San Francisco Peninsula Rail Program Executive Steering Committee

Item 4 – The Portal Procurement Schedule and Process

October 2, 2023

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Recommendation

- Advise the TJPA Board of Directors that requirements of the Governance Blueprint Stage Gate 1 have been provisionally met such that the Civil and Tunnel Progressive Design Build (40-CT) Request for Qualifications (RFQ) for The Portal (DTX) should be released under the terms of the San Francisco Peninsula Rail Program MOU Summary Work Program, Task 20, Start Procurement Tasks, and further, that staff should return to the Board for further approval demonstrating full compliance with Stage Gate 1 prior to the release of the 40-CT Request for Proposals.

Stage Gate 1 Requirements and Inputs

1. Bid Documents Complete
2. Governance Blueprint approved
3. Entry to FTA Engineering
4. Initial set of Policy Documents
   - Baseline Project Definition
   - Baseline Schedule
   - Baseline Budget
   - Baseline Funding Plan
   - Baseline Risk Matrix
5. Initial Third-Party Agreements

Stage Gate 1 Compliance Assessment

1. Bid Documents

   - RFQ development began in July, in final QA process

   - Team includes project staff, counsel, IPMT members (NDA), PMPC

   - RFP development under way, added insurance advisor to team

   - Stage Gate 1 compliance provisionally met

   - Stage Gate 1 full compliance to be demonstrated and approved prior to planned February release of the RFP

Stage Gate 1 Compliance Assessment

2. Governance Blueprint Approval

   - TJPA Board approval in August 2023

   - Stage Gate 1 compliance met

3. Entry to FTA Engineering

   - All documents submitted to FTA between Feb 2023 and September 2023

   - FTA completing Readiness and Financial reviews towards a December recommendation

   - Stage Gate 1 compliance provisionally met

Stage Gate 1 Compliance Assessment

4. Initial Policy Documents

- Environmental Documents

    - NEPA Amended Records of Decision in 2019 and 2023 (Phasing Study)

    - CEQA Certification in 2018 and 2023 (Phasing Study)

    - Stage Gate 1 compliance met

- Project Configuration

    - 30% design plans completed in October 2022 (except 4th and King)

    - 30% draft design plans for 4th and King distributed in August 2023

    - Stage Gate 1 compliance met

Stage Gate 1 Compliance Assessment

4. Initial Policy Documents (cont'd)

- Design Requirements

  - Design Criteria completed in December 2022

  - Stage Gate 1 compliance met

- Service Plan

  - Service Plan documented in April 2023 Technical Memorandum and 20-Year Financial Plan

  - Stage Gate 1 compliance met

Stage Gate 1 Compliance Assessment

4. Initial Policy Documents (cont'd)

- Master Schedule

  - Accelerated Work Plan adopted in April 2021

  - Updated monthly but remains consistent with Accelerated Work Plan

  - Stage Gate 1 compliance met

- Program Budget

  - Agreement with FTA/PMOC Risk Workshop output

  - TJPA Board approval of 20-Year Financial Plan in August 2023

  - Stage Gate 1 compliance provisionally met

  - Stage Gate 1 full compliance to be met with FTA entry to Engineering decision expected in December

Stage Gate 1 Compliance Assessment

4. Initial Policy Documents (cont'd)

- 20-Year Financial Plan

  - TJPA Board approval in August 2023

  - Update planned immediately after FTA decision regarding entry to Engineering

  - Stage Gate 1 compliance provisionally met

  - Stage Gate 1 full compliance subject to FTA decision regarding entry to Engineering

Stage Gate 1 Compliance Assessment

4. Initial Policy Documents (cont'd)

- Project Delivery Strategy
  - TJPA Board approval in July 2022
  - Any updates will be considered by IPMT and approved by TJPA Board
  - Stage Gate 1 compliance met
- Risk Register
  - Initial development in September 2022
  - Quarterly IPMT updates
  - FTA/PMOC Risk workshop in May 2023
  - Stage Gate 1 compliance met

Stage Gate 1 Compliance Assessment

5. Initial Third-Party Agreements

- TJPA - CCSF Interagency Cooperation Agreement approved and implemented
- TJPA – Caltrain Railyard Sitework Memorandum of Agreement approved and implemented
- TJPA – Caltrain Interim Agreement approved and implemented
- TJPA – Caltrain Master Cooperative Agreement in development
- Stage Gate 1 compliance met

Risk

- Cost
  - One year delay at 3.5% inflation estimated at $263 million
  - Delay of the RFQ release expected to cause two-to-five-month delay
- Funding
  - Infrastructure Investment and Jobs Act (IIJA) grant programs [Federal State Partnership and National Infrastructure Assistance Program (MEGA)] are one-time limited programs
- Schedule
  - 18-month Pre-construction services duration is aggressive
  - Requires completion of design, stakeholder coordination, integration with other contractors, approval for construction, negotiation of construction Notice(s) to Proceed

Risk

- Reputational

  - Contracting community – TJPA has been forecasting October release for the RFQ and February release for the RFP. Delay in either could signal reduced owner commitment and diminish bidder interest

  - Entry to Engineering – FTA decision could affect the ability to move forward, or change budget and funding assumptions

  - Funding – Capital and Operating funding plans are incomplete at this time

Next Steps

- October 2023 RFQ Release

- December 2023 SOQ Due

- Continued development of RFP with IPMT

- Request to release RFP will come to ESC in December and TJPA Board in January or February, subject to

  - FTA decision regarding entry to Engineering

  - Demonstration of full compliance with Stage Gate 1

- Development and release of Design/Bid/Build and Construction Manager/General Contractor RFQs and RFPs in accordance with Governance requirements

Next Steps
40-CT RFP Development and Approval Schedule

- Working Group   Weekly
- Technical Workshop   October 31 and November 1, 2023
- TJPA Board update   October 12, 2023
- IPMT formal review   November 28, 2023
- ESC Action   December 15, 2023
- TJPA Board action   January 11, 2024

Next Steps
40-CT RFP Outline

Part 1- Introduction
- Project Goals
- Exhibits
- Process and Schedule

Part 2 - Instructions to Proposers
- Technical Proposal
- Price Proposal
- Interview
- Submittal Requirements

Part 3   Evaluation
- Scoring

Part 4   Legal and Administrative
- Post Evaluation Process and Award Procedure
- Protests

Questions