

AMENDMENT # 1 TO REGIONAL MEASURE X FUNDING AGREEMENT
BETWEEN
THE TRANSPORTATION AGENCY FOR MONTEREY COUNTY
AND
MONTEREY-SALINAS TRANSIT DISTRICT

THIS AMENDMENT NO. 1 to the agreement dated December 19, 2019, between the Transportation Agency for Monterey County, hereinafter referred to as "TAMC," and Monterey-Salinas Transit District, hereinafter referred to as "Sponsor," is hereby entered into between TAMC and the Sponsor.

RECITALS:

- A. **WHEREAS**, TAMC and Sponsor entered into a regional Measure X funding agreement for the Environmental and Preliminary Engineering Phase of the Highway 1 Busway SURF! Project on December 19, 2019, hereinafter referred to as "Agreement;" and
- B. **WHEREAS**, the Highway 1 Busway SURF! Project ("the Project") is also known as the SURF! Busway and Bus Rapid Transit Project; and
- C. **WHEREAS**, the Project has been accepted into the Federal Transit Administration's Capital Investment Grant Program; and
- D. **WHEREAS**, Federal Transit Administration grant requirements include the completion of a series of steps and technical analysis several years in advance of receipt of a grant agreement; and
- E. **WHEREAS**, Sponsor desires to receive Measure X regional funding from TAMC for Consultant Services to lead technical assistance necessary to reach a grant agreement with the Federal Transit Administration; and
- F. **WHEREAS**, Sponsor released a request for proposals on November 6, 2020 for a Capital Investment Grant Consultant for this purpose; and
- G. **WHEREAS**, TAMC staff is included on the consultant review team; and
- H. **WHEREAS**, Sponsor received two proposals reflecting a competitive range of cost for the proposals between \$730,031 and \$1,419,264; and
- I. **WHEREAS**, Sponsor has selected Kimley-Horn and Associates, Inc. for Consultant Services and has requested up to seven hundred and fifty thousand dollars (\$750,000) in Measure X funds to cover costs; and
- J. **WHEREAS**, the amendment will not change the total Measure X commitment to the overall project but will more specifically designate the use of the Measure X funds for a purpose TAMC agrees is appropriate.

NOW, THEREFORE, the parties agree to amend the Agreement as follows:

1. TERM OF AGREEMENT

The term of this agreement is amended to cover costs for the Capital Investment Grant Consultant in the fiscal years 2020/2021 through 2023/2024.

2. TOTAL COMPENSATION

The total compensation to be paid pursuant to this Agreement as amended shall not exceed two million and two hundred thousand dollars (\$2,200,000). This includes the existing Measure X agreement of \$1,450,000 and the addition of \$750,00 under this amendment.

3. SCOPE OF SERVICES

The Scope of Services for the Capital Investment Grant Consultant is attached to the Agreement as Exhibit A.

This Scope of Services does not replace the original Scope of Services dated October 23, 2019 for preliminary engineering and environmental analysis.

4. REMAINDER OF TERMS UNCHANGED

All other terms of the Agreement remain in full effect.

An executed copy of this Amendment No. 1 shall be attached to the Agreement and shall be incorporated as if fully set forth therein.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment to the Agreement with Monterey-Salinas Transit.

TAMC :

MONTEREY-SALINAS TRANSIT:

Debra L. Hale
Executive Director

(date)

Approved as to form:

TAMC Counsel

(date)

(date)

EXHIBIT A

SCOPE OF SERVICES – CAPITAL INVESTMENT GRANT CONSULTANT

SCOPE OF WORK

CIG Project Development

1. Objective

Complete all planning activities required in the Project Development (PD) phase of the Federal Transit Administration's Capital Investment Grant (CIG) Program and ensure all activities and requirements are met so MST can execute a CIG single year grant agreement.

2. Background and Scope of Project

MST is the only public transit agency that provides fixed-route, demand-response and special seasonal transit service to a 295-square-mile area of Monterey County, California. The agency operates over sixty routes, serving the County's estimated 435,000 residents. It operates through two major transit hubs in Monterey and Salinas as well as secondary hubs in Marina and Sand City. Additionally, MST provides connections to the City of Paso Robles in San Luis Obispo County, the cities of Santa Cruz and Watsonville in Santa Cruz County, and San Jose and Gilroy in Santa Clara County. MST operates a fleet of over 100 buses for its fixed-route service. MST has a fleet of roughly 40 buses for paratransit service and general public dial-a-ride service in the rural area.

In Fiscal Year 2019, MST carried over 4,475,000 passengers and operated over 5,971,000 revenue service miles. To the north, in San Jose, California, MST routes terminate at the Diridon Station, which serves Caltrain, ACE, VTA light rail, and Amtrak trains. The bus plaza at the station is served by Amtrak Thruway Motorcoach, Greyhound, Megabus, Santa Cruz Metro (Highway 17 Express), and VTA buses. With the start of MST's Lines 82 and 83 in 2011, MST closed a public transit gap that existed between northern California and southern California along the U.S. Highway 101 corridor. Now, to the south, in Paso Robles, California, MST's routes serve the Paso Robles Transit Center, a multi-modal station serving Greyhound, Amtrak, Paso Express, and San Luis Obispo Regional Transit Authority. MST's wide range of service allows residents of Monterey County to connect with other public transit services outside the County, ultimately enabling Monterey County residents to travel across the state.

A major MST effort currently in the environmental and preliminary design phase is the proposed *SURF!* Busway and Bus Rapid Transit project¹. It would create a parallel bus-only route to State Route 1 between Marina and Sand City to allow bus riders to bypass a very congested stretch of Highway 1 on their way to and from local jobs on the Monterey Peninsula. This section of Highway 1 operates at level of service F during peak hours and the summer tourist season. Passengers would have express service to and from work during peak commute times when the highway corridor is most heavily congested. This bus-rapid transit corridor would be constructed along the Monterey Branch Line, a rail corridor which the Transportation Agency for Monterey County (TAMC) purchased using California Proposition 116 funds in 2003. No private right-of-way is expected to be needed for the project. Operating along this dedicated right-of-way parallel to the inactive railroad, the *SURF!* would improve transit on-time performance, allow for more frequent bus service, reduce greenhouse gas emissions, and reduce traffic congestion. The busway would primarily serve low income

¹ More project information can be found on MST's website <https://mst.org/about-mst/planning-development/surf/>

Monterey-Salinas Transit District (MST)
RFP # 21-08 Capital Investment Grant Consultant

and disadvantaged communities in Marina and Seaside, connecting residential neighborhoods to job centers, veterans to the new VA-DoD Outpatient Clinic, and students to California State University, Monterey Bay. The completed project is expected to open by 2027 and draw new transit passengers and build long-term ridership demand that would support long-term future rail operations. The \$52 Million project (current estimate) is funded through final design. Construction funds are still being sought.

MST requested entry to FTA's CIG in early 2020 and has been accepted into the PD phase. Assistance is needed to complete the activities required to develop sufficient information for evaluation and rating under the CIG criteria. A consultant is needed to help usher MST through the process and requirements and through the executed grant agreement stage.

The successful consultant or consulting team will become familiar with the information found on the CIG program webpage at <https://www.transit.dot.gov/funding/grant-programs/capital-investments/about-program>. The website provides details and information on the activities required during the PD phase, including answers to frequently asked questions and the information that must be provided to FTA for eventual project evaluation and rating.

A feasibility study for MST's BRT was prepared for MST in 2018 that identified the rail corridor as the most favorable option for express transit service connecting the Monterey Peninsula communities.² With COVID-19, some of MST's transit services will be changing, so assumptions used in the feasibility study will need to be examined and updated as needed for the CIG application. A systemwide Comprehensive Operational Analysis is expected to be completed in summer 2021 and may impact the assumptions from the 2018 feasibility study.

A consultant team is currently preparing preliminary design, engineering, and environmental clearance for the proposed *Surf!* Busway and Bus Rapid Transit project. Design to a 35% level is expected in spring 2021. The environmental clearance at both state and federal levels is expected by summer 2021. Coordination with the project team will be important when developing assumptions for the CIG rating and other modeling required in the CIG process. The consultant shall participate in meetings with the design team as needed.

A funding package including local, state and federal funding will be needed to deliver the *SURF!* project. Existing grants and funding agreements will be available for review to the winning consultant.

All activities needed to assist MST through an executed single year grant agreement in the CIG program are part of this RFP. These items include, but are not limited to:

- Financial modeling
- STOPS modeling
- Economic and land use modeling
- Developing detailed travel forecasts
- Quantification of anticipated ridership and vehicle miles travelled

² Final Project Report Monterey Bay Area Feasibility Study of Bus on Shoulder Operations on State Route 1 and the Monterey Branch Line, CDM Smith June 26, 2018 <https://mst.org/wp-content/media/Final-Bus-on-Shoulder-Branch-Line-Feasibility-Report-062718.pdf>

Monterey-Salinas Transit District (MST)
RFP # 21-08 Capital Investment Grant Consultant

- Quantification of mobility cost-effectiveness and congestion relief
- Constructability review
- Risk assessment
- Project management plans
- Third party agreements
- Ongoing coordination with FTA headquarters and Region IX staff

An optional task should include assisting MST with reporting requirements during construction, after the grant agreement is executed.

Some key milestones for the proposed *Surf!* Busway and BRT project are listed below:

Estimated Completion	Milestone
Winter 2021	Complete 35% design
Spring 2021	California Environmental Quality Act (CEQA) clearance complete
Summer 2021	National Environmental Policy Act (NEPA) clearance complete Project approval by MST board of directors
Spring 2022	Complete 60% design
Summer 2022	All local funds secured Project listed in the Metropolitan Transportation Plan, programmed in the MTIP CIG application submittal
Winter 2023	SURF! included in Presidential Budget
Winter 2024	Executed Single Year Grant Agreement
Summer 2024	Begin construction

3. Project Manager and Project Steering Committee

MST's Director of Planning & Innovation will serve as MST's project manager for the *SURF!* CIG PD Phase. The project steering committee will include: General Manager, Assistant General Manager, and Grants Analyst. Representatives from TAMC, the engineering consulting team, and the future final design team will also participate as members of the project steering committee.

4. Project Schedule

The schedule for this project is as follows:

December 2020	Request for Proposals
February 2021	Selection of Consultant and Notice to Proceed
2021-2024	CIG Project Development Work
2024-2026	Optional Task for Post-award Reporting to CIG