



EMERYVILLE TRANSPORTATION MANAGEMENT ASSOCIATION

AGENDA

Board of Directors Meeting
October 20, 2022 @ 9:15 AM

[Zoom](#)

Meeting ID: 854 3638 6941

Chair

Bobby Lee, At-Large

Residential Member

Vice Chair

Andrew Allen

At-Large Business

Member

Secretary

Betsy Cooley, At-Large

Residential Member

Treasurer

Geoffrey Sears,

Wareham Development

Directors

Peter Schreiber,

Pixar

Colin Osborne

At-Large Business

Member

Kassandra Kappelos

Public Market

1. Call to Order
2. Public Comment
3. Approval of the Minutes of the September 15th, 2022, Board of Directors Meeting (Attachment)
4. Executive Directors Report
 - A. Calendar of Actions Overview (Attachment)
 - B. Ridership Reporting (Attachment)
 - C. On-time Performance reporting (Attachment)
5. Business Items
 - A. Review and Consider Approval of Resolution 22-10 Declaring Board Meetings will be held via Teleconference (Attachment)
 - B. Review of 2023 Draft Budget (Attachment)
 - C. Status Update on Bus Yard Repair (Attachment)
 - D. Review and Consider Approval of Amendment 9 to Professional Services Agreement with BKF Engineers for increased compensation of \$2,500 for out-of-scope work (Attachment)
6. Confirm date of Next Meeting – November 17th, 2022
7. Adjournment

EMERYVILLE TRANSPORTATION MANAGEMENT ASSOCIATION

ACTION SUMMARY MINUTES

Board of Directors Meeting

September 15th, 2022

LOCATION: VIDEO CONFERENCE

Directors Present: Bobby Lee, Chair
Betsy Cooley, Secretary
Geoffrey Sears, Treasurer
Peter Schreiber, Director
Kassandra Kappelos, Director

Others Present: Roni Hatstrup, Executive Director
Karen Boggs, Operations Director
Debi Lawrence, Executive Assistant
Pedro Jimenez, City of Emeryville

1. Call to Order

Bobby Lee called the Board of Director's meeting to order at 9:16 AM.

2. Public Comment

There were no comments from the public.

3. Approval of the Minutes of the August 18th, 2022 Board of Directors Meeting

Geoffrey Sears motioned for approval of the meeting minutes of the August 18th, 2022 Board of Directors Meeting. Betsy Cooley seconded the motion.

This item was approved by a unanimous vote.

Yes: 4

No: 0

Abstain: 0

4. Executive Director's Report

A. Status Update on Bus Yard Repair

Roni provided an update on the status of the Bus Yard Repair – BKF prepared the grading plans and preparation for the vault cover and submitted to the Alameda County Flood Control. ACFC came back to confirm that they will raise the access hatch and finish off the project, resulting in a cost savings for the ETMA with a slight delay.

B. Calendar of Actions Overview

Roni reviewed the current Calendar of Action. The Board has been informed that Gray-Bowen-Scott will not renew their contract after December 31, 2022. Roni advised that some of the actions will move out based on the Board finding a new Executive Director for the TMA.

5. Business Items

A. Review and Consider Approval of Resolution 22-09 Declaring Board Meetings Will be Held Via Teleconference

Geoffrey Sears motioned for approval of Resolution 22-09. Betsy Cooley seconded the motion.

EMERYVILLE TRANSPORTATION MANAGEMENT ASSOCIATION

ACTION SUMMARY MINUTES

Board of Directors Meeting

September 15th, 2022

This item was approved by a unanimous vote.

Yes: 5

No: 0

Abstain: 0

- B. Review and Consider Approval of Professional Services Agreement with John S. Tounger, CPA

Peter Schreiber motioned for approval of the Professional Services Agreement with John Tounger for Accounting & Bookkeeping. Geoffrey Sears seconded the motion.

This item was approved by a unanimous vote.

Yes: 5

No: 0

Abstain: 0

- C. Appoint Executive Director Transition Committee

The Executive Director Transition Committee will consist of Bobby Lee, Betsy Cooley, and Geoffrey Sears.

Meeting scheduled for September 23rd at 10am.

No formal action was required.

- D. Discuss Extension of Shuttle Operations Agreement

It is recommended that the Board approve an extension to the current Shuttle Operations Agreement until after the new ED takes over for the RFP process. The Board has decided to have the ED Transition Committee review this and move forward with a decision.

No formal action was required.

6. Confirm Date of Next Meeting –

The meeting date was confirmed for October 20th, 2022 at 9:15am.

7. Adjournment

The meeting adjourned at approx. 9:59 AM.

**Emeryville TMA
2022 Calendar of Activities**

Month/Date	Description
Jan 18th	<p><u>Board Actions/Information Items</u></p> <ol style="list-style-type: none"> 1. 4th Quarter Financial Report 2. Transportation Agreement w/ BGTMA – Amend to extend through December 31st, 2022. <p><u>Other</u></p> <ol style="list-style-type: none"> 1. City to provide the ETMA with the 1st installment of the PBID Funds by January 15th. 2. Draft 2023 Preliminary Budget.
Feb 17th	<p><u>Board Actions/Information Items</u></p> <ol style="list-style-type: none"> 1. No Scheduled Actions. <p><u>Other</u></p> <ol style="list-style-type: none"> 1. City Budget & Financing Meeting – date to be confirmed. <ol style="list-style-type: none"> a. ETMA Budget Forecasting Review with Chair & Treasurer
Mar 17th	<p><u>Board Actions/Information Items</u></p> <ol style="list-style-type: none"> 1. Adopt Resolution to set Annual Membership Meeting – (May 19th) 2. Review of Request for Proposals for Accounting & Bookkeeping Services. 3. Appoint audit committee – 3 Directors (Treasurer exempt) 4. Authorize Audit Services Engagement. 5. Discuss Shuttle Service Partnership with Lennar <p><u>Other</u></p>
Apr 21st	<p><u>Board Actions/Information Items</u></p> <ol style="list-style-type: none"> 1. Appoint Consultant Selection Committee – Bookkeeping & Tax Prep Services 2. Authorized RFP Distribution – Bookkeeping & Tax Prep Services 3. Appoint Procurement Committee – Shuttle Operations & Maintenance Services. <p><u>Other</u></p> <ol style="list-style-type: none"> 1. Prepare 2021 Annual Report. 2. Distribute Nominations Forms to Employer & Business Members – NLT April 15th 3. Post Annual Membership Meeting Invite – NLT April 15th 4. Provide City with Annual Financial and Operations Report (Annual Report) by the 30th 5. Conduct Annual Audit Review Committee (prior to Board May meeting). 6. Develop Social Media Strategy. 7. Prepare RFP for Shuttle Operations & Maintenance Services.
May 19th	<p><u>Annual Membership Meeting</u></p> <ol style="list-style-type: none"> 1. Election of Employer Member. 2. Election of Business Members. 3. Appointment of Corporate Members. 4. City Appointment of Residential Members. <p><u>Board Actions/Information Items</u></p> <ol style="list-style-type: none"> 1. Election of Officers 2. Bylaws – Director Meeting Attendance 3. Accept the Independent Auditor’s Report on the financial statements. 4. Authorize signing and the filing of the TMA’s Federal Tax Return and State Annual Information Return. 5. ETMA Bus Yard Repair Proposal. 6. 1st Quarter Financial & Performance Reports. <p><u>Other</u></p> <ol style="list-style-type: none"> 1. Proposals for Accounting & Bookkeeping Services Due NLT May 31st. 2. Tax Filings - due May 15th.

**Emeryville TMA
2022 Calendar of Activities**

	<ol style="list-style-type: none"> City to provide the ETMA with the 2nd installment of the PBID Funds by the 15th. City to notify TMA of any changes the identity of property owners or amounts of assessments on PBID properties in May.
Jun 16th	<p><u>Board Actions/Information Items</u></p> <ol style="list-style-type: none"> Review of 2023 Preliminary Budget for recommendation to City for 2022-2023 PBID Levy. Review & Consider Approval of 8 to Go Agreement Extension. Amendment to Professional Services Agreement with John Tounger to extend services through September 30th, 2022. Lennar Shuttle Partnership Agreement – Pilot Program Service Agreement Amendments – Lennar Shuttle <ol style="list-style-type: none"> MV Transportation Gray Bowen Scott Consider engagement with East Bay Community Energy for EV Fleet Charging Infrastructure and Transition. Review of proposed workplan for Funding Strategy White Paper. <p><u>Other</u></p> <ol style="list-style-type: none"> Committee selection of top ranked accounting firm (prior to Board meeting). Provide City with prior year audit, receipts and expenditures by the 30th. Provide City with prior year annual financial and operations report. Provide City with the preliminary budget and proposed PBID levy for the following year by the 30th Conduct a marketing program regarding the Shuttle to PBID property owners including, one annual summary report to be posted the EGR website by the 30th. City and TMA liaisons to meet on a semi-annual basis to collaborate on City's planning efforts to improve Emery Go-Round mobility access throughout the City.
July 21st	<p><u>Board Actions/Information Items</u></p> <ol style="list-style-type: none"> No Scheduled Actions. <p><u>Other</u></p> <ol style="list-style-type: none"> City Council Meeting to adopt Assessment Levy.
Aug 18th	<p><u>Board Actions/Information Items</u></p> <ol style="list-style-type: none"> Review of Proposals for Accounting & Bookkeeping Services – Consultant Selection. Second Quarter Financial & Performance Reports. Appoint Finance Committee. Appoint Shuttle Procurement Committee <p><u>Other</u></p> <ol style="list-style-type: none"> Finance Committee – In Depth review of Financials & PBID Assessment scenarios and Evaluate Cost/Funding Risks. Develop Draft 2023 Budget. Develop draft RFP for Shuttle Operations. Launch of The Emery Shuttle service for Lennar (target date is September 12, 2022).
Sept 15th	<p><u>Board Actions/Information Items</u></p> <ol style="list-style-type: none"> Review & Discuss Draft Budget for 2023 (final action scheduled for October meeting). Review & Consider Approval of Professional Services Agreement for Accounting & Bookkeeping Services. <p><u>Other</u></p> <ol style="list-style-type: none"> Committee Review of first draft RFP for Shuttle Operations. Develop Agreement Boilerplate for Reimbursable Shuttle Services.

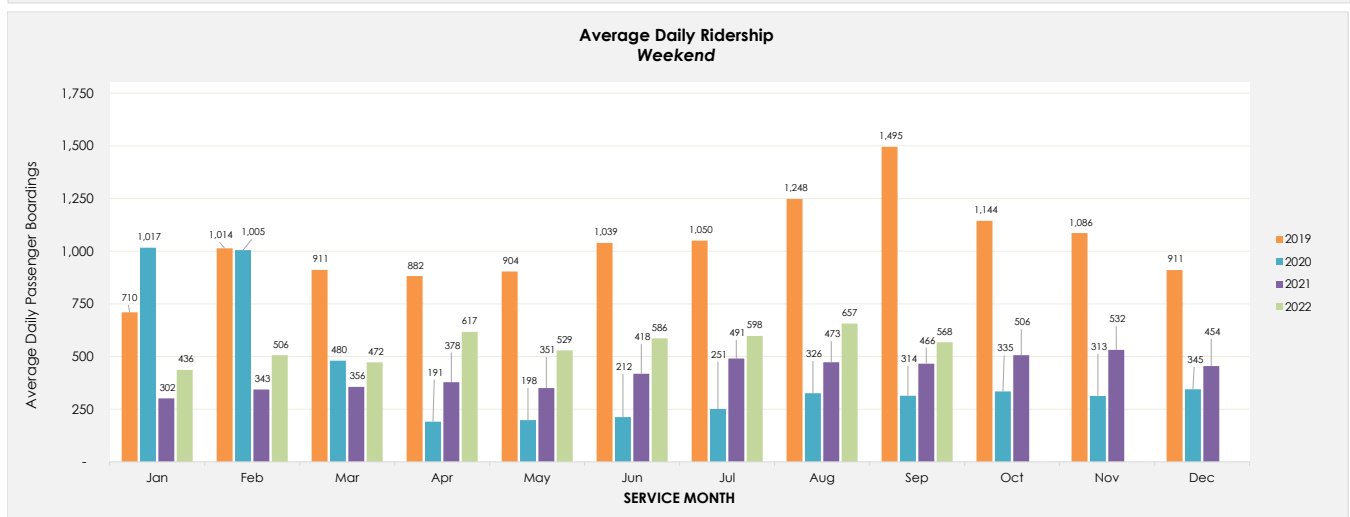
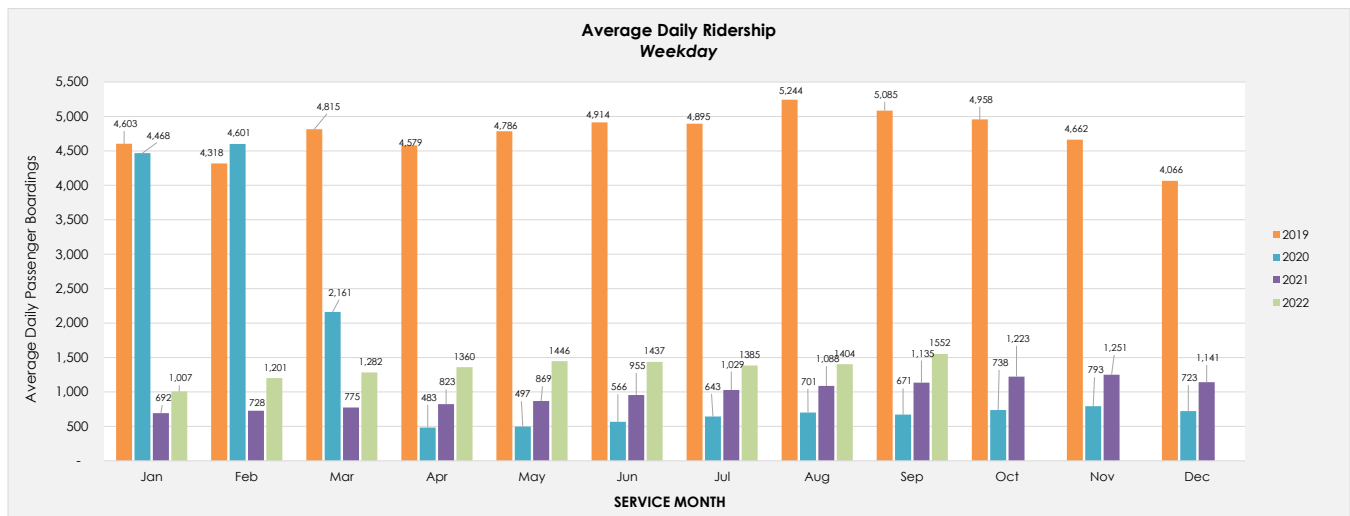
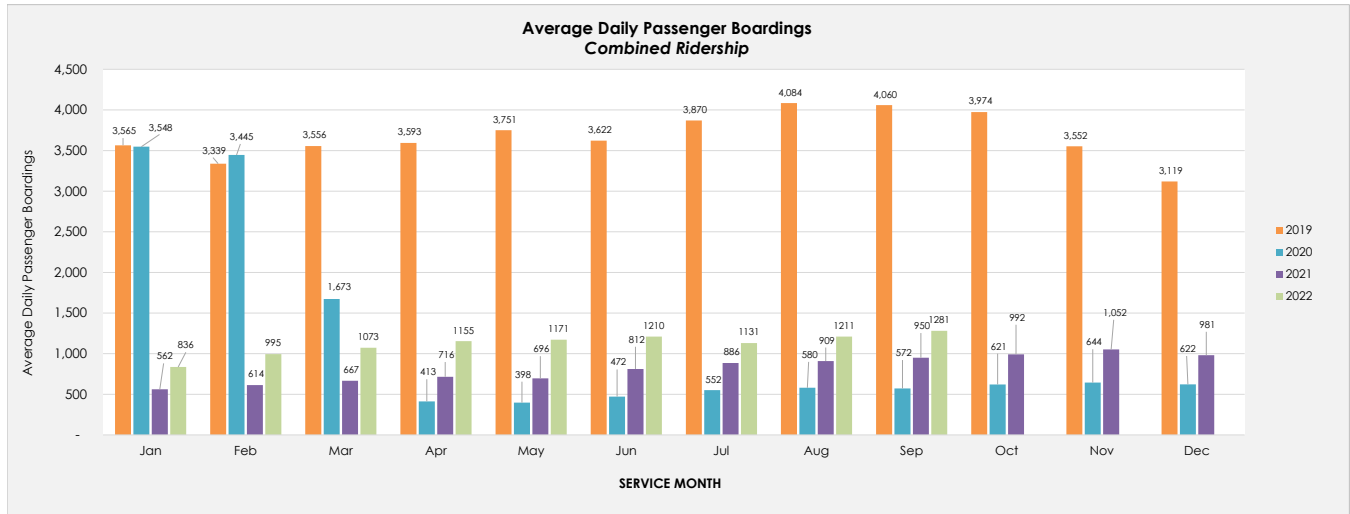
**Emeryville TMA
2022 Calendar of Activities**

	3. Conduct ED Performance Review Committee, if applicable. — Prior to BoD Meeting. 4. Kick-off Executive Director Transition Activities with Committee. 5. Committee Review of Financials and 2023 Preliminary Budget. 6. Request Contract Extension for Shuttle Operations. 7. City to provide an annual accounting of actual PBID funds received, any PBID late fees/penalties received, any mitigation and/or developer fees or grant funds received to the TMA by the 30 th . 8. File California Statement of Information Form (Form SI – 100) https://businessfilings.sos.ca.gov
Oct 20th	<u>Board Actions/Information Items</u> 1. Review and Discuss 2023 Draft Annual Budget & Forecasting. 2. BKF Amendment 9. 3. Review & Discuss Draft Boilerplate Agreement for Reimbursable Shuttle Services (final action scheduled for Nov Board Meeting). 4. Board Review of Draft RFP for Shuttle Operations. <u>Other</u> 1. Finalize & Distribute RFP for Shuttle Operations. 2. Transition of Accounting Services, if applicable. 3. Develop Social Media Strategy for Public Communications and Promotion of EGR. 4. Evaluate Lennar Shuttle Pilot Program & Determine Course of Action. 5. Continue Executive Director Transition Activities with Committee.
Nov 17th	<u>Board Actions/Information Items</u> 1. Approval of Resolution to Adopt 2023 Annual Budget. 2. Consider Approval of Boilerplate Agreement for Reimbursable Shuttle Services. 3. 3 rd Quarter Financial & Performance Reports. 4. Review of draft Professional Service Agreement renewals (final action scheduled for December) 5. Consider Approval of Amendment to extend Shuttle Operations & Maintenance Agreement through March 30th, 2023. 6. Determine Course of Action – Lennar Shuttle Pilot Program <u>Other</u> 7. Committee Review of Operator Bids & Interviews (if necessary). Committee Selection of top ranked Operator for recommendation to Board. 8. Provide City with a final budget for the follow year by the 30 th . 9. Committee Review of Operations Pricing for Contract Extension. 10. Executive Direction Transition Activities with Committee & new Executive Director.
Dec 15th	<u>Board Actions/Information Items</u> 1. Operator Selection & Contract Approval by Board of Directors. 2. Consider Approval of Contract Extension & Modified Pricing for Shuttle Operations 3. Consider Approval of Professional Service Agreement Renewals. a. Gallen Associates, Inc. 4. Consider Approval of Services Agreement with West Berkeley Shuttle, LLC. 5. Consider Approval of Services Agreement or Extension with Lennar. 6. Review & Discuss Social Media Strategy. 7. Renewal of AC Transit Fuel Agreement. (Expires December 31, 2023) <u>Other</u> 1. Finalize Executive Director Transition.



ANNUAL RIDERSHIP SUMMARY (YTD)/COMPARISON

WEEKDAY RIDERSHIP													
2022	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total to Date
Total Monthly Weekday Ridership	21,145	22,820	29,494	28,551	30,375	31,616	29,076	32,285	32,599				257,961
# of Operating Days	21	19	23	21	21	22	21	23	21				192
Average Daily Ridership	1007	1201	1282	1360	1446	1437	1385	1404	1552				1,344
% Increase/Decrease from Prior Month	-12%	19%	7%	6%	6%	-1%	-4%	1%	11%				
% Increase/Decrease from Prior Year	46%	65%	65%	65%	66%	50%	35%	29%	37%				
% of Pre COVID Baseline	22%	28%	27%	30%	30%	29%	28%	27%	31%				
2019	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Total Monthly Ridership	101,269	82,033	101,123	100,741	105,288	98,279	107,689	115,375	101,706	114,041	93,248	85,381	1,206,173
# of Operating Days	22	19	21	22	22	20	22	22	20	23	20	21	254
Average Daily Ridership	4603	4318	4815	4579	4786	4914	4895	5244	5085	4958	4662	4066	4,749
WEEKEND RIDERSHIP													
2022	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total to Date
Total Monthly Weekend Ridership	3,927	4,051	3,779	4,935	4,762	4,691	5,977	5,252	4,544				41,918
# of Operating Days	9	8	8	8	9	8	10	8	8				76
Average Daily Ridership	436	506	472	617	529	586	598	657	568				552
% Increase/Decrease from Prior Month	-4%	16%	-7%	31%	-14%	11%	2%	10%	-13%				
% Increase/Decrease from Prior Year	45%	48%	33%	63%	51%	40%	22%	39%	22%				
% of Pre COVID Baseline	61%	50%	52%	70%	59%	56%	57%	53%	38%	0%	0%	0%	
2019	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Total Monthly Ridership	5681	8,112	9,110	7,055	7,230	10,393	8,402	11,231	11,963	9,153	9,774	8,197	106,301
# of Operating Days	8	8	10	8	8	10	8	9	8	8	9	9	103
Average Daily Ridership	710	1014	911	882	904	1039	1050	1248	1495	1144	1086	911	1,032
COMBINED RIDERSHIP													
2022	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total to Date
Total Monthly Ridership	25,072	26,871	33,273	33,486	35,137	36,307	35,053	37,537	37,143	-	-	-	299,879
# of Operating Days	30	27	31	29	30	30	31	31	29	-	-	-	268
Average Daily Ridership	836	995	1,073	1,155	1,171	1,210	1,131	1,211	1,281				1,119
% Increase/Decrease from Prior Month	-15%	19%	8%	8%	1%	3%	-7%	7%	6%				
% Increase/Decrease from Prior Year	49%	62%	61%	61%	68%	49%	28%	33%	35%				
% of Pre COVID Baseline	23%	30%	30%	32%	31%	33%	29%	30%	32%	0%	0%	0%	
2019	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Total Monthly Ridership	106,950	90,145	110,233	107,796	112,518	108,672	116,091	126,606	113,669	123,194	103,022	93,578	1,312,474
# of Operating Days	30	27	31	30	30	30	30	31	28	31	29	30	357
Average Daily Ridership	3,565	3,339	3,556	3,593	3,751	3,622	3,870	4,084	4,060	3,974	3,552	3,119	3,676





Bay Area
Rapid Transit

BART Monthly Ridership 2019/2022 Comparison

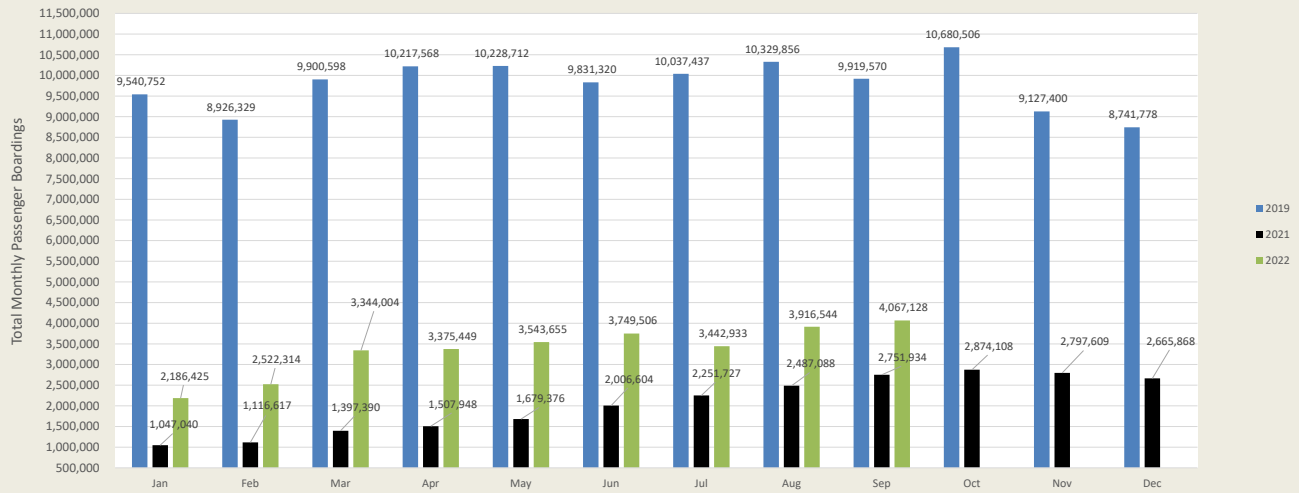
TOTAL RIDERSHIP													
2022													
BART 2022	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total to Date
Average Weekday Ridership	83,790	103,173	124,094	132,181	132,161	140,564	133,858	143,397	159,760				1,152,978
Average Weekend Ridership	85,365	114,714	122,460	130,514	143,674	164,278	140,831	154,606	162,985				1,219,427
Saturday	49,807	69,749	72,869	77,600	82,254	86,289	80,296	89,155	95,433				703,452
Sunday	35,558	44,965	49,591	52,914	61,420	77,989	60,535	65,451	67,552				515,975
+/- Comparison from Prior Month Weekday	-15%	23%	20%	7%	0%	6%	-5%	7%	11%				
+/- Comparison from Prior Month Weekend	-14%	34%	7%	7%	10%	14%	-14%	10%	5%				
% of Pre Covid (Avg daily Weekday)	21%	25%	30%	32%	32%	34%	33%	35%	37%				
% of Pre Covid (Avg daily Weekend)	35%	45%	47%	47%	54%	53%	52%	55%	56%				
% of Pre Covid (Total Ridership)	23%	28%	34%	33%	35%	38%	34%	38%	41%				
TOTAL RIDERSHIP													
2019													
BART 2019	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	2019 Total
Average Weekday Ridership	395,860	407,339	409,516	414,411	412,165	413,525	401,465	410,854	426,758	420,289	411,183	376,552	4,899,916
Average Weekend Ridership	243,870	255,673	260,154	275,130	264,175	312,164	270,923	281,635	290,949	269,726	260,719	259,465	3,244,582
Saturday	150,198	153,828	150,999	166,073	153,509	173,462	158,545	164,536	169,782	161,916	149,774	155,327	1,907,949
Sunday	93,672	101,845	109,156	109,057	110,666	138,702	112,377	117,100	121,167	107,811	110,945	104,138	1,336,634



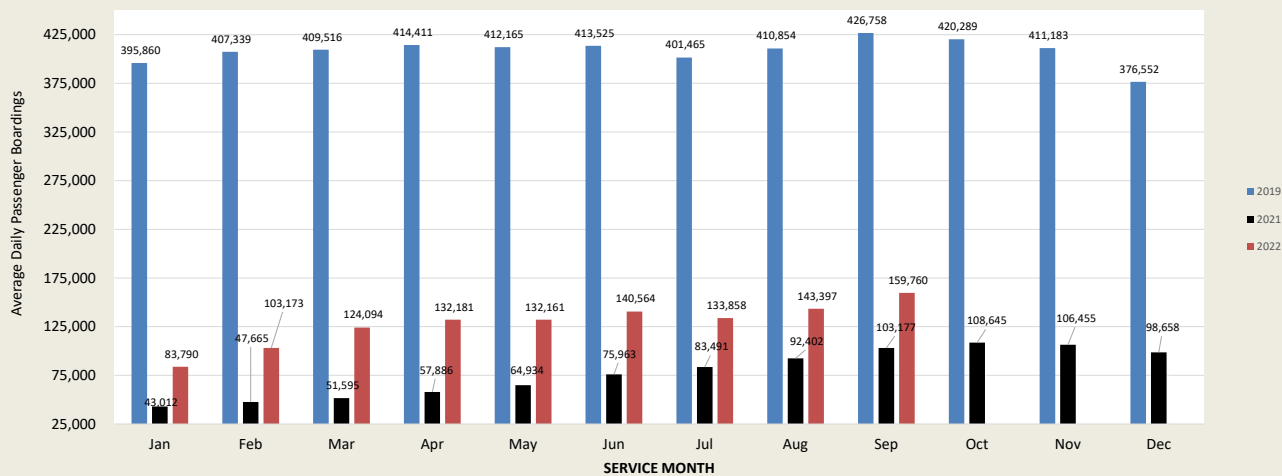
Bay Area Rapid Transit

BART Monthly Ridership 2019/2022 Comparison

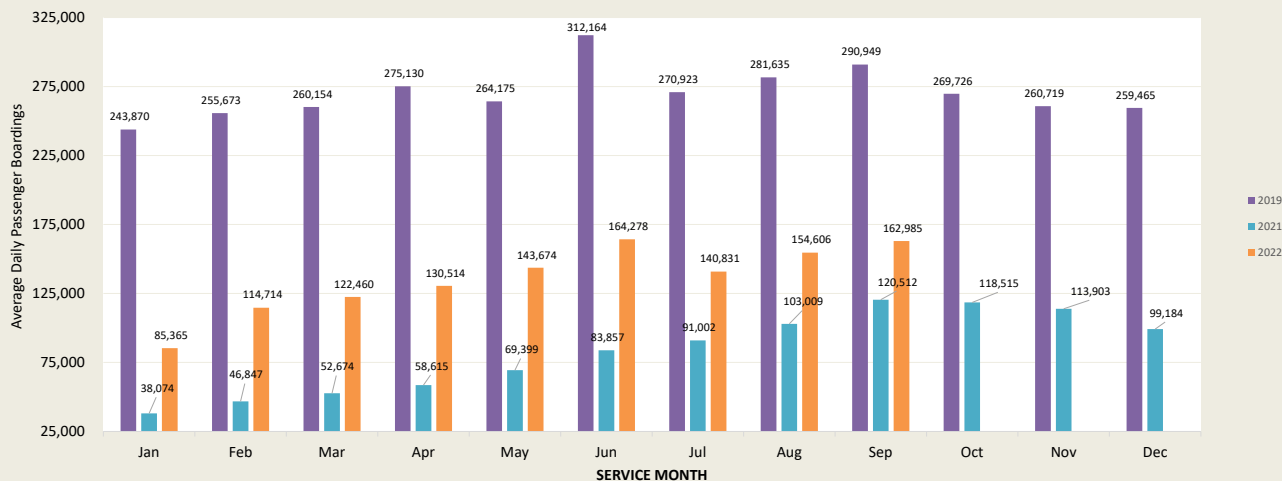
BART Total Monthly Ridership



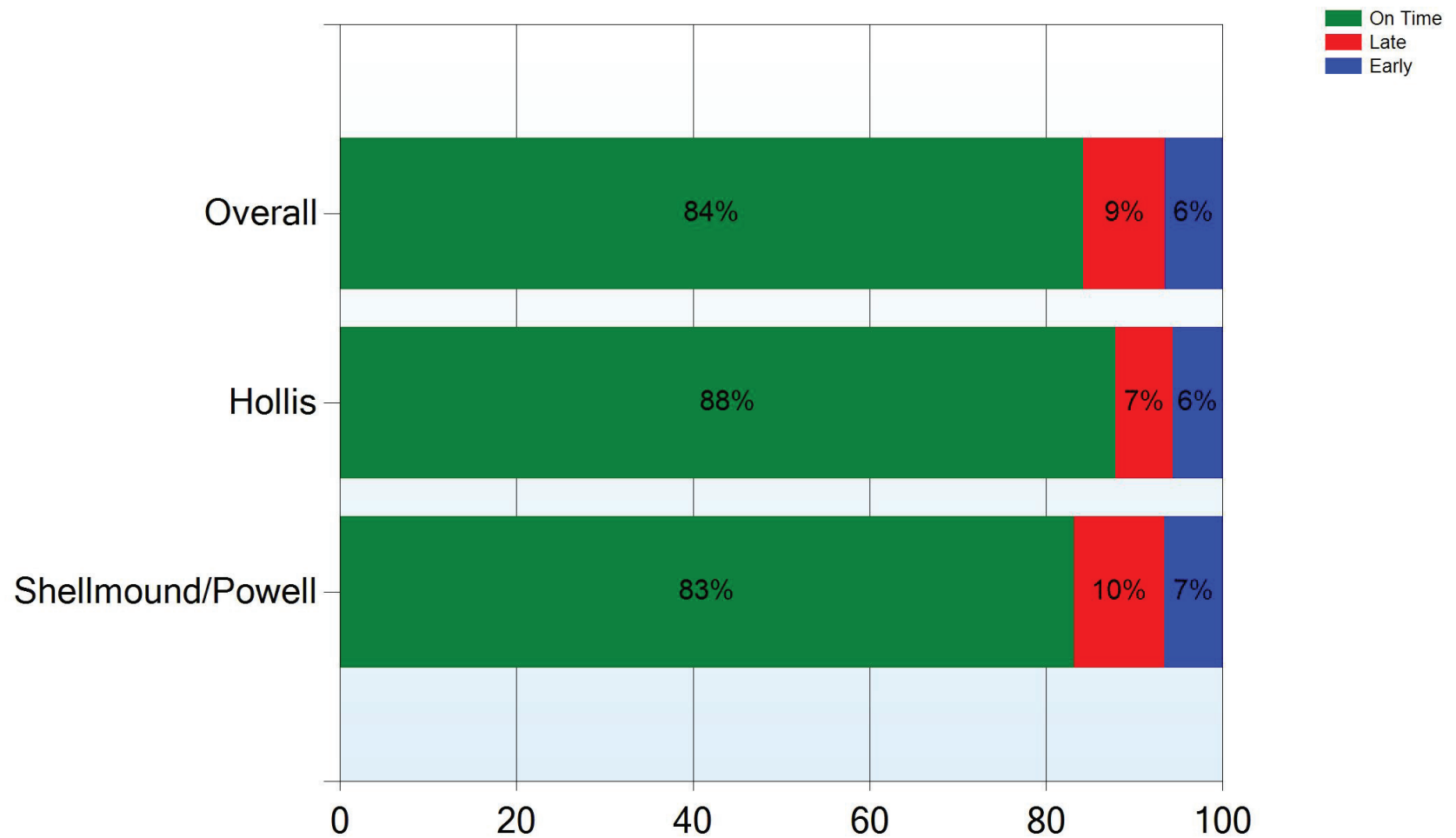
Average Daily Ridership
Weekday



Average Daily Ridership
Weekend



Overall Performance



RESOLUTION NO. 2022-10

BOARD OF DIRECTORS

EMERYVILLE TRANSPORTATION MANAGEMENT ASSOCIATION

*** * ***

**DECLARING THAT BOARD MEETINGS WILL BE HELD VIA TELECONFERENCE
PURSUANT TO BROWN ACT EMERGENCY PROVISIONS**

WHEREAS, on March 4, 2020, pursuant to Government Code section 8550, et seq., Governor Newsom proclaimed a state of emergency related to the COVID-19 novel coronavirus; and

WHEREAS, on March 17, 2020, Governor Newsom issued Executive Order N-29-20, which suspended certain provisions in the California Open Meeting law, Government Code section 54950, et seq. (the “Brown Act”), related to teleconferencing by local agency legislative bodies, provided certain requirements were met and followed; and

WHEREAS, on June 11, 2021, the Governor issued Executive Order N-08-21, which extended provisions of Executive Order N-29-20 that waive otherwise-applicable Brown Act requirements related to remote/teleconference meetings by local agency legislative bodies through September 30, 2021; and

WHEREAS, on September 16, 2021, the Governor signed Assembly Bill 361 into law as urgency legislation that went into effect on October 1, 2021, amending Government Code Section 54953 of the Brown Act to allow legislative bodies to continue to meet remotely during a proclaimed state of emergency where state or local officials have recommended measures to promote social distancing; and

WHEREAS, the Governor's proclaimed State of Emergency remains in effect, and State and local officials, including the California Department of Public Health and the Department of Industrial Relations, have imposed or recommended measures to promote social distancing.

NOW, THEREFORE, BE IT RESOLVED that, in order to ensure the health and safety of the public, meetings of the Board of Directors of the Emeryville Transportation Management Association will be held via teleconference in accordance with Assembly Bill 361 and provisions of Government Code Section 54953(e); and

BE IT FURTHER RESOLVED that that this Resolution will be in effect for the maximum period of time permitted under AB 361 (30 days), and the Board will consider the findings in this Resolution each month and may, by motion, reaffirm these findings.

Regularly passed and adopted this 20th day of October, 2022.

AYES:

NOES:

ABSENT:

Chair, Emeryville Transportation Management Association

EMERYVILLE TRANSPORTATION MANAGEMENT ASSOCIATION

STAFF REPORT MEMORANDUM

DATE: October 14, 2022

FROM: Roni Hatstrup, Executive Director

SUBJECT: Review of Draft 2023 Budget

RECOMMENDATION

No recommendation at this time. Staff requests Board review of the draft budget and assumptions and for direction to finalize the budget for Board approval at the November 17th Board of Directors meeting.

BACKGROUND

On June 16, 2022 the Board approved the 2023 Preliminary Budget and recommended a 3% increase in the PBID Levy to City Council, which was approved on July 5th, 2022. The final budget must be adopted by the Board at the November 17th Board of Directors meeting, to allow time for Council review and consideration prior to the end of the calendar year.

DISCUSSION

The draft budget attached includes the following changes from the 2023 Preliminary Budget.

1. Modifications from 2023 Preliminary Budget:
 - a. Increased revenue for West Berkeley Shuttle – The draft budget for WBS assumes a new pricing structure consistent with what we have done with Lennar for The Emery Express. I've provided a budget based on estimated direct costs which would be direct pass-through costs for operations, management and real-time tracking software (should they choose to purchase). I've applied a 20% indirect cost mark-up to cover shared overhead and to provide a modest revenue for the TMA. The revenue portion showed under ETMA revenue is reflective of the 20% indirect cost mark-up value. This modified pricing structure (along with the estimated increase in operations and management costs) results in a 50% budget increase for West Berkeley Shuttle from 2022. The Board should provide direction as to whether this pricing approach should be used.
 - b. Added revenue for The Emery Express Shuttle – The ETMA revenue reflects the 20% indirect cost portion of The Emery Express budget. The Board should determine whether the service will continue under the ETMA.
 - c. Reduced costs for bus maintenance – This item was reduced by \$70k. This reduction is reflective of the cost trends for maintenance through August.
 - d. Increase in Operations Costs – Increased the operations budget by \$100k to \$2.7M. Please reference item 3 below.

- e. Increase in Occupancy Costs – Increased costs by \$15k. This is reflective of the current facilities maintenance cost trends through August. I have attached a breakdown of those estimated costs.
 - f. Contingency – I’ve reduced the contingency to maintain the total budgeted expenditures from the Preliminary Budget.
- 2. Bus/Leases and Purchases – as noted in my previous budget presentations, we have consistently maintained a \$500k annual budget allocation for fleet acquisition to maintain a cash reserve for future equipment purchases. I have attached the current fleet replacement plan showing the current loan commitments, as well as anticipated acquisitions for fleet replacement. The loan commitment for 2023 is \$163,534. I’ve assumed a new replacement vehicle for a 2013 shuttle would be acquired as a cash purchase in 2023. This would result a total estimated cost of \$331,534 for 2023. Alternatively, the Board could decide to hold off on vehicle replacements for the next two years and retire those vehicles that will reach their life expectancy in 2023 and 2024 (5 vehicles). Emery Go Round should have a minimum of 18 vehicles to operate the current level of service (14 for service + 4 spares for maintenance rotation). Currently, we have a fleet of 23 vehicles. The Board should advise whether the \$500k budget for Bus Purchases should be reduced.
- 3. Emery Go Round Operating Cost Scenario’s – I have attached a breakdown of 3 scenarios for operating cost increases assuming the service levels in 2023 remain as they are today. One scenario reflects 20% increase, another at 25% increase and a third scenario at a 30% increase. It is likely the increases proposed by MV will be reflective of a 25% increase for Emery Go Round, based on recent discussions regarding operator wage increases and pending union negotiations. The preliminary budget had an operations estimate of \$2.6M, which I have increased to \$2.7M in the draft budget. As you can see in the attached scenario’s there would be a slight overrun if the rates increase the full 30%. If the costs are slightly higher, this could be covered by the budget contingency. Alternatively, the Board could choose to reduce service to keep costs down.
- 4. Professional Services – I did not make changes to this budget item. The Board should determine whether modifications are needed for the new Executive Director/ Management services contract.
- 5. I’ve provided the following materials for reference:
 - a. I’ve attached the Primary Forecast Scenario which was presented to the City’s Budget & Governance committee in March. At that time, we had estimated a 10% increase in operations costs in 2023. The estimated costs in the draft budget attached are 5% higher than what was previously presented to the City’s committee. This is primarily due to the anticipated 25% increase in operations costs.

- b. I've also attached a Budget vs. Actual comparison for 2017-2021, including the adopted budget for 2022.

FINANCIAL CONSIDERATIONS

The total proposed budget of \$5,160,000 is consistent with the 2023 Preliminary Budget presented to City Council in the spring. The total budget is just 4% more than the 2022 Adopted Budget, however the 2022 Budget included a slightly higher service level as we intended to reinstate the Watergate Express route.

The City General Benefit Portion is approximately \$40,000 more than the budget approved by Council in June 2022. Therefore, an amendment to the City's budget would be required. Alternatively, the Board could choose to remove the contingency and reduce the Bus/Lease replacements budget item by \$100,000 to keep the City General/Benefit portion within their approved budget. This would also result in a 0% increase to the ETMA Budget from 2022.

2023 Budget - DRAFT
EMERY GO-ROUND

	2023	2023	
Revenue	Preliminary Budget Revenue	Budget Revenue	
PBID Revenue			Assumptions
PBID Revenue	4,474,112	4,474,112	Calculated based on 3% increase from prior year budget.
District Related Costs	(100,560)	(100,560)	
Estimated Uncollectable Assessments			
Net PBID	4,373,552	4,373,552	
Non-PBID Revenue			
City of Emeryville - General Benefit Contribution	634,164	634,164	12.29% of operating budget, per PBID Management Plan.
City of Emeryville - Emery Go Round Bus Yard (CIP)	-	-	
ETMA Billed Revenue	112,865	112,865	
Quarterro (Lennar) Revenue	-	74,000	Reflects 20% indirect costs, as shown below. Revised to reflect 20% for indirect costs/revenue.
BGTMA Revenue	40,000	63,600	
Misc. Revenue (Charter services, interest income, etc.)	3,000	3,000	
Subtotal Non-PBID Revenues	790,029	887,629	
Total Revenue	5,163,581	5,261,181	

	2023	2023	
Expenditures	Preliminary Budget Expenditures	Budget Expenditures	
Direct Costs			Assumptions
Bus Leases/Purchases	500,000	500,000	Board to determine whether to hold this budget allocation as capital reserve for future bus purchases, as done previously. See fleet replacement plan for current loan commitments & planned acquisitions. Reduced to reflect actual cost trends for maintenance. See operations budget scenario's.
Bus Maintenance	290,000	220,000	
Operations Contract	2,600,000	2,700,000	
Fuel	360,000	360,000	
Communications	55,000	55,000	
Miscellaneous Operating Costs	10,000	10,000	
Subtotal Direct Costs	3,815,000	3,845,000	
Indirect Costs			
Professional Services	575,000	575,000	TBD based on new ED budget. Assume \$40k for accounting, \$25k legal counsel, \$12k for audit services. Increased slightly to reflect updated property management expense trends. See occupancy cost breakdown.
Occupancy (Facilities related expenses)	495,000	510,000	
Site Development - Long Term Bus Yard	-	-	
Membership & Public Outreach Materials	10,000	10,000	
Pilot Projects and Research	25,000	25,000	
TMA Insurance	50,000	50,000	
Conferences, Meetings, Office Expenses	10,000	10,000	
Subtotal Indirect Costs	1,165,000	1,180,000	
Contingency	180,000	135,000	Finance committee to confirm contingency value.
Subtotal Other Costs	180,000	135,000	
TOTAL BUDGET/EXPENSES	5,160,000	5,160,000	
Estimated Balance/Overrun	3,581	101,181	

Reserve Balance Summary (2022)	2023 Prelim	2023 Budget
Carryover Reserve Balance (as of Jan 1, 2022)	\$ 3,644,920	\$ 3,644,920
2022 Estimated Balance	\$ 100,000	\$ 100,000
Projected Cash Balance on Dec 31, 2022	\$ 3,744,920	\$ 3,744,920
2023 Projected Balance	\$ 3,581	\$ 101,181
Total Projected Cash Balance on Dec 31, 2023	\$ 3,748,501	\$ 3,846,101
15% Operating Reserve (per ETMA Policy)	\$ 774,000	\$ 774,000
Estimated Available Cash Balance on December 31, 2023	\$ 2,974,501	\$ 3,072,101

WEST BERKELY SHUTTLE

<div><div><div>Revenue</div><div>BGTMA - West Berkeley & Bayer Mid Day Shuttle</div><div>Total Revenue - West Berkeley</div></div></div>		2023 Budgeted Revenue	Assumptions
		381,600	Reflects approximately 50% increase from 2022.
		381,600	
		2023 Budgeted Expenditures	
<div><div><div>Expenditures</div><div>Shuttle Operations</div><div>Professional Service Contracts</div><div>Real-time Tracking</div><div>Subtotal Direct Costs</div><div>Indirect Costs (20%)</div><div>Total Expenditures - West Berkeley</div></div></div>		288,000	Assumes a 20% increase in operator pricing.
		20,000	
		10,000	
		318,000	
		63,600	Assume pricing for WBS is consistent with The Emery. Direct cost pass through +20% for indirect expenses.
		381,600	

City of Emeryville - 8 to Go Paratransit Services

<div><div><div>Revenue</div><div>City of Emeryville - 8 to Go Paratransit</div><div>Total Revenue - City</div></div></div>		2023 Budgeted Revenue	Assumptions
		161,000	Reflects approximately 13% increase from 2022.
		2023 Budgeted Expenditures	
		139,000	Assumes 20% increase in operator pricing.
<div><div><div>Expenditures</div><div>Shuttle Operations & Maintenance</div><div>Fuel</div><div>Communications</div><div>Professional Service Contracts</div><div>Total Expenditures - City</div></div></div>		6,000	
		1,000	
		15,000	
		161,000	

Quarterra (Lennar) - The Emery Express

<div><div><div>Revenue</div><div>Quarterra</div><div>Total Revenue - Quarterra</div></div></div>		2023 Budgeted Revenue	Assumptions
		444,000	
		2023 Budgeted Expenditures	
		310,000	Assumes 20% increase in operator pricing.
<div><div><div>Expenditures</div><div>Shuttle Operations & Maintenance</div><div>Fuel</div><div>Communications</div><div>Professional Service Contracts</div><div>Subtotal - Direct Costs</div><div>Indirect Cost - 20%</div><div>Total Expenditures - The Emery Express</div></div></div>		30,000	
		5,000	
		25,000	
		370,000	
		74,000	
		444,000	

ETMA - Budget to Actual Comparison (2017-2022)

EMERY GO-ROUND																
(Cash Basis)																
	2017	2017	2017	2018	2018	2018	2019	2019	2019	2020	2020	2020	2021	2021	2021	2022
	Budget	Actual	% Variance	Budget	Actual	% Variance	Budget	Actual	% Variance	Budget	Actual	% Variance	Budget	Actual	% Variance	Budget
Revenue																
PBID Revenue																
Net PBID Revenue	3,298,681	3,298,681	100%	3,476,248	3,476,248	100%	3,581,271	3,581,271	100%	4,039,222	4,039,222	100%	4,083,012	4,083,012	100%	4,245,453
Non-PBID Revenue																
City - General Benefit Contribution	522,632	522,632	100%	547,397	547,397	100%	637,728	637,728	100%	560,301	560,301	100%	556,368	556,368	100%	564,726
ETMA Billed Revenue	95,504	95,652	100%	98,369	95,592	97%	101,320	104,283	103%	106,386	106,392	100%	109,578	109,763	100%	109,578
BGTMA (Net balance of WBS revenue)	35,000	30,042	86%	45,000	30,042	67%	45,000	64,284	143%	40,000	(10,649)	-27%	20,000	33,996	170%	-
Other Revenue	3,000	3,494	116%	3,000	2,868	96%	3,000	70,359	2345%	1,003,000	1,002,292	100%	3,500	1,847	53%	3,000
Subtotal Non-PBID Revenues	656,136	651,819	99%	693,765	675,898	97%	787,048	876,654	111%	1,709,687	1,658,336	97%	689,446	701,974	102%	697,304
Total Revenue	3,954,817	3,950,500	100%	4,170,013	4,152,146	100%	4,368,319	4,457,925	102%	5,748,909	5,697,558	99%	4,772,458	4,784,986	100%	4,942,757
Expenditures	2017	2017	2017	2018	2018	2018	2019	2019	2019	2020	2020	2020	2021	2021	2021	2022
	Budget	Actual	% Variance	Budget	Actual	% Variance	Budget	Actual	% Variance	Budget	Actual	% Variance	Budget	Actual	% Variance	Budget
Direct Costs																
Bus Leases/Purchases	500,000	324,939	65%	500,000	427,651	86%	500,000	395,538	79%	500,000	421,915	84%	500,000	391,759	78%	500,000
Maintenance	350,000	275,381	79%	340,000	283,521	83%	340,000	242,567	71%	300,000	231,463	77%	315,000	243,651	77%	300,000
Operations Contract	1,915,000	1,934,356	101%	2,100,000	2,074,771	99%	2,300,000	2,210,574	96%	2,400,000	1,775,369	74%	2,400,000	1,990,521	83%	2,420,000
Fuel	325,000	224,342	69%	275,000	266,444	97%	300,000	241,703	81%	300,000	123,979	41%	300,000	199,206	66%	325,000
Communications	40,000	67,808	170%	180,000	9,761	5%	180,000	65,362	36%	75,000	103,658	138%	60,000	59,429	99%	55,000
Miscellaneous Operating Costs	20,000	7,950	40%	15,000	2,476	17%	15,000	986	7%	15,000	34,633	231%	15,000	564	4%	5,000
Subtotal Direct Costs	3,150,000	2,834,776	90%	3,410,000	3,064,624	90%	3,635,000	3,156,730	87%	3,590,000	2,691,017	75%	3,590,000	2,885,131	80%	3,605,000
Indirect Costs																
Professional Services	475,000	425,159	90%	490,000	403,568	82%	490,000	348,365	71%	500,000	451,283	90%	515,000	490,897	95%	550,000
Occupancy (site lease, utilities, etc.)	150,000	180,459	120%	175,000	183,452	105%	150,000	154,849	103%	400,000	134,634	34%	350,000	219,039	63%	365,000
Membership/Public Outreach Expense	13,500	13,625	101%	15,000	4,022	27%	15,000	7,190	48%	20,000	9,865	49%	25,000	5,403	22%	15,000
Pilot Projects and Research	25,000	-	0%	25,000	-	0%	25,000	-	0%	25,000	-	0%	-	-	0%	25,000
TMA Insurance	10,000	7,010	70%	10,000	19,130	191%	20,000	25,897	129%	20,000	20,961	105%	22,000	21,840	99%	25,000
Meeting expenses, supplies, licenses, fees, etc.	4,000	969	24%	4,000	761	19%	4,000	3,281	82%	4,000	687	17%	25,000	143	1%	10,000
Bus Yard Site and/or Relocation	350,000	-	N/A	325,000	90,129	28%	850,000	245,255	29%	3,000,000	528,655	N/A	1,200,000	2,487,288	207%	-
Subtotal Indirect Costs	1,027,500	627,222	61%	1,044,000	701,062	67%	1,554,000	784,836	51%	3,969,000	1,146,085	29%	2,137,000	3,224,610	151%	990,000
Replenishment of Cash Reserve																
Estimated Revenue Shortfall	75,000	-		-	-		-	-		-	-		-	-		
Cash Reserve Replenishment	-	-	N/A	-	-	N/A	-	-	N/A	-	-	N/A	-	-	N/A	347,757
Subtotal Cash Reserve Replenishment	75,000	-	N/A	-	-	N/A	-	-	N/A	-	-	N/A	-	-	N/A	347,757
Total TMA Expenditures	4,252,500	3,461,997	81%	4,454,000	3,765,687	85%	5,189,000	3,941,566	76%	7,559,000	3,837,101	51%	5,727,000	6,109,741	107%	4,942,757
Balance	(297,683)	488,503		(283,987)	386,459		(820,681)	516,359		(1,810,091)	1,860,457		(954,542)	(1,324,755)		(0)

Operations Budget Scenario's

Annual Service Hours

Weekday	28,639
Sat	2,326
Sun	1,671
Total	32,636

**Based on current level of service.*

Rates	2022	2023 (20% Increase)	2023 (25% Increase)	2023 (30% Increase)
Monthly Fixed Rate	\$ 37,602.94	\$ 45,123.53	\$ 47,003.68	\$ 48,883.82
Variable Hourly Rate	\$ 51.51	\$ 61.81	\$ 64.39	\$ 66.96

Estimated Annual Cost	2022	2023 (20% Increase)	2023 (25% Increase)	2023 (30% Increase)
Monthly Fixed	\$ 451,235.28	\$ 541,482.34	\$ 564,044.10	\$ 586,605.86
Variable Hourly	\$ 1,681,068.51	\$ 2,017,282.22	\$ 2,101,335.64	\$ 2,185,389.07
TOTAL	\$ 2,132,303.79	\$ 2,558,764.55	\$ 2,665,379.74	\$ 2,771,994.93

<i>2023 Preliminary Budget</i>	\$ 2,600,000.00	\$ 2,600,000.00	\$ 2,600,000.00
<i>Variance</i>	\$ 41,235.45	\$ (65,379.74)	\$ (171,994.93)

Occupancy Cost Breakdown

	Annual Cost Estimate
Site Lease	\$ 173,620.00
Security	\$ 278,940.48
Video Monitoring	\$ 11,940.00
Camera System Support	\$ 5,000.00
Etheric Network	\$ 6,000.00
EBMUD	\$ 9,000.00
PG&E	\$ 9,000.00
Cleaning	\$ 8,340.00
Comast (phone line hold)	\$ 1,260.00
Landscape Maintenance	\$ 6,600.00
Total	\$ 509,700.48

Revenue & Cost Forecasting Scenarios



Primary Revenue & Cost Forecast						Revenue & Cost Projection									
Revenue	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030
PBID (3% Increase/Year)	3,250,988	3,298,681	3,476,248	3,581,271	4,039,222	4,083,012	4,245,453	4,372,817	4,504,002	4,639,122	4,778,295	4,921,644	5,069,293	5,221,372	5,378,013
City (12.29%)	455,531	522,632	547,397	637,728	560,301	556,368	564,726	608,355	642,767	674,721	709,133	781,644	828,346	868,903	912,533
City CIP - Bus yard	-	-	-	-	1,000,000	-	-	-	-	-	-	-	-	-	-
Other	213,888	113,883	230,043	146,436	155,338	133,078	132,578	136,555	140,652	144,872	149,218	153,694	158,305	163,054	167,946
TOTAL REVENUE	3,920,407	3,935,196	4,253,688	4,365,435	5,754,861	4,772,458	4,942,757	5,117,727	5,287,421	5,458,714	5,636,646	5,856,982	6,055,944	6,253,329	6,458,492
Expenses	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030
Operations	3,202,481	3,382,651	3,696,976	3,941,695	3,769,950	3,750,000	4,595,000	4,950,000	5,230,000	5,490,000	5,770,000	6,360,000	6,740,000	7,070,000	7,425,000
Bus Yard	-	14,053	95,358	324,320	528,655	2,550,000	-	-	-	-	-	-	-	-	-
TOTAL EXPENSES	3,202,481	3,396,703	3,792,334	4,266,016	4,298,605	6,300,000	4,595,000	4,950,000	5,230,000	5,490,000	5,770,000	6,360,000	6,740,000	7,070,000	7,425,000
% Increase in Operations Costs f/Prior Year	-4%	6%	9%	7%	-4.4%	-1%	23%	8%	6%	5%	5%	10%	6%	5%	5%
Annual Balance	717,926	538,492	461,354	99,419	1,456,256	(1,527,542)	347,757	167,727	57,421	(31,286)	(133,354)	(503,018)	(684,056)	(816,671)	(966,508)
Minimum Cash Reserve (15%)	480,372	507,398	554,546	591,254	565,492	562,500	689,250	742,500	784,500	823,500	865,500	954,000	1,011,000	1,060,500	1,113,750
Available Cash Balance (less 15% reserve)	1,739,624	2,251,091	2,665,296	2,728,007	3,713,287	2,188,737	2,409,744	2,524,221	2,539,642	2,469,356	2,294,002	1,702,484	961,429	95,258	(924,500)
Total Estimated Revenue Balance	2,219,996	2,758,488	3,219,843	3,319,262	4,278,779	2,751,237	3,098,994	3,266,721	3,324,142	3,292,856	3,159,502	2,656,484	1,972,429	1,155,758	189,250

Notes & Assumptions:

1. Assumes City Council approves increase of 3% per year in PBID Levy Assessments from 2023-2030.
2. Minimum cash reserve of 15% based on TMA Administrative Policies.
3. Does not include future delinquent PBID assessments or past due PBID revenue collected.
4. Assumes level of service is restored to 80% of Pre-COVID levels in 2022, then increases to 90% in 2027 through 2030.
5. Assumes Operations Costs increase 10% in 2023, then 5% per year thereafter.



EMERYVILLE TRANSPORTATION MANAGEMENT ASSOCIATION

EMERYVILLE TRANSPORTATION MANAGEMENT ASSOCIATION

STAFF REPORT MEMORANDUM

DATE: October 14, 2022

FROM: Roni Hatstrup, Executive Director

SUBJECT: Status Update on Bus Yard Repair Project & Approval of Amendment 9 to BKF Engineers Agreement

RECOMMENDATION

Staff recommends approval of Amendment 9 to Professional Services Agreement with BKF Engineers to increase compensation by \$2,500 for out-of-scope work to modify the engineering plans reflect changes requested by Alameda County Flood Control.

BACKGROUND

At the May 19th, 2022 Board of Directors meeting, the Board approved amendments to Professional Services Agreements with BKF Engineers and Zoon Engineering and authorized the repair of the asphalt damage and the installation of a new cover vault to allow continued access to the Alameda County Flood Control's access hatch, which was damaged in October 2021.

DISCUSSION

In August 2022, BKF conducted a survey of the bus yard at the damage location and provided updated engineering plans to reflect the new cover vault as well as modified elevations for drainage and paving. Upon review of the revised plans, Zoon Engineering forwarded the plans to Alameda County Flood Control for review and approval. In September, our team met with representatives of ACFC to discuss the proposed changes. At that meeting, we were informed that ACFC would be replacing their access hatch and improving the concrete chamber below it. These repairs would require removal of the proposed cover vault. All parties agreed that the best solution would be raise the concrete chamber, so the new access hatch would be at grade, which would eliminate the need for a cover vault. This approach would result in a lower cost to the ETMA, while also improving access for ACFC in the future. ACFC also agreed to lay asphalt in the surrounding 18" apron around the access hatch. ACFC provided mark-ups to the plans showing the modified improvements and estimates the work to be completed in summer 2023.

OC Jones completed the asphalt repair and striping work on October 6th. Photos are attached.

ACFC has requested modified engineering plans to reflect the proposed improvements, to be installed by them. We have provided the revisions to BKF for review, and they have provided a budget request of \$2,500 for the additional out of scope work. These final plans are also needed to complete project close-out.

FINANCIAL CONSIDERATIONS

The total bus yard repair costs were \$14,000 less than what was presented to the Board previously, as shown in the damage repair cost estimate attached. This is primarily due to the \$15,000 in savings for the design and manufacturing of the cover vault.

The total cost for the bus yard is estimated to be \$207,000 below budget, as shown in the project budget summary, attached.

Mandela Fleet Parking Facility
Project Budget Overview Summary

Total Project Budget	\$ 3,589,680.00
Total Costs to Date	\$ 3,288,558.34
Estimate to Complete	\$ 94,058.60
Total Estimated Costs	\$ 3,382,616.94
Remaining Budget Balance	\$ 207,063.06
<i>% Below Budget</i>	6%

Original Capital Construction Budget	\$ 2,051,680.00
Actual Costs to Date	\$ 2,057,098.94
Estimated Cost to Complete	\$ 64,693.60
Total Capital Construction Costs	\$ 2,121,792.54
Budget Overrun (contingency used)	\$ (70,112.54)
<i>% Overrun</i>	4%

Engineering Design & Permitting Budget	\$ 400,000.00
Total Costs to Date	\$ 532,792.62
Estimated Cost to Complete	\$ 2,500.00
Total Engineering Cost	\$ 535,292.62
Budget Overrun (contingency used)	\$ (135,292.62)
<i>% Overrun</i>	34%

Note: Overrun was primarily due to higher costs for permitting and the video security system.

Construction Oversight Budget	\$ 190,000.00
Total Costs to Date	\$ 301,330.00
Estimated Cost to Complete	\$ 23,365.00
Total Construction Oversight Costs	\$ 324,695.00
Budget Overrun (contingency used)	\$ (134,695.00)
<i>% Overrun</i>	71%

Note: Construction Oversight costs were 15% of Construction Capital, consistent with industry average.

Modular Office Budget	\$ 175,000.00
Total Cost	\$ 197,977.15
Budget Overrun (contingency used)	\$ (22,977.15)
<i>% Overrun</i>	13%

ETMA Management Services Budget	\$ 173,000.00
Total Costs to Date	\$ 191,359.63
Estimated Cost to Complete	\$ 3,500.00
Budget Overrun (Contingency Used)	\$ (21,859.63)
<i>% Overrun</i>	13%

Bus Yard Repair - Damage Cost Estimate vs. Actual

Scope and cost of work to complete repair							
	Step	Responsible	Initial Estimate	Actual Cost/ Updated Estimate	Write Off Portion	Total Updated Estimate	Detailed Notes
1. a.	Responded to incident, determine immediate repair	Zoon	\$ 2,500	\$ -	\$ -	\$ -	No additional charges.
1. b.	Assisted with immediate ACFC repair	OC Jones	\$ 3,000	\$ -	\$ -	\$ -	No additional charges.
1. c.	Made immediate repair	ACFC	\$ -	\$ -	\$ -	\$ -	No ACFC charges to ETMA.
2.a.	Determine Solution	GBS	\$ 5,000	\$ 5,850	\$ (5,000)	\$ 850	Worked with Committee; negotiated with contractors; consulted with council
2.b.	Determine Solution	Zoon	\$ 5,000	\$ 5,000	\$ (5,000)	\$ -	Provided options to address damage
2.c.	Determine Solution	BKF	\$ 5,000	\$ 5,000	\$ (5,000)	\$ -	Provided options to address damage
2.d.	Determine Solution	HB	\$ 5,000	\$ 3,317	\$ -	\$ 3,317	Provided legal review of action leading up to damage and of proposed solutions
3.a.	Implement necessary contracts and/or amendments	GBS	\$ 2,000	\$ 7,987	\$ -	\$ 7,987	Additional efforts to secure Board authorization to: amend Zoon's and BKF's contract; issue the OC Jones CCO.
3.b.	Execute and manage CCO with OC Jones	Zoon	\$ 9,250	\$ 6,800	\$ -	\$ 6,800	Draft and negotiate with OC Jones the CCO for ultimate repair of the damage, including repaving around the vault
4.a.	Survey the damaged area; update the grading plan	BKF	\$ 8,000	\$ 7,985	\$ -	\$ 7,985	BKF charges to complete survey and plan modifications.
NEW	Plan Revisions for ACFC Hatch Adjustment. (NEW ITEM)		\$ -	\$ 2,500	\$ -	\$ 2,500	This is a new item associated with additional work required for BKF to modify the plans to reflect ACFC's changes.
4.b.	Design, fabricate and install vault cover over the access hatch	OC Jones sub	\$ 15,000	\$ -	\$ -	\$ -	No longer applicable.
4. option	Design, fabricate and install vault cover over the access hatch	Preston Pipelines		\$ -	\$ -	\$ -	No longer applicable.
4.c.	Remove damaged AC paving	OC Jones	\$ 18,000	\$ 18,000	\$ -	\$ 18,000	Remove and disposed of damaged pavement.
4.d.	Repave around vault and damaged paving	OC Jones	\$ 35,000	\$ 34,657	\$ -	\$ 34,657	Oil prices are increasing the cost of AC, so this price has the greatest risk. Guessing 5,500 sq.ft. or 140 tons (7 trucks). Includes recompacting subgrade, and labor for both.
4. option	Design	ACFC	\$ -	\$ -	\$ -	\$ -	Not applicable to ETMA.
5. a.	Ensure repair is complete/work closed out	GBS	\$ 2,000	\$ 3,500	\$ -	\$ 3,500	Close out all work related to damage repair
	TOTAL		\$ 114,750	\$ 100,596	\$ (15,000)	\$ 85,596	

* Anticipated maximum exposure.

Contribution from contractors	\$ 15,000
ETMA Share	\$ 99,750
Cost increase without damage	\$ 50,000
Effective damage cost	\$ 49,750

Savings f/ initial estimate: \$ 14,154

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

THIS AMENDMENT NO. 9 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 authorized Amendment 1 to 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 authorized Amendment 2 to 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 authorized Amendment 3 to the agreement to extend the term of services one (1) year to December 31st, 2018; and

WHEREAS, Association authorized Amendment 4 to 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 authorized Amendment 5 to 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; and

WHEREAS, Association authorized Amendment 6 to the agreement to extend the term of service one (1) additional year, to December 31, 2020 and to increase the compensation limit by \$50,619 to cover out of scope items to complete the final design phase of the project; and

WHEREAS, Association authorized Amendment 7 to the agreement to expand the scope of services to include design support services during construction, extend the term of service six months to June 30th, 2021 and to increase the compensation limit by \$29,500; and

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

WHEREAS, Association authorized Amendment 8 to the agreement to extend the term of services through December 31, 2022 and to increase the compensation limit by \$8,000 for scope of work associated with the bus yard repair; and

WHEREAS, Consultant has requested additional budget of two-thousand five hundred dollars (\$2,500) for out-of-scope work associated with changes in the engineering plans for the bus yard requested by Alameda County Flood Control, which is described in the attached letter dated October 13, 2022.

NOW, THEREFORE, BE IT MUTUALLY AGREED that Section 3A of the agreement be amended to increase the total compensation by \$2,500 for a total not to exceed limit of \$379,408.

IN WITNESS WHEREOF, the Association approved Amendment No. 9 to this Agreement on the _____ of _____, 2022.

EMERYVILLE TRANSPORTATION
MANAGEMENT ASSOCIATION

CONSULTANT

By: _____
Chair

By: _____

10/13/2022

BKF No: C20176196-40



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

Transmitted Via Email: Roni@graybowenscott.com

Subject: Emery Go-Round Mandela Bus Yard
 Parking Lot Repair Work – ACFC Comments

Dear Ms. Hattrup:

Per your email from 9/23/2022, The Alameda County Flood Control District (ACFC) is electing to reconstruct the hatch to final grade for which we were going to construct a vault cover. It is understood by BKF that ACFC will design and construct the new vault at a later date. BKF will update the plans to incorporate the plans from ACFC.

SCOPE OF SERVICES

1. Design Services (\$2,500)

BKF will prepare changes to the vault repair plans to incorporate the changes proposed by ACFC and show the limits of replaced pavement. The vault will be shown on the plans to be constructed by ACFC.

Respectfully,
BKF Engineers

A handwritten signature in blue ink, appearing to read "Marcelo H. Cosentino".

Marcelo H. Cosentino, PE
Associate

