**EMERYVILLE TRANSPORTATION MANAGEMENT ASSOCIATION** 

#### AGENDA

Board of Directors Meeting Bay Street Conference Room 5616 Bay Street Emeryville, CA 94608 December 20<sup>th</sup>, 2018

- 1. Call to Order
- 2. Public Comment
- Approval of the Minutes of the October 18<sup>th</sup>, 2018 Board of Directors Meeting (Attachment)
- Executive Directors Report

   A. Status Update on EGR Bus Yard at Mandela Parkway (Attachment)
- 5. Business Items
  - A. Review and Consider Approval of Amendment #5 to Professional Services Agreement with BKF Engineers (*Attachment*)
  - B. Review and Consider Approval of Amendment #3 to Professional Services Agreement with Damono Design for continued website maintenance services (*Attachment*)
  - C. Review and Consider Approval of Amendment #2 to Professional Services Agreement with John S. Tounger, CPA for continued Bookkeeping and Tax Preparation Services (*Attachment*)
  - D. Review and Consider Approval of Engagement Letter with Low Accountancy for the preparation of the Annual Audit (*Attachment*)
  - E. Review and Consider Approval of Amendment #1 to Transportation Agreement with the Berkeley Gateway TMA to discontinue the Bayer Midday Shuttle (*Attachment*)
  - F. Issue a Notice to Proceed for Gray Bowen Scott to continue providing Agency Management services through January 31<sup>st</sup>, 2019.
- 6. Suggestions/Requests from Board Members
- 7. Confirm date of Next Meeting January 17th, 2019
- 8. Adjournment

**Chair** Geoff Sears, Wareham Development

**Vice Chair** Betsy Cooley, At-Large Residential Member

Secretary Bobby Lee, At-Large Residential Member

**Treasurer** Andrew Allen At-Large Business Member

Directors Max Frankel, Bay Street

Peter Schreiber, Pixar

Colin Osborne At-Large Employer Member

Ron Silberman, At-Large Business Member



#### EMERYVILLE TRANSPORATATION MANAGEMENT ASSOCIATION

**ACTION SUMMARY MINUTES** 

Board of Directors Meeting October 18<sup>th</sup>, 2018

1. Call to Order

The meeting was called to order at 9:21AM by Geoff Sears Directors Present: Betsy Cooley, Peter Schreiber, Geoff Sears, Ron Silberman, Colin Osborne, Bobby Lee Staff Present: Roni Hattrup, Mary Grinbergs, Brian Stewart Others: Diana Keena, City of Emeryville

- 2. <u>Public Comments</u> None
- 3. Appointment of new Board Chair

Betsy Cooley nominated Geoff Sears as the new Chair. Peter Shreiber seconded the nomination. Bobby Lee nominated Betsy Cooley as the new Vice Chair. Geoff Sears seconded the nomination. Betsy Cooley nominated Bobby Lee as the new Secretary. Geoff Sears Seconded the nomination.

These Officer appointments were approved by a unanimous vote. AYE: 6 NAY: 0 ABSTAIN: 0

4. <u>Approval of the Minutes of the August 16<sup>th</sup>, 2018 Board of Directors Meeting (Attachment)</u> Betsy Cooley motioned for approval of the minutes. Ron Silberman seconded.

This item was approved by a unanimous vote. AYE: 6 NAY: 0 ABSTAIN: 0

- 5. Executive Director's Report
  - A. <u>Status update on EGR Bus Yard at Mandela Parkway Present by Brian Stewart (Attachment)</u> <u>Permits Update</u>

Brian Stewart provided a status update of the Mandela site.

Geoff made a motion for staff to proceed with caution and diligent oversite and to provide a monthly report of expenses associated with the Mandela project. Geoff further instructed staff to cap all expenditures associated with the project at \$35,000 until the next Board meeting. Peter Schreiber seconded the motion.

This item was approved by a unanimous vote. AYE: 6 NAY: 0 ABSTAIN: 0

B. TFCA Grant Update

Roni also provided a status update on the grant and funding agreement with the City for the Watergate Express route and noted that the grant funds were significantly less than originally

#### EMERYVILLE TRANSPORATATION MANAGEMENT ASSOCIATION

**ACTION SUMMARY MINUTES** 

Board of Directors Meeting October 18<sup>th</sup>, 2018

anticipated, due to the restrictions on eligible costs. Roni informed the Board that she would be mindful of the staff time spent administering the grant reporting requirements.

- 7. Business Items
  - A. Review and Consider Approval of the 2019 Budget (Attachment)

Roni Hattrup presented the proposed budget for 2019, noting her assumptions for vehicle acquisitions, shuttle operations and the anticipated activities associated with the Mandela site project.

Bobby Lee motioned for approval of the budget. Colin Osborne seconded.

This item was approved by a unanimous vote. AYE: 6 NAY: 0 ABSTAIN: 0

- B. Review of Third Quarter Financial Report (*Attachment*) Roni Hattrup reported that expenditures to date are trending well below the approved budget.
- C. Review of Third Quarter Ridership Report (*Attachment*) Roni Hattrup noted that the ridership in the third quarter was consistent with the previous trends and with 2017 ridership.

#### 8. <u>Suggestions/Requests from Board Members</u> Ron Silberman expressed safety concerns over electric scooters driving wildly in traffic. The Board directed Roni to speak to the MV drivers about transit safety with regards to the scooters.

- <u>Confirm Date of Next Meeting</u> The meeting date of November 15<sup>th</sup>, 2018 at 9:15AM was confirmed.
- 10. <u>Adjournment</u>

The meeting was adjourned at 10:45AM

#### <u>Mandela Site – Project Status Update</u> December 2018

#### December 20<sup>th</sup> Board Meeting:

- Recommend action to approve the full BKF Scope and Fee for \$220,133 (attached)
  - Previous Board Director NTP was given for \$73,300 which is a portion of this total
    - CTC will be approving District 4 negotiation on December 6<sup>th</sup> (see attached letter). We can then begin the formal coordination process with Caltrans
  - Funds are required to start the environmental studies and prepare for full draft submittals to Caltrans in March/ April. Work is front loaded (see attached)
- Discuss an approach for Public Outreach efforts for City of Oakland CUP
  - Nothing additional is required from ETMA but the City will notify neighbors and opposition could surface at the Planning Commission public meeting
  - Meeting is likely to be in May 2019
  - Recommend a separate discussion with Brooke Levin and Joe Devries to determine options in January 2019

#### Project Updates:

#### City of Oakland

- Major Conditional Use Permit (CUP) and Tree Permit
  - 11/19/2018 Submitted Application to the City of Oakland
  - ETMA submitted as an Authorized Agent of Caltrans (owner)
  - Total Permit Fees = \$8,510.52
  - CUP Classification for the Project is Civic activities Extensive Impact
  - Tree Permit is required due to project removing 3 Trees BKF performed a tree Survey as required by the city and submitted information with application
  - 6 Months estimated timeline for approval
  - Project will go to a Public Planning Commission Meeting for Approval
    - Parcels within 500-feet of the site will be notified of the project and meeting
    - After Commission takes action to approve the public has 10 days to appeal decision to City Council
- <u>City DOT Permit (P Permit)</u>
  - Required for proposed improvements within the R/W of Mandela Parkway (Driveway Aprons and Left Turn Pocket)
  - Will coordinate timing after first round of comments from City on CUP
- <u>City Encroachment Permit</u>
  - Required to start work within the R/W of Mandela Parkway
  - Will coordinate in conjunction with DOT Permit

#### Caltrans

- <u>CTC Action for Direct Negotiation</u>
  - Caltrans included the Mandela Airspace Lease Agreement on the CTC December 5<sup>th</sup> and 6<sup>th</sup> Agenda (see attached letter)
  - Seeking approval to directly negotiate a long-term lease with ETMA
  - Once approved will start formal process with Caltrans District 4 R/W staff
- MacArthur Maze Project
  - Caltrans sent an email on 11/13/18 (attached) with detailed information regarding the 4 alternatives being considered

#### <u>Mandela Site – Project Status Update</u> December 2018

- o Alternative C directly impacts the proposed ETMA Bus Yard
- o Decision on preferred alternatives is tentatively September 2019
- Construction is tentatively set to start in Feb 2021
- Costs range from \$60M to \$175M
- Full closures of connectors range from 6-30 weeks for all Alternatives
  - For Alternative C, approximately 45 weeks of full closures are required for both connectors (30 weeks for the WB580/WB80 connector, 15 weeks for the EB80/EB580 connector)
- Alternative C appears to be the highest cost, biggest environmental and R/W impact, and longest required full closure durations for construction
- Will work with Caltrans to have the proposed ETMA project included in their project report/ determination of alternative

#### MANDELA BUS DEPOT PROJECT - BUDGET STATUS UPDATE

	Authorized	Sp	pent to Date			% Budget	
TASK	Budget	(th	ru Nov 2018)	Rem	naining Budget	Expended	Notes
Turning Feasibility Study	\$ 5,000.00	\$	4,995.77	\$	4.23	100%	Task Completed.
							Authorized budget included \$10,335 budget reallocation
							from Horton Site Budget to develop additional site
Conceptual Site Planning	\$ 48,771.00	\$	38,998.35	\$	9,772.65	80%	concepts. Task Completed.
							Authorized budget = NTP by Board Chair. Approval of
							Amendment is still pending. Costs for October and
Design	\$ 73,300.00	\$	12,639.00	\$	60,661.00	17%	November are estimates, per BKF.
Total	\$ 127,071.00	\$	56,633.12	\$	70,437.88		

#### **BKF Engineers - Engineering Studies & Design**

#### Gray Bowen Scott - Project Management

	Authorized	horized Spent to Date		% Bu			
Task	Budget	(t	hru Nov 2018)	Rei	maining Budget	Expended	Notes
Project Management	\$ 93,000.00	\$	20,131.75	\$	72,868.25	22%	



## Memorandum

#### To: CHAIR AND COMMISSIONERS CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: December 5-6, 2018

Reference No: TBD Action Item

From: NORMA ORTEGA Chief Financial Officer Prepared by: Jennifer S. Lowden, Chief Division of Right of Way and Land Surveys

#### Subject: AIRSPACE LEASE – EMERYVILLE TRANSPORTATION MANAGEMENT ASSOCIATION REQUEST TO DIRECTLY NEGOTIATE

#### **ISSUE:**

Should the California Transportation Commission (Commission) approve a request by the Emeryville Transportation Management Association, (ETMA), to directly negotiate a long-term Airspace lease with ETMA?

#### **RECOMMENDATION:**

The Department recommends that the Commission approve a request to directly negotiate a long term lease, (20 - 35 years) with ETMA. The fair market lease rate will be determined by an airspace appraisal. The lease will include an annual escalation as well as lease rate re-evaluations every five years.

#### SUBJECT PROPERTY 04-ALA-580-34:

Freeway Lease Area 04-ALA-580-34, (FLA), is located under the Interstate 580 in Oakland. The parcel is situated between Mandela Parkway and Hannah Street. Currently, access into the FLA is from Ettie Street, a narrow local street. ETMA proposes to construct a bus depot on the undeveloped 3.0 acre dirt site. The proposed site plan is shown in Exhibit A.

#### **BACKGROUND:**

#### <u>ETMA</u>

ETMA is a non-profit organization that operates Emery Go-Round public transit program in conjunction with the City of Emeryville. The primary purpose of ETMA is to increase access and mobility to, from and within Emeryville while alleviating congestion through the operation of the public transit program. ETMA is funded by the Citywide Property and Business Improvement District (PBID) and has guaranteed funding through 2030. Their budget for 2016 was \$4.275M.

#### CHAIR AND COMMISSIONERS CALIFORNIA TRANSPORTATION COMMISSION

Reference No.: T.B.D. December 5 – 6, 2018

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#### The Proposal

ETMA is proposing to construct a bus depot to support their transit operations. This involves grading, paving, striping and lighting the FLA and providing landscaping along Mandela Parkway and the northern perimeter of the lot. The proposal creates 26 parking spaces for 40 foot transit busses; 4 spaces for 32 foot transit busses; 20 employee parking spaces and 2 ADA parking spaces. To avoid congesting the adjoining neighborhood, ETMA will construct two new driveways to the FLA from the Mandela Parkway main thoroughfare. The Ettie Street access will be closed. Please see Exhibit A.

#### 04-ALA-580-34 Lease History

FLA 04-ALA-580-34 is one of three similar adjacent parcels under Interstate 580 at this location. These three are among the least marketable areas in District 4, and hence have proved to be difficult to lease. Since 2015, ALA-580-34 has remained vacant for 24 out of the last 41 months, and when leased the rent has remained a nominal \$500/month. Currently it is leased to a hauling business for dumpster storage at \$500/month. While the District has marketed the site, demand for this location has been negligible.

#### 04-ALA-580-34 Property Condition

The FLA currently is raw unimproved land. The property utility is compromised during the winter wet season due to muddy ground conditions. The parcel suffers chronically from illegal dumping, homeless encampments, graffiti and vandalism to the entrance gates and perimeter fence. The property requires substantial improvements including paving, lighting and security measures in order to achieve its highest an best use.

#### Long Term Lease Benefits to the State

- Increased revenue due to higher initial rent, escalation, revaluation and vastly improved occupancy rate.
- ETMA will construct site improvements that will substantially increase the safety, utility, and value of the FLA in the long term.
- Reduced work load on Maintenance staff to clear trash, remove homeless camps, deal with graffiti and make repairs to fencing and gates.
- Eliminate complaints from neighbors and City of Oakland staff about trucks entering and exiting the site via the existing local street. Two new access points will be created on Mandela Parkway, where neighbors will not be affected by tenant traffic.
- The public transit bus depot use furthers Caltrans' goal of partnering to develop a multi modal integrated transportation system.

CHAIR AND COMMISSIONERS CALIFORNIA TRANSPORTATION COMMISSION Reference No.: T.B.D. December 5 – 6, 2018

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#### **SUMMARY**

The ability to directly negotiate with the ETMA is in the best interest of the State. The City of Emeryville through the ETMA must construct a new bus depot and are committed to improving the FLA to support continued operations and growth. The proposed improvements will substantially transform the site; provide a deterrent to vandals; be a more safe and secure area and contribute to continuously upgrading the neighborhood. The investment necessary to bring about such a transformation is not financially feasible without the tenant's ability to amortize the costs over a longer term. A long-term lease would allow the Department to receive fair market rent for an extended period with the ability to increase rent as the market changes, and would allow for the required upgrades.

Attachments Exhibit A: Project Plans Exhibit B: FLA Maps Exhibit C: Photographs of typical FLA condition





1. RIGHT OF WAY LINES ARE SCHEMATIC. GROSS AREA TO BE

- RAISED FOUNDATIONS OR COLUMNS
- FREEWAY LEASE AREA
- CALTRANS PARCEL
- **REMOVE EXISTING FENCE**
- **RIGHT OF WAY**
- **EXISTING FREEWAY VIADUCT**

**SEPTEMBER 21, 2018 SCALE:** 1" = 40'







## NOTES

- ALL LINES SHOWN AS STRIPING
- "\*" INDICATES STALLS ACCESSED BY REVERSING MOVEMENT.
- 16' MINIMUM DRIVE AISLE. 3

## LEGEND



STRIPING (12" WHITE)

DIRECTIONAL ARROW

RAISED FOUNDATIONS OR COLUMNS

PAVED PARKING LOT

CONCRETE DRIVEWAY

**BIORETENTION AREA** 

PLANTING AREA

ORNAMENTAL METAL FENCE

CLF / AUTOMATED SLIDING GATE

**EXISTING FREEWAY VIADUCT** 

COLUMN PROTECTION PER CALTRANS RW MANUAL, CHAPTER 15, EXHIBIT 15-EX-11.

## **PARKING CRITERIA**

## VEHICLE A# 40' BUS (90°/60°) 40' BUS (PARALLEL) B**# C#** 32' BUS (90°/60°) 32' BUS (PARALLEL) D# E# EMPLOYEE PARKING F**#** ADA PARKING

# STALL DIMENSIONS 13' x 44'

12' x 50'
12' x 35'
12' x 40'
9' x 18'
9' x 18'



: 8.50 Width Track : 8.50 Lock to Lock Time : 6.0 : 40.0 Steering Angle



LEGENE	LEGEND					
TREES						
	Acer palmatum 'Fireglow'					
SHRUBS						
	Carex tumulicola					
	Chondropetalum tectorum					
	Dietes vegeta 'Variegata'					
	Hesperaloe parviflora					
	Polystichum munitum					
	Rhamnus californica 'Eve Case'					
	Ribes viburnifolium					
2.2	Stormwater Treatment Area					
VINES	Hardenbergia violacea					
PAVING						
	Asphalt					
	Sidewalk					

**ILLUSTRATIVE SITE PLAN** SEPTEMBER 2018

#### EXHIBIT B



EXHIBIT B













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## EMERYVILLE TRANSPORTATION MANAGEMENT ASSOCIATION EMERY GO-ROUND BUS FACILITY PROJECT





Agency Review Periods

Deliverables

Project Milestone/ Approvals

(1) Caltrans District 4 Requires CTC Approval to Negotiate Lease Terms

			20	20		
DEC	JAN	FEB	MAR	APR	MAY	JUN
RMIT						
	CON	STRUCT	ΓΙΟΝ			OPEN

### **Project Description**

#### **Introduction**

The project proposes to increase vertical clearance at three locations in the Oakland MacArthur Maze (referred to as the Maze). These locations do not meet the current vertical clearance design standard of 16.5'. The project covers a problematic location identified in the Accelerated Bridge Delivery - Freight Corridor Improvement Program that restricts freight movement. The Maze include connectors between Interstate(I)-80 / I-580 and I-80 / I-880. The four proposed build alternatives include lowering, raising, partially replacing, and partially reconstructing existing bridge structures to achieve current design standards.

#### **Project History**

Goods movement is essential to the economies of California and the nation, with approximately one third of the state's economy directly supported by the freight industry. The state's highways are a critical component of the California's goods movement system, linking to the rest of the nation through key Interstate routes that are part of the federally designated Primary Highway Freight System (PHFS).

Sections of these routes have vertical clearance and load-carrying restrictions at numerous bridges that hinder the continuous movement of large or heavy freight loads. Portions of these highways are not useable by larger or heavier loads, necessitating lengthy detours for trucks carrying these loads to circumnavigate around the bridges. The longer trips also generate extra greenhouse gas emissions and other pollutants. The time required for the extra travel has a monetary cost for the drivers, equipment use, extra fuel consumption, delivery delays, and damage to other facilities that are not constructed to Interstate pavement standards.

The Accelerated Bridge Delivery - Freight Corridor Improvement Program has been developed for strategically identifying aging and obsolete bridges that restrict freight movement due to bridges' truck load and/or vertical clearance restrictions. Under this program, the state bridge inventory has been reviewed with specific criteria to expedite the repair of critical bridges. Interstate 80 (I-80) has been identified and selected as one of the corridors that will be improved.

The Maze is a large freeway interchange consisting of the three major freeways - the Eastshore (I-80/I-580), MacArthur (I-580), and Nimitz (I-880). It is located within one mile northeast of the Port of Oakland. The Port of Oakland serves as the principle ocean gateway for international containerized cargo shipments in Northern California.

#### **Purpose**

The purpose of this project is to eliminate lengthy, time-consuming, and costly detours of large freight vehicles transporting goods through the I-80 connectors in the Maze.

#### Need

The need is to modify or replace bridges in the Maze to allow for large freight vehicle passage.

#### Problem, Deficiencies, Justification

Currently, large freight vehicles cannot travel through the various connectors in the Maze due to its vertical clearance restrictions.

Three existing vertical clearances in the Maze do not meet current vertical clearance design standards of 16.5'. The deficiencies are at the following connector pinch points:

14'-9" vertical clearance between the WB80-EB580 and WB580-WB80 connectors 15'-3" vertical clearance between the WB80-SB880 and WB580-WB80 connectors 15'-6" vertical clearance between the WB80-SB880 and EB80-EB580 connectors

#### **Design Alternatives**

#### Alternative A - Lower Connectors

This alternative consists of lowering two connectors:

- The WB80-EB580 (Br. No. 33-0061L) connector has a vertical clearance of 14'-9" below the WB580-WB80 (Br. No. 33-0061R) connector thus needs to be lowered 21" to achieve the standard clearance of 16'- 6". The segment of this connector to be lowered is approximately 665'.
- The WB80-SB880 (Br. No. 33-0611L) connector has a vertical clearance of 15'-3" below the WB580-WB80 connector thus needs to be lowered 15" to achieve the standard. This same connector also has a vertical clearance of 15'- 6" below the EB80-EB580 connector (Br. No. 33-0061L) thus needs to be lowered 12" to achieve the standard. The segment of this connector to be lowered is approximately 1515'.

The WB80-EB580 connector consists of simple steel girder spans (Bent 11 through Bent 18).

Most of WB80-SB880 connector consists of continuous steel girder spans (Bent 30 through Bent 37). Therefore, they need to be lowered simultaneously requiring coordinated jacking system at bents 30 through 33. There are also two concrete slab spans between bents 11, 37 and 39 that need to be lowered.

Falsework will need to support all the bents and the adjoining girders before the jacking operation. The supporting falsework needs to have a jacking system that will lower the spans. This will likely consist of multiple shims that can be taken out piece by piece while the bridge is being supported by the jacks.

Once the simple steel girder spans or continuous steel girder spans are supported by falsework, the top 10' of the existing columns below the bottom of the concrete bent-cap will be cut and removed, except for the 2' of vertical column reinforcement below the bottom of the bent cap and the top of the remaining columns. This exposed reinforcement will be spliced after the bridge is lowered but before the columns are rebuilt with concrete.

Once the reinforced concrete slabs on concrete columns are supported on falsework, 5' of the columns will be removed at the midpoint, except for the vertical column reinforcement. After the reinforcement are cut, the spans are lowered to their final elevations, the reinforcement shall be spliced, and the column rebuilt with concrete.

Due to poor soil conditions, existing foundation retrofit will be required, consisting of adding piles, larger pilecaps, and adjacent micropiles. Falsework will be supported on this modified foundation. Due to the lack of sufficient clearance below the existing connectors, the pile foundation for the falsework will be challenging to construct.

The approximate construction duration for this alternative is 15 months.

#### Alternative B - Raise Connectors

This alternative consists of raising two connectors:

- The EB80-EB580 (Br. No. 33-0061L) connector has a vertical clearance of 15'- 6" above the WB80-SB880 connector (Br. No. 33-0611L) thus needs to be raised 12" to achieve the standard clearance of 16'- 6". The segment of this connector to be raised is approximately 790'.
- The WB580-WB80 (Br. No. 33-0061R) connector has a vertical clearance of 14'- 9" above the WB80-EB580 (Br. No. 33-0061L) connector thus needs to be raised 21" to achieve the standard. This same connector also has a vertical clearance of 15'- 3" above the WB80-SB880 connector thus needs to be raised 15" to achieve the standard. The segment of this connector to be raised is approximately 800'.

The profile grade of both connectors will be raised by gradually transitioning over four to six spans. The EB80-EB580 connector will be raised between Bents 14 and 24. The WB580-WB80 connector will be raised between Bents 8 and 18.

For the EB80-EB580 connector, the spans between Bent 14 to Bent 19 will be raised linearly so that Bent 19 will be raised 12" and Bent 14 will remain in place and act as a pivot point. In a similar manner, the spans between Bent 24 to Bent 19 will be raised in a linear transition. The same Bent 19 is raised 12" and Bent 24 will remain in place and act as a pivot point.

For the WB580-WB80 connector, the spans between Bent 8 to Bent 14 will be raised linearly so that Bent 14 will be raised 22" and Bent 8 will remain in place and act as a pivot point. In

a similar manner, the spans between Bent 18 to Bent 14 will be raised in a linear transition. The same Bent 14 is raised 22" and Bent 18 will remain in place and act as a pivot point.

Before the jacking operation the structure at each bent needs to be supported by falsework. The falsework needs to be installed in the area below the ends of the adjoining steel girders and around the columns. In some locations, access to the columns and girders will be challenging due to the conflicting connectors below, therefore, require innovative falsework systems.

Once each bent area is supported by the jacking system, the top 10' of the existing column will be removed exposing the existing vertical column reinforcement. 2' of the reinforcement will need to be saved to be spliced with new column reinforcement when the extended column portion is rebuilt. All the single column bents have steel bent-caps supporting the girders. The bent-caps will be raised with the adjoining girders.

A number of iterations of sequential jacking of bents will be required until the desired profile change is achieved. In addition, it is necessary to keep a relatively tolerable change of elevation between the adjoining spans. In addition, some bridge pavement work at the pivot points may be required on the existing deck to create a smoother transition for the traffic.

Due to increase in the seismic demand, the existing foundation will require retrofitting. The increase is not only due to the greater overturning moment of the higher superstructure but also due to the change in the seismic design criteria. The existing structures were retrofitted in the early 1990s but the seismic design criteria and analysis methods used at that time were less stringent than the criteria and the methods utilized today.

Due to poor soil conditions, existing foundation retrofit will be required, consisting of adding piles, larger pilecaps, and adjacent micropiles. Falsework will be supported on this modified foundation. Due to the lack of sufficient clearance below the existing connectors, the pile foundation for the falsework will be challenging to construct.

The approximate construction duration for this alternative is 16 months.

#### Alternative C - Replace Connectors

This alternative consists of partially replacing two connectors:

- The EB80-EB580 (Br. No. 33-0061L) connector has a vertical clearance of 15'- 6" above the WB80-SB880 connector (Br. No. 33-0611L), thus, needs to be replaced between the abutment at the western end and Bent MB25 with a parallel connector to achieve the standard clearance of 16'- 6". The segment of this connector to be replaced is approximately 2000'.
- The WB580-WB80 (Br. No. 33-0061R) connector has a vertical clearance of 14'- 9" above the WB80-EB580 (Br. No. 33-0061L) connector and a vertical clearance of 15'-3" above the WB80-SB880 connector, thus, need to be replaced between the abutment at the

western end and Bent BM36 with a parallel connector to achieve the standard. The portion of this connector to be replaced is approximately 2800'.

The replacement composite structures will consist of steel girders with concrete decks. The decks will be 60' wide for each connector, consisting of three 12' lanes, two 10' shoulders, and two 2' bridge railings. The girders will be continuous with expansion joints over some bents to allow for temperature movement. The girders will be supported on concrete drop-caps. Most of the bents will be single column bents on piles. A single foundation option is considered for the proposed structure: Cast-in-drilled-hole (CIDH) piles. CIDH piles require drilling a hole, installing a rebar cage, and backfilling with concrete. Soft soils, sandy material, and groundwater at the site will require a permanent or temporary steel casing be installed to maintain the integrity of the drilled hole as well as the piles. Casing shall be rotated or vibrated into the ground to minimize noise disturbance. Should multiple CIDH piles be used as pile group, some excavation for a pile cap will be required which will expand the footprint at each foundation. This method will involve off haul of foundation soils as well as dewatering of the drilled hole. Rotation of permanent casing may require deeper piles as the upper portion of the pile may be discounted in capacity calculations.

In the area where the new structures merge with the existing connectors, the bents will be of outrigger type. Two columns will be supporting a transverse concrete beam on which the steel girders of the new structure will be placed. This type of bent will allow the construction of the columns before the demolition of the existing structure. The existing connectors will remain operational to the maximum extent while the new parallel connectors are constructed. Thus, it will allow the construction of the replacement structures in a shorter time schedule with less impact to the motoring public.

The existing abutments will remain in place and may need to be modified to accommodate the new girders. This is due to the time constraint of building new abutments.

Another possible construction method in the area where the new connectors merge with the existing connector is to build a portion of the replacement span next to the existing connectors and slide it in place after that portion of the existing connector is removed. This will require enough space where the replacement span can be constructed. The new spans can also be built nearby and transported in.

The approximate construction duration for this alternative is 22 months.

#### Alternative D - Reconstruct Connectors

This alternative consists of reducing the depth of the girders and raising the profile of two connectors:

• The EB80-EB580 (Br. No. 33-0061L) connector has a vertical clearance of 15'- 6" above the WB80-SB880 connector (Br. No. 33-0611L) thus needs to be raised 12" to achieve the standard clearance of 16'- 6". The segment of this connector to be reconstructed is approximately 160'.

• The WB580-WB80 (Br. No. 33-0061R) connector has a vertical clearance of 14'- 9" above the WB80-EB580 (Br. No. 33-0061L) connector thus needs to be raised 21" to achieve the standard. This same connector also has a vertical clearance of 15'- 3" above the WB80-SB880 connector thus needs to be raised 15" to achieve the standard. The segment of this connector to be reconstructed is approximately 295'.

This alternative proposes a combination of utilizing shallower steel I-Girders and raising the existing profile grade.

For the EB80-EB580 (Br. No. 33-0061L) connector, the existing superstructure depth is 4'-6". The existing vertical is 15'-6" at Bent MB19. In order to achieve the required vertical clearance, it is envisioned that accelerated bridge construction (ABC) methods will be used to replace existing spans MB18 and MB19. The replaced structure will be essentially identical to the existing Steel I-Girder structure but will have a reduced superstructure depth of 3'-6". Prefabricated elements such a precast prestressed bent cap and steel I-Girders will be used for the replacement.

For construction to begin a complete, simultaneous traffic closure will be required for the upper and lower roadway connectors. The existing concrete decks will first be removed between Bent MB18 and MB 20. This will be followed by removal of the existing Steel I-Girders. Lastly the existing precast bent cap will be detached and removed from the existing Bent MB19 columns.

Reconstruction will consist of erecting the new shallower precast bent cap on top of the existing columns. New shallower steel I-Girders will be placed next between Bent MB18 and the reconstructed Bent MB19. Followed by erecting girders in the next span between MB19 and bent MB20. Next a cast-in-place deck will be poured with the aid of steel deck forms. Finally, the new barrier railing will be constructed.

For the WB580/WB80 (33-0061R) connector, the existing superstructure depth is also 4'-6". The existing vertical clearance is 14'-9" and 15-3" from the existing structures below. To achieve the required vertical clearance a total of four existing spans will need to be reconstructed. The existing "BM" profile grade will need to be raised approximately 9" at existing bent BM13. Additionally, the superstructure depth will need to be reduced from 4'-6" to 3'-6".

Prior to closing traffic, new bents will need to be constructed adjacent of existing bents BM13 and BM14. The new bents will utilize Cast in Drilled Hole (CIDH) piling with oscillated temporary casings that will be oscillated down to tip elevation. Two CIDH piles will be oscillated at each bent location. Due to the vertical restriction imposed by the overhead structure the CIDH piling will need to be oscillated down in 30 - 35 ft segments. As the segments are oscillated down to the ground level, the next segment will need to be welded to the CIDH piling prior to oscillating the pile again. The piling will be cut off at approximately ground level. The soil within the piling will also be excavated as the pile reaches tip elevation. After the piling has reached tip elevation, the rebar cage will be

lowered into the piling in segments. Concrete will be poured within the piling to approximately 20 feet below the pile cut off. Next the column and bent cap will be constructed.

After the substructure has been constructed, a complete, simultaneous traffic closure for the upper and lower connectors are required for the reconstruction of spans BM11, BM12, BM13 and BM14. In order to achieve the raised profile, existing span BM11 will need to be raised. Temporary support towers will be needed adjacent to the existing bent for lifting the superstructure and constructing new superstructure support. Existing span BM14 will also be constructed in a similar manner as span BM11, with the exception that the existing girders will be saw cut shorter to fit the new Bent BM14.

New Steel I-Girders will then be erected between existing bent BM12 and new bent BM13. Followed by erecting girders between new bent BM13 and new bent BM14. Next a cast-inplace deck will be poured with the aid steel deck forms. Finally, the new barrier railing will be constructed.

Due to increase in the seismic demand, the existing foundation will require retrofitting. The increase is not only due to the greater overturning moment of the higher superstructure but also due to the change in the seismic design criteria. The existing structures were retrofitted in the early 1990s but the seismic design criteria and analysis methods used at that time were less stringent than the criteria and the methods utilized today.

Due to poor soil conditions, existing foundation retrofit will be required, consisting of adding piles, larger pilecaps, and adjacent micropiles. Falsework will be supported on this modified foundation. Due to the lack of sufficient clearance below the existing connectors, the pile foundation for the falsework will be challenging to construct.

The approximate construction duration for this alternative is 16 months.

#### **Right-of-Way Issues**

The East Bay Municipal Utility District (EBMUD) have an access tunnel that run underneath the connectors of the Maze in an easterly-westerly direction. We currently have aerial easements rights for the connectors above but they will have to be renegotiated due to construction activities and new configurations of the connectors over this access tunnel. The footprint of all four alternatives touch the airspace above the tunnel.

The Union Pacific Railroad (UPRR) have active railroad tracks that travel underneath the connectors of the Maze in a northerly-southerly direction. We currently have aerial easements rights for the connectors above but they will have to be renegotiated due to construction activities and new configurations of the connectors over the railroad tracks. The footprint of alternatives "A" and "C" touch the airspace above the tracks. Existing Construction & Maintenance (C&M) agreements with UPRR will also need amending.

No new right of way takes are anticipated but Temporary Construction Easements (TCE) will be required for all four alternatives.

All staging areas will be within the State Right of Way. Areas in the Maze that is within State right of way and is practical for staging will be used. Depending on the Alternative chosen, having staging on both sides of the railroad tracks will be beneficial.

The most logical access to this site is via EB80 to the West side and from the WB580-EB80 connector on the East side.

#### **Utilities**

Various utilities run throughout the project limits; there is potential for utility conflicts. Potholing will positively identify underground utilities and determine if and where piles can be placed to avoid utility conflicts. The best strategy will be to avoid or protect existing utilities in place.

#### **Highway Planting and Irrigation**

Within the last 5 years, newly planted trees, shrubs and groundcover exist within the project limits, especially within the proposed construction and staging areas. This planting was part of BCDC Permit Conditions for construction of the Self-Anchored Suspension portion of the eastern span of the San Francisco-Oakland Bay Bridge. Planting and irrigation will be removed and replacement/repairs will be required. If the irrigation serving areas outside of contractor staging areas are impacted and damaged, truck watering to maintain those planted areas will be required until automated irrigation is restored. The resulting follow-on replacement planting project would be funded by the roadway contract and implemented within 1 year after roadway construction is completed. A three-year plant establishment period is required.

#### **Foundation Feasibility**

#### Subsurface Conditions

The project area is located on the low-lying bay plain flanking the east side of San Francisco Bay. The depression forming the bay is a result of combination of regional faulting and down warping of structural block within a central Coast Range of California. Sediments from the surrounding mountains plus the extensive Sacramento-Joaquin river system that drains the Central Valley have gradually been filling in the bay creating a flat plain around much of the periphery and extensive tidal flats underlain by soft, young bay mud.

According to USGS- Open File Map 97-97, the westerly side of the project site is blanketed by fill materials consisting of loose to medium dense granular materials. The eastern side of the project site is underlain by natural levee deposits (see Geology Map). The fill materials generally consist of boulders, cobbles, gravel, rubble (iron slag), sand, and sandy silt. The fill materials are typically underlain by very soft to soft, compressible silt and sandy clay, locally

known as Bay Mud. Natural levee deposits consist of loose, moderately to well - sorted or clayey silt grading to sand or silty clay.

As-built borings show very soft to stiff cohesive soils in the top 100' with occasional interbeds of fine gravel and sand. Fill at the location of the foundations is thin, perhaps only 5' thick. Groundwater can be expected to be 5' to 12' below the ground surface and fluctuate tidally.

#### Foundation Option

A single foundation option is considered for the proposed structures in all four alternatives: Castin-drilled-hole (CIDH) piles. CIDH piles require drilling a hole, installing a rebar cage, and backfilling with concrete. Soft soils, sandy material, and groundwater at the site will require a permanent or temporary steel casing be installed to maintain the integrity of the drilled hole as well as the piles. Casing shall be rotated or vibrated into the ground to minimize noise disturbance. Should multiple CIDH piles used as pile group, some excavation for a pile cap will be required which may expand the footprint at each foundation location. This method will involve off haul of foundation soils as well as dewatering of the drilled hole. Rotation of permanent casing may require deeper piles as the upper portion of the pile may be discounted in capacity calculations.

Dewatering and removal of hazardous materials should be considered during installation of piles.

#### Soil Improvement Methods

For Alternatives "A", "B" and "D", CIDH piles will be added to enlarge the existing pile caps at each bent to meet the new load demand due to the new seismic design requirements. Micropiles will also be added around each bent to strengthen the ground and allow for falsework construction.

For Alternatives "C" and "D", poor soil conditions in this area present liquefaction issues. Cement Deep Soil Mixing (CDSM) ground treatment is necessary to remove the liquefaction impacts. CDSM treatment will be implemented at each new support.

#### **Transportation Management Plan**

A Traffic Management Plan (TMP) will be implemented during construction to minimize and prevent delay and inconvenience to the traveling public. TMP strategies include public information (brochures/mailers, press releases, advertising, internet, etc.), motorist information strategies (Changeable Message Signs (CMS)-fixed, CMS-portable, and ground mounted signs), incident management (Construction Zone Enhanced Enforcement Program (COZEEP) and Freeway Service Patrol), and construction strategies (lane closure charts).

#### Temporary Full Connector Closures

Full connector closures will be necessary for all four alternatives.

For lowering the structures (Alternative "A"), approximately 6 weeks of full closures is required for each connector.

For raising the structures (Alternative "B"), approximately 6 weeks of full closures are required for both connectors (4 weeks for the WB580/WB80 connector, 2 weeks for the EB80/EB580 connector).

For replacing the structures (Alternative "C"), approximately 45 weeks of full closures are required for both connectors (30 weeks for the WB580/WB80 connector, 15 weeks for the EB80/EB580 connector).

For reconstructing the structures (Alternative "D"), approximately 20 weeks of full closures are required for both connectors (12 weeks for the WB580/WB80 connector, 8 weeks for the EB80/EB580 connector).

#### Bay Bridge Trail

The Bay Bridge Trail is a multi-purpose path that provide pedestrians and bicycles a route that travels from the Bay Bridge, through the Maze, and into the City of Emeryville. This trail remains open during most of the construction activities. To accomplish this, detours through the Maze or through the city streets may be needed. For the safety of the pedestrians and riders, a noise barrier and/or an enclosure may be needed. Providing 24-hour bus shuttle service to detour around the construction zone is also an option.

#### **Hydrology and Floodplain**

The project site is located within a mile of the Port of Oakland and near the San Francisco Bay. The project site does not fall within a Federal Emergency Management Agency (FEMA) Floodplain.

The proposed work will not affect or encroach into existing creeks. There are no fish passage issues associated with the project.

In about 2008, a series of bioretention basins and pump stations were constructed within the Maze. The purpose of these facilities is to collect and treat storm water runoff. The proposed project will impact these water quality facilities. There is a network of underdrains below the floor of each bioretention basin. These shallow perforated pipes could be damaged by excavation or additional loading associated with temporary falsework in Alternatives "A", "B", and "D" or with construction of the new connector of Alternative "C".



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# BIKE DETOUR #1 BIKE DETOUR #2

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GES)

Ala 80 (PM 3.1 to PM 3.4) Ala 580 (PM 46.2 to PM 46.9L/R) Ala 880 (PM R35.0L to PM R35.3L)

# Br No. 33-0061L (WB80-EB580 & EB80-EB580)

Br No. 33-0061R (WB580-WB80)

Br No. 33-0611L (WB80-SB880)

PLACE BRIDGES

EA 04-4K8100 (0417000363) MacArthur Maze ALTERNATIVES

#### AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT BETWEEN EMERYVILLE TRANSPORTATION MANAGEMENT ASSOCIATION AND BKF ENGINEERS

THIS AMENDMENT NO. 5 to agreement dated July 19, 2017 between the Emeryville Transportation Management Association, a California non-profit corporation, herein called the "Association," and BKF Engineers, a California Corporation, herein called the "Consultant."

#### RECITALS

WHEREAS, Association retained Consultant to provide preliminary engineering services to conduct a feasibility analysis on accessibility to a potential bus yard site from Mandela Parkway for an amount not to exceed \$5,000; and

WHEREAS, Association amended the agreement to increase the compensation limit by \$38,436 and expand the scope of work to include surveying, conceptual site design and landscaping design services for a potential bus yard on Mandela Parkway in the City of Oakland; and

WHEREAS, Association amended the agreement further to increase the compensation limit by \$8,900 and expand the scope of work to include a circulation study and conceptual site design for a potential short term parking lease on Horton Street in the City of Emeryville; and

WHEREAS, Association amended the agreement to extend the term of services one (1) year to December 31<sup>st</sup>, 2018; and

WHEREAS, Association further amended the agreement to increase the compensation limit by \$16,320 and to expand the scope of services to finalize the site plan and construction documents for the proposed improvements at the short term parking site on Horton Street, and

WHEREAS, Association wishes to further amend the agreement to further extend the term of service one (1) year to December 31, 2019 and to increase the compensation limit by \$220,133 to cover the next phase of work, including final design and environmental assistance on the Mandela Parkway site, as referenced in Exhibit A attached and incorporated herein.

NOW, THEREFORE, BE IT MUTUALLY AGREED that term ending date defined in Section 2 of the agreement be amended to December 31<sup>st</sup>, 2019 and Section 3A of the agreement be amended to increase the total compensation by \$220,000 for a total not to exceed limit of \$288,789.

IN WITNESS WHEREOF, the Association approved Amendment No. 5 to this Agreement on the of \_\_\_\_\_, 2018.

 $\left|\right|$ 

EMERYVILLE TRANSPORTATION MANAGEMENT ASSOCIATION

CONSULTANT

By:					
	Chair				

By: \_\_\_\_\_



November 8th, 2018

Roni Hattrup Emeryville Transportation Management Association Gray-Bowen-Scott 1211 Newell Ave., Suite 200 Walnut Creek, California 94596

#### Subject: Proposed Emery Go-Round Bus Yard Mandela Final Design Plans, Specification and Estimate

Dear Ms. Hattrup,

The Emeryville Transportation Management Association (ETMA) is interested in pursuing a long term lease with Caltrans for a site on Mandela Parkway in West Oakland to relocate their Bus Yard. As a result, the Emeryville Transportation Management Association has requested that a Final Design Plans, Specifications and Estimate (PS&E) be prepared for project construction and securing an airspace lease. Per your request, BKF Engineers (BKF) has prepared the following scope of work for the Mandela Site PS&E.

TASK 1 – Project Management	\$10,078
TASK 2 – Environmental Clearance	\$44,000
TASK 3 – Mapping Investigations	\$45,376
TASK 4 – Draft PS&E Submittal	\$67,110
TASK 5 – Final PS&E Submittal	\$38,405
TASK 6 – Permits	\$13,164
Reimbursables	\$2,000
TOTAL	\$220,133

See Attachment 1 for a fee breakdown of these tasks. BKF Engineers' (BKF) scope of work is as summarized below:

#### **TASK 1 – Project Management**

Marcelo Cosentino, BKF's Project Manager, will be responsible for managing the project team, providing the resources to complete the job, monitoring and updating the Project budget and schedule, implementing a quality assurance/quality control program and communicating regularly with Gray-Bowen-Scott. Marcelo will keep Gray-Bowen-Scott informed by close communications on a day-to-day basis and be continually available to the Gray-Bowen-Scott as needed. To maintain the Project schedule, BKF will act as strategic counsel by flagging issues, providing recommended solutions for discussion and implementing the accepted action.

BKF will provide project management services for each task for the entire duration of the projects. Marcelo will be responsible for ensuring that the project tasks are completed in a timely manner to the satisfaction of Gray-Bowen-Scott and will use the following management activities to facilitate the Project objectives:



- **1.1 Project Administration** Supervise, coordinate, and monitor the design for conformance with accepted standards and policies. BKF will establish and implement a quality control procedure for design activities, perform in-house quality control reviews for each task, and submit project deliverables for review in accordance with the approved schedule.
- **1.2 Project Kick-off Meeting -** A kick-off meeting will be scheduled immediately after the Notice-to-Proceed to confirm the scope and objectives for final design. BKF will work with Gray-Bowen-Scott staff to establish project expectations, discuss agency reviews and determine the schedule for the Project.
- **1.3 Progress Review Meetings** BKF will set up and run Project Review Meetings after each milestone Submittal. We will discuss the Project progress, issues which may affect the Project schedule and budget, and any other agenda items that may require discussion.
- **1.4 Project Schedule** BKF will prepare and update the project schedule using Microsoft Project software to be submitted at each Progress Review Meeting. Project Schedule will include key milestones and agency review periods.
- **1.5 Invoices/Progress Reports –** BKF will prepare monthly invoicing that will include costs to date and percent complete.

TASK 1 – DELIVERABLES:

- » Progress Review Meeting minutes and agenda
- » Project Schedule

#### TASK 2 – Environmental Clearance

As a subconsultant to BKF, David J. Powers and Associates (DJP&A) will prepare the required environmental documents to comply with CEQA for the proposed project.

Since the project is located on Caltrans property, DJP&A assumes that Caltrans will be the lead agency for CEQA. DJP&A assumes that this project we be approved with a Categorical Exemption (CE) with the appropriate technical studies, which will meet the requirements of CEQA.

- **2.1 CEQA Clearance and Project Initiation:** DJP&A will review relevant background and technical information provided by the Emeryville Transportation Management Association and the project team. DJP&A will conduct a site visit to evaluate and document the existing project site conditions with Caltrans staff and the project team and to verify the project's eligibility for a CE under CEQA. DJP&A will meet with Caltrans staff and the project team, to develop an understanding of the project as well as to agree upon the number and scope of technical studies to be prepared.
- **2.2 Technical Studies:** Based on our understanding of the project and the site conditions, we anticipate that Caltrans will process the project with a CE under CEQA, including the preparation of one or more of the following technical studies:



#### Air Quality

If required, Illingworth & Rodkin, Inc. (I&R), as a subconsultant to DJP&A, will prepare an air quality assessment that quantifies emissions during both the construction and operational phases of the project. To the extent required by Caltrans, criteria air pollutants, TACs, and GHGs will be assessed and addressed.

#### Cultural Resources

If required, Archaeological/Historical Consultants (A/HC), as a subconsultant to DJP&A, will prepare the following documents:

- Area of Potential Effects (APE) Map
- Archaeological Survey Report (ASR), including Native American consultation
- Historic Resources Compliance Report (HRCR)

This scope assumes no Historic Resources Evaluation Report (HRER) will be necessary for this project. This scope also assumes that no Extended Phase 1 (XP1) testing will be required.

#### Noise Technical Memorandum

If required, Illingworth & Rodkin, Inc. (I&R), as a subconsultant to DJP&A, will address noise and vibration resulting from the construction and operational phases of the project. I&R staff will complete the following tasks:

- Identify sensitive receptors;
- Quantify existing noise levels;
- Quantify noise from major construction activities
- Quantify noise from the operation of the facility
- Establish appropriate significance thresholds and assess noise and vibration impacts; and
- Recommend measures to mitigate the impacts, if warranted.

#### CEQA Notice of Exemption (NOE)

DJP&A will prepare the CEQA NOE forms and provide them to Caltrans for review and comment. DJP&A will coordinate any revisions with Caltrans and will provide a final version of the CEQA NOE for signature. This scope assumes that Caltrans will file the NOE with the State Clearinghouse.

#### TASK 2 – DELIVERABLES:

- » CEQA Notice of Exemption
- » Technical Studies as required by Caltrans



#### TASK 3 – Mapping/Investigations

BKF has already conducted site investigations and reviewed available documentation provided by Gray-Bowen-Scott. After BKF receives the notice to proceed, we will conduct supplemental investigations of the project sites and obtain and review any additional background information required for final design. This task will consist of compiling and reviewing additional existing data pertinent to the project and performing additional investigations necessary to verify the project's constraints, criteria and scope. Also included are planning phase activities, identifying supplemental information and performing supplemental field survey work. This work will consist of the following:

- **3.1 Collect Record Data and Project Information** BKF will obtain and review additional available data and information necessary for the final design of the project. This information will be obtained from the City, utility companies, and other organizations. BKF will compile right of way record maps, utility occupation drawings, block maps, and third party utility as-built information of record to supplement the topographic base sheets and begin the utility verification process.
- **3.2** Geotechnical Investigation –As a subconsultant to BKF, Geocon Inc. will conduct the project geotechnical investigation including a field exploration program, geotechnical and hazardous material laboratory testing, and engineering analysis. As part of the investigation, Geocon will:
  - Review available preliminary design plans and LOTB sheets for the I-580 viaduct.
  - Perform a site reconnaissance to review project limits and site logistics, evaluate drill rig access and mark out exploratory boring locations in the field for subsequent utility clearance.
  - Obtain a Caltrans Encroachment Permit.
  - Notify subscribing utility companies via Underground Service Alert (USA) a minimum of 48 hours (as required by law) prior to performing exploratory excavations.
  - Retain the services of a California C-57 licensed driller to perform approximately 8 shallow borings to depths of 4 <sup>1</sup>/<sub>2</sub> feet or less using a conventional truck-mounted drill rig.
  - Obtain representative soil samples using a driven California Modified sampler or Standard Penetration Test (SPT) sampler. Bulk soil samples will also be obtained. Soil samples will also be obtained for hazardous material testing.
  - Log the borings in accordance with Caltrans requirements.
  - Upon completion, backfill the borings with compacted soil cuttings or lean concrete.
  - Perform laboratory tests to evaluate pertinent geotechnical parameters and support design recommendations. Laboratory testing assignments will depend on the soils conditions encountered in our borings but we anticipate testing for R-value, in-situ dry density and/or moisture content, gradation, plasticity, maximum dry density and moisture content, and unconfined compressive strength. In addition, three samples will be submitted to our laboratory for screening-level corrosion testing.
  - Perform labratory tests on soil for CAM 17 Metals, SVOCs, TPHg/BTEX, TPHd/mo, and TCLP Lead.
  - Analyze field and laboratory data and perform engineering analyses to provide recommendations for new pavements. Assumption is a 30-year design life.
  - Prepare a report with design-level conclusions and recommendations. A Draft and Final report will be prepared.
- **3.3 Topographic Survey and Boundary Mapping** BKF will perform a supplemental topographic survey of the proposed bus yard and Mandela Parkway. This survey will identify and locate supplemental features needed for final design including conforms, tie-in, and locating other surface features. The survey will use a City of Oakland vertical datum and an assumed, project-specific horizontal datum. Accessing the site will require a Caltrans Encroachment Permit. Boundary Mapping will be prepared of the Caltrans Right-of-Way



using State Record Maps. Preparing ROW mapping with field survey to resolve the final boundary is not included in this scope of work.

**3.4** Utility Coordination – BKF is not anticipating that utilities need to be relocated as part of this project. However, it is important to identify existing utilities and mitigate potential impacts.. Utility as-built maps will be compared with project improvements to identify potential impacts and mitigation measures. If it is necessary to physically locate a utility, BKF can provide a proposal for a potholing company to perform this work. This task will also involve coordination of utility services for the site, such as domestic water, electric service for lighting and irrigation, and a sanitary sewer connection.

#### TASK 3 – DELIVERABLES:

- » Utility Mapping in PS&E
- » Right-Of-Way Mapping in PS&E
- » Soil Testing and Pavement Recommendation Report
- » Supplemental Topographic Survey

#### TASK 4 – Draft PS&E Submittal

With the completion of the site investigations, BKF will prepare Draft PS&E documents for submittal to Caltrans. These construction documents will consist of plans, technical specifications, and engineers estimate.

- **4.1 Construction Plans:** All the major components of the design plans, technical specifications and estimate will be developed to review-ready documents. With the establishment and review of the improvements, design will be production-oriented for preparation of project plans. Plans will be prepared in Caltrans format and will include:
  - Cover Sheet: A cover sheet will be prepared to provide an overview of the project limits and an index of project sheets. Project abbreviations and legend will also be included.
  - Project Control: The project control sheet will be prepared to provide monumentation and other project control used for the project.
  - Demolition Plan: BKF will evaluate the existing facilities impacted by the proposed improvements. The
    evaluation shall include existing conditions, unusual/special conditions and adjustments of
    manholes/valve covers conflicting with the proposed work. Demolition plans will show existing
    sidewalk, curb and gutter to be removed, removal of existing street pavement section, roadway
    excavation, and conform grind area. Additionally, all facilities to be protected in place will be identified.
    Existing utilities will be shown as background information and be used for utility coordination efforts.
  - Layout Plan: Layout Plans will be prepared showing the bus yard and will illustrate the limits and scope
    of surface improvements. Plan sheets will include basic horizontal information and identify all major
    construction features including areas of reconstruction and limits of conform. The plan will be at 1"=20'
    scale and will show limits of new pavement section, limit of pavement conforms, driveways, curbs and
    fencing and important elements to protect in place.



- Construction Details: Details will be provided as necessary to guide the Contractor on special conditions related to site grading and improvements.
- Grading Plan: Grading Plans will be prepared showing the proposed site improvements and existing drainage system with proposed drainage modifications and additions. Existing and proposed elevations will be shown on the plan at every 50 feet and for relevant changes along the street, flow line, and sidewalk.
- Drainage Plan and Profile: Plans will include location of proposed manholes and inlets and location of tie-in to the existing drainage system. The drainage plan will be prepared at 1"=20' scale showing the station line with station line/ offset of each manhole and inlet. Important drainage elements to protect in place will be identified. Layout will be provided for the bioretention areas.
- Signing and Striping Plans: Plans will show proposed locations of new signs and pavement markings that will be placed as necessary for integration with the new bus yard.
- Traffic Handling Plans: Plan will show proposed traffic handling to support construction.
- Erosion Control Plans: Plans will show proposed water pollution and erosion control measures.
- Electrical Plans: AEC Engineers, as a subconsultant to BKF, will prepare electrical plans for the yard lighting and electrical services. Photometric calculations will also be prepared.
- Landscape Plans: DGA, as a subconsultant to BKF, will prepare landscaping plans for the planting and irrigation throughout the site. DGA will also prepare a tree survey in accordance with City of Oakland standards to support the Conditional Use Permit application.
- **4.2 Technical Specifications:** The Project technical specifications will be prepared using the Caltrans Standard format and the 2015 Standard Special Provisions.
- **4.3 Engineers Estimate:** The construction cost estimate will be created to validate the current design and verify funding requirements for construction of the Project. The cost estimate will identify construction work items, quantities, unit costs, and summarize the estimated total project cost, including allowances for mobilization and contingencies. Unit prices will be determined from similar projects that were recently constructed in the nearby areas. The Engineers Estimate will be in Caltrans format and use Caltrans Bid Items.
- **4.4 Quality Assurance/Quality Control (QA/QC):** BKF will perform an in-house QA/QC review of the Draft PS&E submittal prior to submitting to EMTA. BKF's quality control review will include the review of the design package and response to comments for coordination among the various design elements. The different project sheets will present the design in a common manner with no contradictions or variances.

#### TASK 4 – DELIVERABLES:

- » Draft Construction Plans
- » Draft Technical Specifications
- » Draft Engineer's Estimate



#### TASK 5 – Final PS&E Submittal

With the completion of the draft PS&E, and receiving comments from EMTA and Caltrans, BKF will prepare the final PS&E documents for submittal to Caltrans. The final PS&E will be developed to a construction-ready submittal that will consist of the following:

- **5.1 Construction Plans:** All the major components of the design plans will be developed and coordinated to bid-ready and constructible documents.
- **5.2 Technical Specifications:** The Project technical specifications will be updated to reflect changes in the plans.
- **5.3 Engineers Estimate:** The construction cost estimate will be updated to reflect changes in the plans and specifications and converted to into the bid form (bid schedule).
- **5.4 Quality Assurance/Quality Control (QA/QC):** BKF will perform an in-house QA/QC review of the Final PS&E submittal prior to submitting to EMTA. BKF's quality control review will include the review of the design package and response to comments for coordination among the various design elements. The different project sheets will present the design in a common manner with no contradictions or variances.
- **5.5 Comment Resolution:** BKF will prepare a comment response form (CRF) to track comments from the Draft PS&E Submittal in order to confirm that all comments have been resolved prior to submitting the Final PS&E.

#### TASK 5 – DELIVERABLES:

- » Final Construction Plans
- » Final Technical Specifications
- » Final Engineer's Estimate and Bid Form
- » Comment Response Form

#### TASK 6 – Permits

BKF and the project team will assist EMTA in obtaining the following permits:

- **6.1 Caltrans Encroachment Permit for field investigations.** BKF will obtain a Caltrans Encroachment Permit to support the supplemental topographic survey, the geotechnical investigations, and other site investigations.
- **6.2 Caltrans Encroachment Permit for bus yard construction.** Based on conversations with Gray-Bowen-Scott during preliminary design, BKF understands that this project will be approved through Caltrans Airspace with a standard Caltrans Encroachment Permit. It is therefore assumed that a Permit Engineering Evaluation Report (PEER), Project Study Report (PSR), or other Project Initiation Documents (PID) are not required for this project. BKF will prepare the following items as necessary to support the processing of the Caltrans encroachment permit:



- Caltrans Encroachment Permit Application
- Construction Cost Estimate Within the Caltrans Right of Way
- Construction Plans for Work Within the Caltrans Right of Way
- Design Exceptions Fact Sheets Only
- ADA Compliance Certification
- Storm water Data Report (Short Form)
- **6.3 City of Oakland Conditional Use Permit.** BKF will prepare a conditional use permit application and supporting documentation for submittal to the City of Oakland. The CUP will demonstrate that this land use is compatible with the neighborhood and complies with the City General Plans. BKF assumes 2 meetings with the City of Oakland to review the permit application.
- **6.4 City of Oakland Encroachment Permit.** BKF will prepare an encroachment permit application and supporting documentation for submittal to the City of Oakland. The encroachment permit will approve construction of improvements within the public right-of-way.

TASK 6 - DELIVERABLES:

- » Caltrans Encroachment Permits
- » City of Oakland Conditional Use Permit
- » City of Oakland Encroachment Permit

BKF looks forward to providing the Emeryville Transportation Management Association and Gray-Bowen-Scott with continued professional service and quality in preparation of the PS&E for the Mandela Yard. We appreciate the opportunity to submit this proposal and look forward to working with you.

Very truly yours, BKF ENGINEERS

Marcelo Cosentino, PE, MBA Project Manager

- Attachments:
  - 1. Fee Breakdown

#### Emeryville Transportation Management Association Emery Go-Round Bus Yard Mandela Yard PS&E

						STAFF CA	TEGORY					
		PIC	PM		QA/QC							
		(Natalina	(Marcelo	Principal	(Carmelo	Engineer IV/	Engineer III/	Engineer II/	Engineer I/			
TASK	SCOPE DESCRIPTION	Bernardi)	Cosentino	(Davis Thresh)	Cecilio)	Survey IV	Survey III	Survey II	Survey I	Drafter III	Field Crew	Total
		\$237.00	\$197.00	\$237.00	\$197.00	\$182.00	\$168.00	\$148.00	\$129.00	\$143.00	\$278.00	
										-		
Task 1	Project Management											
1.1	1 Project Administration	2	10									12
1.2	2 Project Kick-off Meeting		4				4					8
1.3	3 Progress Review Meetings		8				6					14
1.4	Project Schedule	2	2				4					8
1.5	5 Invoices/Progress Reports	2	8									10
	Subtotals	6	32	_	-	_	14	_	-	-	_	52
	000101010		02									02
Task 2	Environmental Clearance											
	LINIONMEINAL Clearance			[	[		<u> </u>					
2.	Technical Studies (Also see DIPA below)											0
Z.4	2 Technical Studies (Also see DJPA below)											0
	Subtotals	-	-	-	-	-	-	-	-	-	-	-
Task 3	Mapping/Investigations	1	T	r	-		1	T	1			
3.1	1 Collect Record Data and Project Information		2					8	8			18
3.2	2 Geotechnical Investigation (Also See Geocon below)											0
3.3	3 Topographic Survey and Boundary Mapping		3	1			6		40		16	66
3.4	4 Utility Coordination		2					8		8		18
	Subtotals	-	7	1	-	-	6	16	48	8	16	102
				ļ		ļ		ļ				
Task A	Draft PS& E Submittal											
	Construction Plans (Also see DGA/AEC Below)		8				40	50	30	50		178
4.	2 Technical Specifications (Also see DGA/AEC Below)		0				-10	50	50	50		28
4.2	3 Engineer's Estimate (Also see DGA/AEC Below)		4				24	16	16			20
4.0	A Quality Assurance ( Quality Control		4			1		10	10			
4.4			4		4	+	14			50		0
	Subtotals	-	20	-	4	-	64	66	46	50	-	250
Task 5	Final PS&E Submittal	T	Γ	Γ	F	I		I	1			
5.1	1 Construction Plans (Also see DGA/AEC Below)		8				20	24		24		76
5.2	2 Technical Specifications (Also see DGA/AEC Below)		4				12					16
5.3	3 Engineer's Estimate (Also see DGA/AEC Below)		4					12	12			28
5.4	4 Quality Assurance / Quality Control		4		4	1						8
5.5	5 Comment Resolution		4				4					8
	Subtotals	-	24	-	4	-	36	36	12	24	-	136
Task 6	Permits											
6.1	1 Caltrans Encroachment Permit - Investigations		2					4				6
6.2	2 Caltrans Encroachment Permit - Construction		4					16				20
6.3	3 City of Oakland Conditional Use Permit		4				12	16				32
64	4 City of Oakland Encroachment Permit		2			1	10	12				24
0.	Subtotals	_	12	_	_	_	22	12	_	_	_	82
		-	12	-		-		40	-		-	02

## EST FEE

\$ 2,444.00
\$ 1,460.00
\$ 2,584.00
\$ 1,540.00
\$ 2,050.00
\$ 10,078.00

\$ -
\$ -
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\$ 2,610.00
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\$ 2,722.00
\$ 16,776.00
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\$ 4,820.00
\$ 5,220.00
\$ 1,576.00
\$ 38,332.00

\$ 11,920.00
\$ 2,804.00
\$ 4,112.00
\$ 1,576.00
\$ 1,460.00
\$ 21,872.00

\$ 986.00
\$ 3,156.00
\$ 5,172.00
\$ 3,850.00
\$ 13,164.00

#### **Emeryville Transportation Management Association** Emery Go-Round Bus Yard Mandela Yard PS&E

SCOPE DESCRIPTION Totals By Classifications Total Direct Labor	PIC (Natalina Bernardi) \$237.00 PIC (Natalina Bernardi) 6 \$ 1,422.00	PM (Marcelo Cosentino \$197.00 PM (Marcelo Cosentino 95 \$ 18,715.00	Principal (Davis Thresh) \$237.00 Principal (Davis Thresh) 1 \$ 237.00	QA/QC (Carmelo Cecilio) \$197.00 QA/QC (Carmelo Cecilio) 8 \$ 1.576.00	Engineer IV/ Survey IV \$182.00 Engineer IV/ Survey IV	Engineer III/ Survey III \$168.00 Engineer III/ Survey III 142	Engineer II/ Survey II \$148.00 Engineer II/ Survey II 166	Engineer I/ Survey I \$129.00 Engineer I/ Survey I 106	Drafter III \$143.00 Drafter III 82	Field Crew \$278.00 Field Crew	Total Total 622
SCOPE DESCRIPTION Totals By Classifications Total Direct Labor	(Natalina Bernardi) \$237.00 PIC (Natalina Bernardi) 6 \$ 1,422.00	(Marcelo Cosentino \$197.00 PM (Marcelo Cosentino 95 \$ 18,715.00	Principal (Davis Thresh) \$237.00 Principal (Davis Thresh) 1 \$ 237.00	(Carmelo Cecilio) \$197.00 QA/QC (Carmelo Cecilio) 8 \$ 1.576.00	Engineer IV/ Survey IV \$182.00 Engineer IV/ Survey IV	Engineer III/ Survey III \$168.00 Engineer III/ Survey III 142	Engineer II/ Survey II \$148.00 Engineer II/ Survey II 166	Engineer I/ Survey I \$129.00 Engineer I/ Survey I 106	Drafter III \$143.00 Drafter III 82	Field Crew \$278.00 Field Crew	Total Total 622
SCOPE DESCRIPTION Totals By Classifications Total Direct Labor	Bernardi)           \$237.00           PIC           (Natalina           Bernardi)           6           \$ 1,422.00	Cosentino \$197.00 PM (Marcelo Cosentino 95 \$ 18,715.00	(Davis Thresh) \$237.00 Principal (Davis Thresh) 1 \$ 237.00	Cecilio) \$197.00 QA/QC (Carmelo Cecilio) 8 \$ 1.576.00	Survey IV \$182.00 Engineer IV/ Survey IV	Survey III \$168.00 Engineer III/ Survey III 142	Survey II \$148.00 Engineer II/ Survey II 166	Survey I \$129.00 Engineer I/ Survey I 106	Drafter III \$143.00 Drafter III 82	Field Crew \$278.00 Field Crew	Total Total 622
Totals By Classifications Total Direct Labor	\$237.00 PIC (Natalina Bernardi) 6 \$ 1,422.00	\$197.00 PM (Marcelo Cosentino 95 \$ 18,715.00	\$237.00 Principal (Davis Thresh) 1 \$ 237.00	\$197.00 QA/QC (Carmelo Cecilio) 8 \$ 1.576.00	\$182.00 Engineer IV/ Survey IV	\$168.00 Engineer III/ Survey III 142	\$148.00 Engineer II/ Survey II 166	\$129.00 Engineer I/ Survey I 106	\$143.00 Drafter III 82	\$278.00 Field Crew 16	Total 622
Totals By Classifications Total Direct Labor	PIC (Natalina Bernardi) 6 \$ 1,422.00	PM (Marcelo Cosentino 95 \$ 18,715.00	Principal (Davis Thresh) 1 \$ 237.00	QA/QC (Carmelo Cecilio) 8 \$ 1.576.00	Engineer IV/ Survey IV	Engineer III/ Survey III 142	Engineer II/ Survey II 166	Engineer I/ Survey I 106	Drafter III 82	Field Crew	Total 622
Totals By Classifications Total Direct Labor	(Natalina Bernardi) 6 \$ 1,422.00	(Marcelo Cosentino 95 \$ 18,715.00	Principal (Davis Thresh) 1 \$ 237.00	(Carmelo Cecilio) 8 \$ 1.576.00	Engineer IV/ Survey IV	Engineer III/ Survey III 142	Engineer II/ Survey II 166	Engineer I/ Survey I 106	Drafter III 82	Field Crew	Total 622
Totals By Classifications Total Direct Labor	Bernardi) 6 \$ 1,422.00	Cosentino 95 \$ 18,715.00	(Davis Thresh) 1 \$ 237.00	Cecilio) 8 \$ 1.576.00	Survey IV	Survey III 142	Survey II 166	Survey I 106	Drafter III 82	Field Crew 16	Total 622
Totals By Classifications Total Direct Labor	6 \$ 1,422.00	95 \$ 18,715.00	1 \$ 237.00	8 \$ 1.576.00	- \$-	142	166	106	82	16	622
Total Direct Labor	\$ 1,422.00	\$ 18,715.00	\$ 237.00	\$ 1.576.00	\$ -						
	- •			· · · · · · · · · · · · · · · · · · ·	Ψ	\$ 23,856.00	\$ 24,568.00	\$ 13,674.00	\$ 11,726.00	\$ 4,448.00	\$ 100,222.00
						-				• • •	
Subconsultant											
	Task 1	Task 2	Task 3	Task 4	Task 5	Task 6					
David J. Powers (Environmental)		\$ 44,000.00									
Geocon (Geotechnical)			\$ 28,600.00								
Gates + Associates (Landscaping)				\$ 19,835.00	\$ 10,340.00						
AEC Engineers (Electrical)				\$ 8,943.00	\$ 6,193.00						
Subconsultant Costs											
Reimbursable											
Printing, Deliver, Mileage, Postage, Parking											

Reimbursable

#### **PROJECT TOTAL**

#### Assumptions:

- Traffic Studies and analysis is excluded.
   CCTV and site security design is exclued.
   Caltrans ROW Mapping will be from record only.
- 4. Existing survey control can be reutilized.
- 5. Construction Staking and Design Services During Construction work is excluded.
- 6. Utility Potholing work is excluded.

EST	FEE
Total I	.abor
\$ 100	,222.00
¢,	14 000 00
\$2	4,000.00
\$4 61	28,600.00
\$3 61	E 126 00
\$- 	7 011 00
<b>\$11</b>	/,911.00
¢	2 000 00
φ	2,000.00

\$ 220,133.00

#### AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT BETWEEN EMERYVILLE TRANSPORTATION MANAGEMENT ASSOCIATION AND DAMONO DESIGN

**THIS AMENDMENT NO. 3** to agreement dated August 21<sup>st</sup>, 2014 between the Emeryville Transportation Management Association, a California non-profit corporation, herein called the "Association," and Damono Design, a sole proprietor, herein called the "Consultant."

#### RECITALS

WHEREAS, Association retained Consultant to provide website design and maintenance services; and

WHEREAS, Association approved Amendment 1 to extend the term of the agreement to December 31<sup>st</sup>, 2016 and to increase the not-to-exceed limit by \$5,000 to \$14,000; and

WHEREAS, Association approved Amendment 2 to further extend the term of the agreement two (2) years to December 31<sup>st</sup>, 2018 and to increase the compensation limit by \$15,000 for a total not to exceed amount of \$29,000 for continued website maintenance services for both the Emery Go-Round and West Berkeley Shuttle websites; and

WHEREAS, Association wishes to extend the term of services two (2) additional years to December 31<sup>st</sup>, 2020.

NOW, THEREFORE, BE IT MUTUALLY AGREED that Section 2 of the agreement be amended to extend the term to December 31<sup>st</sup>, 2020.

IN WITNESS WHEREOF, the Association approved Amendment No. 3 to this Agreement on the \_\_\_\_\_ of \_\_\_\_\_, 2018.

EMERYVILLE TRANSPORTATION MANAGEMENT ASSOCIATION CONSULTANT

By: \_\_\_\_\_ Chair

Ву: \_\_\_\_\_

#### AMENDMENT TO AGREEMENT BETWEEN EMERYVILLE TRANSPORTATION MANAGEMENT ASSOCIATION AND JOHN TOUNGER, CPA

**THIS AMENDMENT NO. 2** to agreement dated December 15<sup>th</sup>, 2016 between the Emeryville Transportation Management Association, a California non-profit corporation, herein called the "Association," and John S. Tounger, Jr., CPA, herein called the "Consultant."

#### RECITALS

WHEREAS, Association retained Consultant to provide accounting and bookkeeping services for the Associations transportation service; and

WHEREAS, Association approved Amendment 1 to the agreement to extend the term of services to December 31<sup>st</sup>, 2018 and to increase the compensation limit by \$25,000 for a total not to exceed amount of \$50,000; and

WHEREAS, Association wishes to further extend the term of services one (1) year to December 31<sup>st</sup>, 2019 and to increase the compensation limit by \$26,000 for continued bookkeeping and tax preparation services as described in the Engagement Letter dated October 16<sup>th</sup>, 2018, which is attached hereto as Exhibit A and included herein.

NOW, THEREFORE, BE IT MUTUALLY AGREED, that Section 2 of the agreement be amended to extend the term of services to December 31<sup>st</sup>, 2019 and Section 3a of the agreement be amended to increase the compensation by \$26,000, for a total not to exceed amount of \$76,000.

IN WITNESS WHEREOF, the Association and Consultant have executed Amendment No. 2 to this Agreement on the \_\_\_\_\_ of \_\_\_\_\_, 2018.

EMERYVILLE TRANSPORTATION MANAGEMENT ASSOCIATION

CONSULTANT

By:				
	^hair			

By: \_\_\_\_\_

Chaii

### OFFICE OF JOHN S. TOUNGER, CPA

TAX, ACCOUNTANCY AND BUSINESS CONSULTING SERVICES

16 October 2018

Emeryville Transportation Management Association

This letter is to confirm our understanding of the terms and objectives of our engagement and the nature and limitations of the services I will provide. Please sign and return to me.

#### Bookkeeping, consulting services, Tax preparation

I will provide bookkeeper and accounting services in order to prepare internal financial statements and other reports as requested. I will discuss these statements with you and any key personnel as requested.

I will prepare the trial balance and any other financial information to the outside Certified Public Account for their preparation of the Audited Financial Statements.

I will prepare checks (but not sign) and manage the on line banking payments in accordance with the internal controls of check and wire payment approval system that is in place. Currently the procedure is obtaining written or e-mail approval from Roni Hattrup.

My engagement cannot be relied upon to disclose errors, irregularities, or illegal acts, including fraud or defalcations, that may exist. However, I will inform you of any such matters that come to my attention.

#### Tax returns and tax advice

I will prepare the Federal and State non-profit tax returns. Your data will not be audited or otherwise verified, although I may ask you to clarify some of it or have you furnish me with additional data.

Your returns are subject to review by taxing authorities. In the event of an examination or other contact, I am available to represent you at an additional charge at my normal billing rate.

I am responsible for preparing the tax returns. I am not responsible for the disallowance of deductions due to inadequately supported documentation, nor for resulting taxes, penalties and interest. If taxes, penalties and interest are charged for a preparation error I will only be responsible for the penalties, to a maximum of my preparation fee charged for that year's returns.

My professional judgment will be used in preparing the tax returns. Whenever I am aware that possible applicable tax law is unclear, or, that there are conflicting interpretations of the law by the courts and tax agencies, I will explain the possible positions which may be taken on your returns. I will follow whatever position you request, so long as it is consistent with the codes, regulations and interpretations, which have been promulgated. If the taxing authorities should later contest the position taken, there may be an assessment of additional taxes, interest and penalties. I assume no liability for any such assessment.

By your signature below, you agree that you have the proper records to substantiate all items of income and deductions, including travel and entertainment expenses, and that you will carefully examine and approve your completed tax returns before signing and submitting them to the tax authorities.

My fees for these services typically are based on the actual time spent at my standard hourly rate for the type of service being provided, plus out-of-pocket costs. For the bookkeeping, monthly reports, on line banking access with cash management and communication with vendors I will agree to a flat monthly rate of \$1,700. Meetings with the Board and other consultants will be charged at \$225 per hour max 8 hours annual or \$1,800. The tax return preparation fee is estimated at \$3,750. Annual service contract not to exceed is \$26,000 for my services.

My services can be terminated with a 30-day notice.

an

#### Very truly yours,

585 Mandana Blvd. Suite 10 Oakland, California 94610 telephone: 510.893.0950 facsimile: 510.893.0954 email: john@tounger.com jessica@tounger.com

Response: This letter correctly sets forth the Understanding of our engagement

## **Low** Accountancy David M. Low, CPA

October 17, 2018

To the Board of Directors Emeryville Transportation Management Association C/O Roni Hattrup, Executive Director Gray-Bowen-Scott 1676 N. California Blvd., Suite 400 Walnut Creek, CA 94596

I am pleased to confirm our understanding of the services I am able to provide to the Emeryville Transportation Management Association for the year ended December 31, 2018. I will audit the financial statements of Emeryville Transportation Management, which comprise the statement of financial position as of December 31, 2018, the related statements of activities, functional expenses and cash flows for the year then ended, and the related notes to the financial statements.

The objective of my audit is the expression of an opinion about whether your financial statements are fairly presented, in all material respects, in conformity with U.S. generally accepted accounting principles. My audit will be conducted in accordance with auditing standards generally accepted in the United States of America and will include tests of the accounting records and other procedures I consider necessary to enable me to express such an opinion. I will issue a written report upon completion of our audit of Emeryville Transportation Management Association's financial statements. My report will be addressed to the Board of Directors of Emeryville Transportation Management Association. If my opinion is other than unmodified, I will discuss the reasons with you in advance. If, for any reason, I am unable to complete the audit or are unable to form or have not formed an opinion, I may decline to express an opinion or withdraw from this engagement.

My procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, tests of the physical existence of inventories, and direct confirmation of receivables and certain other assets and liabilities by correspondence with selected individuals, funding sources, creditors, and financial institutions. I will request written representations from your attorneys as part of the engagement, and they may bill you for responding to this inquiry. At the conclusion of my audit, I will also request certain written representations from you about the financial statements and related matters.

236 Latera Court, San Ramon, CA 94582-4680 (925) 828-7203 (925) 828-7204 Fax davelow54@sbcglobal.net Board of Directors Emeryville Transportation Management Association C/O Roni Hattrup, Executive Director Page 2

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, my audit will involve judgment about the number of transactions to be examined and tested. the areas to be An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements. I will plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the Organization or to acts by management or employees acting on behalf of the Organization.

Because of inherent limitations of an audit, combined with the inherent limitations of internal control, and because I will not perform a detailed examination of all transactions, there is a risk that material misstatements may exist and not be detected by us, even though the audit is properly planned and performed in accordance with U.S. generally accepted auditing standards. In addition, an audit is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements. However, I will inform the appropriate level of management of any material errors, any fraudulent financial reporting, or misappropriation of assets that comes to our attention. I will also inform the appropriate level of management of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential. My responsibility as auditor is limited to the period covered by my audit and does not extend to any later periods for which I am not engaged as auditor.

You are responsible for designing, implementing, and maintaining internal controls, including monitoring ongoing activities; for the selection and application of accounting principles; and for the preparation and fair presentation of the financial statements in conformity with U.S. general accepted accounting principles. You are also responsible for making all financial records and related information available to us with (1) access information of which you are aware that is relevant to to all the preparation and fair presentation of the financial statements, (2) additional information that we may request for the purpose of the audit, and (3) unrestricted access to persons within the organization from whom we determine it necessary to obtain evidence.

Board of Directors Emeryville Transportation Management Association C/O Roni Hattrup, Executive Director Page 3

Your responsibilities include adjusting the financial statements to correct material misstatements and confirming to us in the management representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements taken as a whole.

You are also responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing me about all known or suspected fraud affecting the Organization involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the Organization received in communications from employees, former employees, grantors, regulators, or others. In addition, you are responsible for identifying and ensuring the Organization complies with applicable laws and regulations.

You agree to assume all management responsibilities for financial statement preparation services, and any other non-attest services we provide; oversee the services by designating an individual, preferably from senior management, with suitable skill, knowledge, or experience; evaluate the adequacy and results of the services; and accept responsibility for them.

It is my understanding that Organization personnel will provide me with assistance in locating invoices, contracts, statements and other supporting documents. Further, my fee is based on the premise that the records and accounts of the Organization will be current and complete at the time the audit begins.

I will provide a draft copy of our reports and a copy of the management letter, if applicable, to you as soon as possible.

My fees for these services will be based on the actual time spent at my standard hourly rates, plus travel and other out-of-pocket costs such as report production, typing, postage, etc. Based on my preliminary estimate, the fee should not exceed \$6,500 for the year ended December 31, 2018.

If the time required to complete the work produces a fee that is less than the maximum fee set out above, then I will pass that savings on to the Association. If at any time during the engagement any extraordinary matters come to my attention and an extension of my service is required then I reserve the right to increase my fee, but only after consultation with and authorization from the appropriate officials. Board of Directors Emeryville Transportation Management Association C/O Roni Hattrup, Executive Director Page 4

I appreciate the opportunity to be of service to the Emeryville Transportation Management Association and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let me know. If you agree with the terms of our engagement as described in this letter, please sign where indicated and return it to me.

Sincerely, Low Accountancy

David M. Low

David M. Low, CPA

**RESPONSE:** 

This letter correctly sets forth the understanding of the Emeryville Transportation Management Association.

Signature:\_\_\_\_

Title:\_\_\_\_\_

#### AMENDMENT TO TRANSPORTATION AGREEMENT BETWEEN BERKELEY GATEWAY TRANSPORTATION MANAGEMENT ASSOCIATION AND EMERYVILLE TRANSPORTATION MANAGEMENT ASSOCIATION FOR SHUTTLE OPERATION SERVICES

**THIS AMENDMENT NO. 1** to Transportation Agreement executed on February 28<sup>th</sup>, 2018 between the Berkeley Gateway Transportation Management Association a California non-profit corporation, herein called the "BGTMA ", and the Emeryville Transportation Management Association, also a California non-profit corporation, herein called the "ETMA"

#### RECITALS

WHEREAS, BGTMA entered into a Transportation Agreement with ETMA to perform shuttle operation services for the West Berkeley Shuttle and Bayer Mid-day Shuttle in Berkeley, California; and

WHEREAS, BGTMA wishes to discontinue the Bayer Mid-day Shuttle service, as requested in the attached letter dated December 11<sup>th</sup>, 2018, included herein as Exhibit A.

NOW, THEREFORE BE IT MUTUALLY AGREED, that Section 2 of the Agreement be amended to remove reference to the Bayer Mid-day Shuttle service and Section 3 of the Agreement be amended to eliminate those fees and expenses in the amount of \$56,000, which are associated with the Bayer Mid-Day Shuttle service.

IN WITNESS WHEREOF, the BGTMA and ETMA have approved Amendment No. 1 to this Agreement on the \_\_\_\_\_of \_\_\_\_\_\_\_, 2018.

BERKELEY GATEWAY TRANSPORTATION MANAGEMENT ASSOCIATION EMERYVILLE TRANSPORTATION MANAGEMENT ASSOCIATION

Ву: \_\_\_\_\_

Ву: \_\_\_\_\_

President

Chair



Emeryville Transportation Management Association c/o Gray-Bowen-Scott 1676 N. California Blvd. Suite 400 Walnut Creek, CA 94596 Attn: Roni Hattrup Executive Director

Subject: Cancellation of Bayer Midday Service

Dear Ms. Hattrup,

I write to inform you that Bayer has decided to cancel the midday service that the Berkeley Gateway Transportation Management Association (BGTMA) has contracted with the Emeryville Transportation Management Association to provide. We request that the cancellation be effective as of February 1, 2019. I am requesting you to take the steps necessary to wind down that portion of our services.

Our daily ridership has fallen to the point where we can no longer justify the expense.

Please consider this letter our official notice for cancelling the midday service portion of the contract between your organization and BGTMA.

We continue to deeply appreciate the West Berkeley Shuttle and would like to continue that service per the terms of our agreement executed on February 28, 2018.

Please contact me for any clarifications needed.

Yours sincerely,

Jennifer Cogley Deputy Director, Community Relations

#### 

December 11, 2018

Jennifer Cogley

Bayer US Pharmaceuticals

800 Dwight Way Berkeley, CA 94710 USA

Tel. +1 705-6965 jennifer.cogley@bayer.com

www.bayer.us