing with Phase 1 of the Transbay Program as it related to FRA's funding of the train box to accommodate future high-speed trains.

The SEIS/EIR is evaluating potential new or increased environmental impacts that may result from changes in Phase 2 of the Transbay Program, changes in circumstances, and new information, as required by the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA).

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

Since November 2012, the Contractor has, among other work, consulted with TJPA to issue the NOP, refined the purpose and need for the SEIS/EIR, analyzed effects to the physical and socioeconomic environments, and completed multiple administrative drafts of the SEIS/EIR.

The document is currently under review by FTA, FRA, and various participating agencies, prior to its distribution to the public as a Draft SEIS/EIR.

During development of the administrative drafts, TJPA and the Contractor held discussions with key stakeholder agencies and determined that additional technical study to further refine the elements and environmental analyses would be desirable. For example, assumptions incorporated into the traffic studies were coordinated with the City to be consistent with the planning studies of nearby projects. The configuration of emergency ventilation/egress shafts and the siting of the underground Fourth and Townsend station were modified to optimize the developable area on the unused portion of the properties. Environmental analysis of the refinements involved a full spectrum of topics, but focused particularly on construction impacts, air and greenhouse gas emissions, historic resources, and transportation. The additional analyses were completed within the approved task budgets but required substantial effort and, therefore, additional time.

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

Amendment No. 2 to the Agreement would extend the term of the Agreement to three years, with an option to extend for an additional one year, but would not make any other changes to the Agreement. In particular, the maximum compensation under the Agreement would not change.

**RECOMMENDATION:**

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

**ENCLOSURES:**

1. Resolution
2. Amendment

**TRANSBAY JOINT POWERS AUTHORITY  
BOARD OF DIRECTORS**

**Resolution No. \_\_\_\_\_**

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

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

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

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

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

WHEREAS, TJPA Staff recommends extending the term of the Agreement to three years, with an option to extend for an additional one year, without increasing the maximum compensation under the Agreement; such change to the term requires a second amendment to the Agreement, but does not change the scope, price or deliverables under the Agreement; now, therefore be it

RESOLVED, That the TJPA Board of Directors authorizes the Executive Director to execute Amendment No. 2 to the Agreement with AECOM Technical Services to modify the Agreement to extend the term of the Agreement to three years, with an option to extend for an additional one year, without increasing the maximum compensation under the Agreement.

I hereby certify that the foregoing resolution was adopted by the Transbay Joint Powers Authority Board of Directors at its meeting of November 13, 2014.

\_\_\_\_\_  
Secretary, Transbay Joint Powers Authority

**Amendment No. 02**  
**Professional Services Agreement between**  
**the Transbay Joint Powers Authority and**  
**AECOM Technical Services**

THIS Amendment No. 2 to the Professional Services Agreement to furnish Supplemental Environmental Impact Statement/Environmental Impact Report (SEIS/EIR) services dated November 19, 2012 (Agreement) is entered into as of the \_\_\_\_\_ day of November, 2014 in San Francisco, California, by and between **AECOM Technical Services** (Contractor), and the **Transbay Joint Powers Authority** (TJPA).

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

**2. Term of the Agreement.**

Subject to Section 1, the term of this Agreement shall be for a period not to exceed three years from the Effective Date of the Agreement, as described in Section 3 below, provided that (i) the TJPA shall have the right to extend this Agreement for an additional one year by providing to the Contractor written notice of such extension on or before the expiration of this Agreement, and (ii) any such extension shall be subject to and conditioned upon the written agreement of the Contractor and the approval of such extension by resolution adopted by the TJPA Board of Directors.

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

**TRANSBAY JOINT POWERS  
AUTHORITY**

**AECOM TECHNICAL SERVICES**

\_\_\_\_\_  
Maria Ayerdi-Kaplan  
Executive Director

\_\_\_\_\_  
Authorized Signature

Transbay Joint Powers Authority Board of  
Directors

\_\_\_\_\_  
Printed Name

Resolution No.: \_\_\_\_\_

Adopted: \_\_\_\_\_

Attest:

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

\_\_\_\_\_  
TJPA Board Secretary

\_\_\_\_\_  
Tax Identification Number