



**Santa Cruz County Regional
Transportation Commission
Transportation Policy Workshop**

AGENDA

**Thursday, February 16, 2012
9:00 a.m.**

**NOTE LOCATION THIS MONTH
SCCRTC Conference Room
1523 Pacific Ave
Santa Cruz, Ca**

NOTE

See the last page for details about access for people with disabilities and meeting broadcasts.

En Español

Para información sobre servicios de traducción al español, diríjase a la última página.

AGENDAS ONLINE

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COMMISSION MEMBERSHIP

Caltrans (ex-officio)	Rich Krumholz
City of Capitola	Kirby Nicol
City of Santa Cruz	Don Lane
City of Scotts Valley	Randy Johnson
City of Watsonville	Eduardo Montesino
County of Santa Cruz	Ellen Pirie
County of Santa Cruz	John Leopold
County of Santa Cruz	Mark Stone
County of Santa Cruz	Neal Coonerty
County of Santa Cruz	Greg Caput
Santa Cruz Metropolitan Transit District	Dene Bustichi
Santa Cruz Metropolitan Transit District	Lynn Robinson
Santa Cruz Metropolitan Transit District	Ron Graves

The majority of the Commission constitutes a quorum for the transaction of business.

Article 8 Transportation Development Act Claims – only City and County representatives vote

Article 4 Transportation Development Act Claims, Policy Issues, and SAFE – all 12 members vote

1. Introductions
2. Oral communications

Any member of the public may address the Commission for a period not to exceed three minutes on any item within the jurisdiction of the Commission that is not already on the agenda. The Commission will listen to all communication, but in compliance with State law, may not take action on items that are not on the agenda

Speakers are requested to sign the sign-in sheet so that their names can be accurately recorded in the minutes of the meeting.

CONSENT AGENDA

No items this month

All items appearing on the consent agenda are considered to be minor or non-controversial and will be acted upon in one motion if no member of the RTC or public wishes an item be removed and discussed on the regular agenda. Members of the Commission may raise questions, seek clarification or add directions to Consent Agenda items without removing the item from the Consent Agenda as long as no other Commissioner objects to the change.

REGULAR AGENDA

3. Santa Cruz Branch Rail Line acquisition project
(Luis Mendez, Deputy Director)
 - a. Staff report
 - b. Draft RFP for rail service on Santa Cruz Branch Rail Line
4. Washington D.C. trip report- Transportation Research Board conference, Surface Transportation Board and other meetings - oral report
(George Dondero)
5. Transportation funding poll consultant agreement
(Rachel Moriconi, Senior Transportation Planner)
 - a. Staff report
 - b. Resolution authorizing a consulting agreement
 - c. Firms that submitted proposals
6. Next meetings

The next SCCRTC meeting is scheduled for Thursday, March 1, 2012 at 9:00 a.m. at the County Board of Supervisors Chambers, 701 Ocean St., Santa Cruz, CA.

The next Transportation Policy Workshop is scheduled for Thursday, March 15, 2012 at 9:00 am at the SCCRTC Offices, 1523 Pacific Avenue, Santa Cruz, CA.

HOW TO REACH US

*Santa Cruz County Regional Transportation Commission
1523 Pacific Avenue, Santa Cruz, CA 95060
phone: (831) 460-3200 / fax (831) 460-3215
email: info@sccrtc.org / website: www.sccrtc.org*

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- Aptos Branch Library
- Central Branch Library
- Watsonville Library
- Branciforte Library
- Scotts Valley Library

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HOW TO REQUEST

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AGENDA: February 16, 2012

TO: Regional Transportation Commission (RTC) Transportation Policy Workshop (TPW)

FROM: Luis Pavel Mendez, Deputy Director

RE: Santa Cruz Branch Rail Line Acquisition Project

RECOMMENDATIONS

Staff recommends that the Santa Cruz County Regional Transportation Commission (RTC) authorize;

1. The Executive Director to release a request for proposals (RFP) for rail service on the Santa Cruz Branch Rail Line (Branch Line); and
 2. The RTC Chair to appoint an ad-hoc rail acquisition committee.
-

BACKGROUND

After ten years of negotiations with Union Pacific (UP) and completing due diligence work and after securing an operating agreement with Sierra Northern Railway, on January 19, 2011, the Regional Transportation Commission (RTC) secured funding approval from the California Transportation Commission (CTC) to purchase the Santa Cruz Branch Rail Line (Branch Line). In early April, RTC consultants and staff submitted a petition for declaratory order to the Surface Transportation Board (STB) to obtain the final approval for purchase of the Santa Cruz Branch Rail Line. In September 2011, the RTC submitted a revised declaratory order to the STB in response to STB comments. In December 2011, the RTC received approval from the STB for acquisition of the Branch Line and on the same day the RTC was notified that Sierra Northern Railway was revoking its operating agreement for the Branch Line.

DISCUSSION

RTC staff and consultants have been working with UP on potential options for completing a purchase transaction of the Branch Line. One option is securing a new rail service operator for the Branch Line. Based on conversations with staff at the STB, securing another operator for the Branch Line with an agreement similar to the Sierra Northern Railway agreement will help ensure a more timely approval from the STB. RTC staff has also spoken with operators who expressed interest in operating on the Branch Line.

Rail Service Request for Proposals

In 2005, the RTC approved a request for proposals (RFP) to solicit proposals for rail service operations on the Santa Cruz Branch Rail Line. The RFP was last revised in 2008. RTC staff and the RTC rail service consultant have once again revised the RFP and it is included as Attachment 1. Due to the significant level of revision, the attachment is not shown in underline and strike out format. The previous version of the RFP only addressed freight service so it has been revised to include recreational passenger service. The RFP has also been updated to the current situation. As of the writing of this staff report UP had not yet had the opportunity to review the RFP. It is anticipated that by the time of the Transportation Policy Workshop (TPW) meeting, UP would have reviewed the RFP and provided comments. RTC staff and consultants will further revise the RFP if needed and will provide any revisions at the TPW meeting. **RTC staff and consultants recommend that the RTC authorize the Executive Director to release an RFP for rail service on the Santa Cruz Branch Rail Line.**

Other Options for Completing Purchase of the Branch Line

Union Pacific and RTC staff have also discussed the possibility of abandoning common-carrier freight service and railbanking the entire Branch Line or the portion of the Branch Line north of the shippers in the Watsonville area. Under these options, the RTC would still need an operator to provide the recreational passenger rail service and provide freight service to the shippers in the Watsonville area. A potential operator may also have a preference regarding what option may work out best for the operation on the Santa Cruz Branch Rail Line. In addition, going through an abandonment and railbanking process with the STB will require significantly more time.

Ad-Hoc Rail Acquisition Committee

In the past the RTC established an ad-hoc rail acquisition committee to work with staff on specific issues relating to this project. Due to the need to once again consider potential rail service operators and other details regarding the purchase of the Santa Cruz Branch Rail Line, it would be useful for the RTC to again authorize the RTC Chair to appoint an ad-hoc rail acquisition committee. Therefore, **staff recommends that the RTC authorize the RTC Chair to appoint an ad-hoc rail acquisition committee.**

Engineering for Improvements

RTC staff continues to work with JL Patterson on the engineering for improvements to the structures. UP requires a right of entry agreement for JL Patterson to enter the Branch Line and perform its investigations. UP and RTC staff are working to amend the previous right of entry between RTC and UP.

SUMMARY

Sierra Northern Railway revoked its agreement to operate on the Santa Cruz Branch Rail Line. A new operator is needed to proceed with acquisition of the Branch Line. RTC staff and consultants recommend that the RTC authorize the Executive Director to release an RFP for rail service on the Branch Line and authorize the RTC Chair to appoint an ad-hoc rail acquisition committee.

Attachments:

1. Draft RFP for rail service on Santa Cruz Branch Rail Line

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ATTACHMENT 1

Draft Request for Proposals for An Operator of Rail Service on the Santa Cruz Branch Rail Line

I. Introduction

The Santa Cruz County Regional Transportation Commission (SCCRTC) is the designated Regional Transportation Planning Agency (RTPA) for Santa Cruz County. The agency consists of twelve members, representing the County of Santa Cruz, the Cities of Capitola, Santa Cruz, Scotts Valley and Watsonville, and the Santa Cruz Metropolitan Transit District. Caltrans serves as an ex-officio member. SCCRTC has the authority to develop and oversee projects on public rail line rights-of-way in Santa Cruz County.

SCCRTC has negotiated a price for the acquisition of the Santa Cruz Branch Rail Line (Branch Line) from Watsonville to Davenport, which line is also known as the Union Pacific Railroad Company's (UPRR) "Santa Cruz Subdivision (Subdivision)." SCCRTC is currently working to be established as the new owner of the Subdivision. SCCRTC's vision for the Subdivision includes providing freight service to rail served customers on the Subdivision, as well as implementing recreational passenger rail service over the Subdivision. SCCRTC may, in the future, consider establishing a bicycle and pedestrian path along some or all of the Santa Cruz Subdivision (Rail Trail).

SCCRTC has negotiated a price of \$14.2 million to purchase the Santa Cruz Subdivision, which includes approximately 31 route miles of right-of-way and standard gauge railroad line between Watsonville Junction and Davenport, California. SCCRTC and UPRR have signed an agreement setting forth the terms under which SCCRTC will purchase UPRR's right-of-way and improvements thereon, and the parties are now working to close the transaction. Under the terms of the agreement, the SCCRTC will

assume ownership, care and control of the Subdivision. The SCCRTC anticipates that the UPRR's property will be acquired on or about June 1, 2012 and that responsibility for rail operations will be transferred to a rail operator designated by SCCRTC at that time.

The purpose of this Request for Proposals (RFP) is to solicit proposals from operationally and financially qualified firms which will be evaluated by SCCRTC to select a proposer to provide rail service for the Santa Cruz Subdivision. SCCRTC will provide the right-of-way, trackage, bridges, trestles and culverts, signage and grade crossing warning systems to the selected proposer, in their current condition. The contract between the two parties will be an administration and coordination agreement generally in the same form as an agreement previously negotiated between SCCRTC and Sierra Northern Railroad, and attached to this RFP (as Attachment G) as reference.

The selected proposer will assume an exclusive freight easement and an easement to operate passenger services on the Subdivision. The selected proposer will be expected to maintain the right of way and infrastructure, and to operate the rail services in accordance with applicable Federal Railroad Administration (FRA) and California Public Utilities Commission (CPUC) regulations. The selected proposer will furnish qualified employees for train and engine crews, as well as supervisory employees and support personnel. In addition, the selected proposer will furnish property and liability insurance, an environmental protection program designed to prevent and control environmental accidents, a safety program, an employee certification program, and a substance abuse program. The selected proposer will be required to cooperate with other SCCRTC-approved projects on the Santa Cruz Subdivision, including, but not limited to the Rail Trail.

In addition to an administration and coordination agreement the selected proposer will be required to enter into certain agreements with UPRR regarding the interchange, continuing freight operation, and commercial terms as relate to freight customers on the

Subdivision. Additionally, the selected proposer will assume from UPRR assignment of certain agreements which impact and dictate aspects of the operation of the line.

II. Proposal Contents, Process and Requirements

A. Proposal Submissions

A Pre-Proposal Conference for prospective proposers will be held at 10:00 A.M., on March 14, 2012 at SCCRTC's offices at 1523 Pacific Avenue, Santa Cruz, California. Please call the Commission offices at (831) 460-3200 by March 7, 2012 to indicate your attendance and the number of participants at the Pre-Proposal Conference. Notes on the Pre-Proposal Conference, written responses to all questions received from proposers, and any subsequent amendments to the RFP will be distributed to the proposers attending the Pre-Proposal Conference.

All questions in regard to this RFP must be submitted in writing and addressed to George Dondero, Executive Director of SCCRTC, on or before March 1, 2012. A written response to all questions received by March 1, 2012 will be made to prospective RFP proposers at the Pre-Proposal Conference. SCCRTC reserves the right to issue a revised RFP or addenda as a result of comments and questions from prospective proposers.

The original and six (6) hard copies and one electronic copy of a proposal submitted pursuant to this RFP must be received by SCCRTC no later than 5:00 P.M. on March 28, 2012 at the following address:

George Dondero, Executive Director
Santa Cruz County Regional Transportation Commission
1523 Pacific Avenue
Santa Cruz, CA 95060-3911

SCCRTC is not responsible for delays due to the U.S. Postal Service, courier services or any other mail delivery service. Proposals received after the 5:00 P.M. deadline on March 28, 2012 will not be considered.

All proposals submitted in response to this request will be screened by SCCRTC staff and other SCCRTC-designated representatives. The screening will determine which proposers will be invited to interview, and any selected proposer must make the key personnel identified in its proposal available to the SCCRTC interview committee. SCCRTC reserves the right to make a final selection without an interview, or to choose not to negotiate or execute a contract with any proposer.

B. Proposal Requirements

Submitted proposals must be clearly labeled as “**Proposal for Operator of Rail Service,**” and must include the following:

1. A Transmittal Letter, which must include the following information:
 - The name and signature of the person authorized to obligate the company or joint venture, and the location of the principal office. If activities are to be shared among companies and offices at different locations, indicate where each office is located and what activities are to be performed in each office.
 - A summary description of the work to be performed by each subcontracting company proposed for the project, if any.
 - An e-mail address for the company representative to which correspondence can be sent. If e-mail is not available, so indicate in the

transmittal letter. Also provide telephone and fax numbers or so indicate if they are not available.

2. An organization chart including all participants in the proposal, showing the proposed relationships between the key personnel and support staff, showing which work function each company will be responsible for performing.

3. Proposer's demonstrated ability, including its safety compliance record, to comply with the requirements of CPUC, FRA, and all other regulatory agencies that would govern the proposer's business of operating rail service on the Santa Cruz Subdivision.

4. A mobilization plan and a schedule for the start-up of rail service upon issuance of a notice to proceed by SCCRTC to the proposer.

5. A Service Plan that:

- includes detailed information concerning the rolling stock and other equipment proposed to be used on the Santa Cruz Subdivision,
- is sensitive to the needs of the communities traversed,
- provides optimal service to freight customers, and addresses the proposers' ability to ensure consistency of freight rail service, and return service to the Santa Cruz Subdivision after unplanned outages such as derailments,
- complies with the provisions of UPRR's Trackage Rights Agreement with the Santa Cruz, Big Trees & Pacific Railway Co., and
- describes the proposer's ability to operate passenger train service, and confirms the proposer's willingness to (i) cooperate with any other

operator of passenger train service that may use the Santa Cruz Subdivision, and (ii) cooperate with the construction and operation of a Rail Trail.

6. A maintenance plan for the Santa Cruz Subdivision rail properties, at not less than FRA Class 1 standards, and for the proposer's rolling stock, both of which must include an environmental protection program. The maintenance plan shall include the location of the proposer's maintenance facility, as well as storage facilities for the proposer's rolling stock.

7. A projected five-year financial plan and proposer's most recent financial statements demonstrating the proposer's financial capability and the availability of the financial resources that would be used to provide the services proposed. The financial plan must include projected capital expenditures as well as revenues and expenses, including the proposer's insurance plan, limits of liability, and deductible consistent with minimum requirements in **Attachment G**.

8. A proposal for revenue sharing between the proposer and SCCRTC on revenues (beyond certain thresholds) generated on the Subdivision

9. References for similar rail operations experience should be provided by the proposer; SCCRTC prefers to receive at least three such references, but proposers submitting fewer than three references will not be disqualified from consideration. Each reference should include the contact's name, title, address and phone numbers, and include an explanation of the services provided, in addition to the years in which they were provided.

SCCRTC reserves the right to reject any proposals that do not contain all nine (9) sections listed above, do not contain the required number of copies,

do not have correct labeling, are submitted after the deadline or are submitted to the wrong location.

C. Proposal Process Schedule

RFP's Available and Mailed	February 21 2012
Pre-Proposal Conference	March 14, 2012
Proposal Submission	March 28, 2012
Short-List Selection	April 5, 2012
Notification of Short Listed Firms	April 5, 2012
Interview Short List Firms	Week of April 16, 2012
RTC Selection of Firm	May 3, 2012
Complete Negotiations with Selected Firm	May 21, 2012
RTC Approves Contract with Firm	June 7, 2012
Commence Operations	July 1, 2012

SCCRTC reserves the right to alter the foregoing schedule for any reason.

D. Modification or Withdrawal of Submittals

Any proposal received prior to the date and time specified above for receipt may be withdrawn or modified by written request of the proposer. To be considered, however, the modified proposal must be received by the time and date specified above.

E. Property Rights

Any proposal received within the prescribed deadline becomes the property of the SCCRTC and all rights to the contents therein become those of SCCRTC.

F. Confidentiality

After the deadline to submit proposals has passed, all proposals will be regarded as public records and will be subject to review by the public. Except as expressly provided below, any language purporting to render all or portions of the proposals confidential will be regarded as non-effective and will be disregarded. If any proposal is based on (i) information constituting a trade secret, as that term is defined in Evidence Code section 1060, or (ii) information that is subject to a confidentiality agreement, the proposer may submit such information separately from the proposal, clearly marked as confidential. The proposer shall state in writing whether any such confidential information is a trade secret or is subject to a confidentiality agreement. Such information will be designated confidential, but only to the extent permitted by the California Public Records Act. In the event of a legal challenge to the confidentiality of any such information submitted by a proposer, SCCRTC will give the proposer notice of such legal challenge and the opportunity to defend the confidentiality of such information, but such defense will not be the responsibility of SCCRTC.

G. Amendments to Request for Proposals

SCCRTC reserves the right to amend the Request for Proposals by addenda before the final proposal submittal dates.

H. Non-Commitment of SCCRTC

This Request for Proposals does not commit the SCCRTC to award a contract, to pay any costs incurred in the preparation of a proposal for this request, or to procure or contract for any services. All products used or developed in the execution of any contract resulting from this Request for Proposals will remain in the public domain at the completion of the contract.

I. Conflict of Interest

The proposer shall disclose any financial interest, or any business or other relationship, that may have an impact upon the proposal or any services rendered to SCCRTC. The proposer shall also list current clients who may have a financial interest in the outcome of this contract. A proposer has a "financial interest" if it is reasonably foreseeable that the proposer may gain a material financial advantage as a result of proposer's relationship with any person or entity connected with, or directly affected by, the services provided or work performed. As used throughout this Section, the term "proposer" includes every owner and employee of the proposer, including their immediate families. If requested by SCCRTC, the proposer, its owners and employees will be required to file a completed "Fair Political Practices Commission (FPPC) Form 700, Statement of Economic Interests" with SCCRTC in accordance with SCCRTC's Conflict of Interest Code.

J. Nondiscrimination

The contract awarded as a result of this Request for Proposals (RFP) will be awarded without discrimination based on race, color, religion, age, sex, sexual preference, or national origin.

K. Inquiries and Requests for Additional Copies

Inquiries concerning this Request for Proposals and requests for additional copies of this document should be directed to George Dondero, Executive Director of SCCRTC.

III. Operator Selection and Contract Negotiations

The selection of a proposer to provide rail services on the Santa Cruz Subdivision shall be made by SCCRTC in accordance with the selection criteria that are contained in **Attachment A**, and in accordance with the time schedule detailed above.

At the conclusion of the proposal ranking process, SCCRTC may offer a contract to the highest-ranked proposer and negotiate final contract terms with that firm. If agreement cannot be reached with the highest-ranked proposer, SCCRTC may terminate negotiations with that proposer and commence negotiations with the next highest-ranked proposer. If necessary, SCCRTC may repeat this process until a final contract has been negotiated.

IV. Description of the Santa Cruz Subdivision

Attachment B is a map showing the location of the Santa Cruz Subdivision and **Attachment C** is a copy of UPRR's timetable and special instructions as they pertain to the Subdivision. The SCCRTC ownership of right-of-way and improvements begins near Salinas Road at about MP 0.4 at Watsonville Junction and extends to a turnout at about MP 31.4 at Davenport, California. The interchange with UPRR will be made on a track to be designated in an interchange agreement between the operator and UPRR. The yard tracks at Davenport (north of the Route 1 highway-rail grade crossing) will not be available to the Operator for storing, switching, or holding cars.

The Santa Cruz, Big Trees and Pacific Railway's (SCBT&P) has a combination of ownership, and access rights in and around the line. SCBT&P ownership is on the Felton Branch, and begins at about MP 20.5, on the wye track near Maple Street in Santa Cruz., The SCBT&P interchanges freight cars on the Santa Cruz wye track and has operating rights to move excursion passenger trains to the Santa Cruz Boardwalk (i.e., Casino)

along the beach in Santa Cruz. Note that for this purpose, UPRR maintains the track between MP 19.3 and MP 20.8, as FRA Class 1, as shown in **Attachment C**.

As indicated in **Attachment C**, the UPRR operates the Santa Cruz Subdivision as “Excepted Track” with a maximum authorized train speed of 10 mph. There are no train control signals on the Subdivision and the GCOR rules concerning Track Warrant Control (TWC) and Yard Limits (YL) are in place. Six (6) axle locomotives are prohibited. UPRR “SI-12, Tonnage Restrictions-None,” indicates that a maximum load of 268,000 lb. per 4-axle rail car is permitted.

Currently UPRR operates freight service between Watsonville Junction and Davenport on an as needed basis, and at this point has designated the line north of Milepost 3.3 as out of service (OOS) as result of limited customer requirements and track condition.

The right-of-way maps for the Santa Cruz Subdivision are not attached to this RFP but can be viewed at the pre-proposal meeting. The right-of-way width is generally 50 ft. to 80 ft. wide between Watsonville and Santa Cruz and generally 100 ft. to 350 ft. wide between Santa Cruz and Davenport.

The UPRR Track Chart in **Attachment D** shows the gradient, curvature, mileposts, sidings, spur tracks, yard limits, drainage structures, highway grade separations, at-grade crossings and type of rail in track by weight of rail, jointed or continuous welded rail (CWR), and the year that the rail was laid. **Attachment E** is a copy of the UPRR most current bridge inspection report and **Attachment F** is a copy of the UPRR’s most current public at-grade crossings report showing the names of crossings, milepost locations, types of crossings, and types of grade crossing warning systems. There are approximately 47 private at-grade crossings, mostly farm type. Some main track runs longitudinally in city streets, including about 0.5 track miles in

Watsonville and about 0.5 track miles along Beach Street at “Casino,” the Boardwalk, at Santa Cruz Beach. There are approximately 16 turnouts on the Santa Cruz Subdivision and about 31.0 track miles of Main Track along with about 1.4 track miles of spur tracks and runaround tracks or sidings.

For the most part, highway overpasses are maintained by the State Department of Transportation (Caltrans). However, historical records suggest that two highway overpasses (sometimes known as above grade bridges) may have resulted from deed conditions which require railroad maintenance. One such overpass is West Cliff Drive in Santa Cruz for which SCCRTC has been advised that the City of Santa Cruz has assumed the maintenance responsibility. The other structure is at MP 12.03, Rio Del Mar highway overpass for which SCCRTC has been advised that the Santa Cruz County Public Works Department has assumed the maintenance responsibility.

SCCRTC is aware of the following maintenance problems that UPRR has encountered on the Santa Cruz Subdivision:

1. Agricultural irrigation water running on the roadbed in the vicinity of MP 9.6 and generally between Natural Bridges (MP 22.10) and Davenport (MP 31.9);
2. Soft subgrade, side hill slides and drainage problems in the vicinity of MP 5.0;
3. Storm damage from large trees falling on the right-of-way and on adjacent property, generally in the territory from MP 10 to MP 16; and
4. Potential slide damage at or near MP 14.

In 2003, the UPRR reportedly rehabilitated the Santa Cruz Subdivision by installing approximately 37,000 new treated timber crossties and surfaced and lined the

Subdivision with a reported 550 carloads of crushed rock ballast. In the same period, several at-grade crossings were improved by the installation of concrete panels.

Specific information concerning freight traffic on the Santa Cruz Subdivision, including inbound and outbound carload information for each shipper, will be provided only after the proposer signs a confidentiality agreement obligating the proposer to maintain the confidentiality of all such information.

V. Attachments to the Request for Proposals

- A. Criteria for Selection of the Operator of the Santa Cruz Subdivision
- B. Map of the Santa Cruz Subdivision
- C. Current Union Pacific Railroad Company Timetable
- D. Current Union Pacific Track Chart showing profile, degrees of curvature and weight of rail
- E. Current Union Pacific Bridge Inspection Report
- F. Current Union Pacific At-Grade Public Crossing Report showing names, mileposts, and existing grade crossing warning systems
- G. Administration, Coordination and License agreement between the SCCRTC and Sierra Northern Railroad

Attachment A

**Criteria for Selection of Operator of Rail Service
Santa Cruz Subdivision**

Proposer Name: _____

<u>Criteria</u>	<u>Maximum Points</u>	<u>Rating</u>
1. Ability to operate rail service as evidenced by experience in providing similar service.	15	_____
2. Experience and competence of key personnel.	15	_____
3. Comprehensiveness and validity of the proposed Service Plan	15	_____
4. Comprehensiveness and validity of the proposed Maintenance Plans.	15	_____
5. Viability of proposer's Financial Plan and evidence of financial capability to provide the services proposed.	15	_____
6. Ability and willingness to respond to SCCRTC requirements and accessibility to SCCRTC Staff and Board.	15	_____
7. Experience in working with FRA, CPUC, and other regulatory agencies.	10	_____
Total	100	_____

Rater: _____ Date: _____

AGENDA: February 16, 2012

TO: Regional Transportation Commission – Policy Workshop

FROM: Rachel Moriconi, Senior Transportation Planner

RE: Transportation Funding Poll Consultant Agreement

RECOMMENDATION

Staff recommends that the Regional Transportation Commission (RTC) approve a resolution (Attachment 1) authorizing the Executive Director to negotiate and execute a consultant agreement for a countywide poll of likely voters on local funding options for transportation projects with the preferred firm selected by the evaluation committee for an amount not to exceed \$35,000.

BACKGROUND

Revenues used to preserve Santa Cruz County's multi-modal transportation system are insufficient to meet the community's needs. This underfunding has led to the deterioration of the local and regional transportation system. Existing transportation revenues make up less than 50% percent of what is required to maintain and improve roads, highways, bridges, sidewalks, bicycle facilities, and public transit to the levels necessary to sufficiently provide for a transportation system that is safe, reliable, and which moves people and goods efficiently. The shortfall for ongoing local road maintenance alone is over \$12 million per year.

At its October 20, 2011 meeting, the RTC discussed the need for new reliable local revenues for transportation projects, including the maintenance of existing infrastructure; received a presentation on initiatives to increase vehicle registration fees (VRF) for transportation projects in other counties; and authorized the Executive Director to solicit services of a consultant to conduct polling of Santa Cruz County voters in order to evaluate what contents of a ballot measure could garner the votes needed to raise revenues for the local transportation system.

DISCUSSION

Earlier this year, the RTC issued a Request for Qualifications (RFQ) for a Transportation Funding Poll of Likely Voters in Santa Cruz County. Notices of the RFQ availability were sent to over 40 polling and public research firms. Statements of Qualifications were due February 7, 2012. The RTC received responses from seven firms (Attachment 2).

A consultant evaluation committee composed of senior and executive RTC staff and the County Public Works Assistant Director are currently reviewing the proposals. Based on criteria specified in the Request for Qualifications (RFQ), information from the written proposals and references, the consultant evaluation team will select a short list of firms to interview and then a preferred polling firm. Each of the firms has experience conducting surveys for ballot measures. It is anticipated that at the February 16th

Transportation Policy Workshop meeting, staff will be have the list of firms selected for interviews.

There are sufficient funds in the RTC planning budget to cover the cost of a poll. Depending on the length of the poll (in minutes) and number of surveys conducted, cost proposals ranged from \$20,000 to \$41,000. The larger the number of voters surveyed; the lower the margin of error.

Staff recommends that the RTC approve a resolution (Attachment 1) authorizing the Executive Director to negotiate and execute a consultant agreement with the polling firm selected by the evaluation committee for an amount not to exceed \$35,000.

Poll Development

Given extremely constrained revenues for transportation projects, it is important to set clear priorities and identify payment strategies to address at least a portion of the significant backlog of transportation system needs. The poll will assist the RTC in determining voter support for various funding options (e.g. sales tax, vehicle registration fees) and content of a possible local ballot measure and expenditure plan. The poll will also assess the best timing for a local transportation initiative, considering other measures which may be on the same ballot. If Commissioners are interested in having specific items considered for inclusion in the poll, please email them to the Executive Director by February 24.

As discussed in October 2011, a \$10 increase in local vehicle registration fees would net approximately \$2.3 million per year. In order for the RTC to place a vehicle registration fee on the ballot, state legislation needs to be amended to authorize the RTC to do so or the RTC must once again become a Congestion Management Agency (CMA). The RTC can consider becoming a CMA if, based on the poll results, the RTC decides to pursue a VRF.

As requested by the County Board of Supervisors, County Public Works and RTC staff discussed the possibility of conducting a joint poll; however the County determined that their timing is significantly different than that of the RTC and that it did not make sense to coordinate our efforts in this respect.

SUMMARY

The Regional Transportation Commission plans to conduct a poll of Santa Cruz County voters on priorities and local payment strategies to address at least a portion of the significant backlog of transportation system needs. A selection committee is reviewing proposals submitted by seven polling consultants and will select a preferred polling firm. Staff recommends that the RTC authorize the Executive Director to negotiate and execute a consultant agreement with the polling firm selected by the evaluation committee for an amount not to exceed \$35,000.

Attachments:

1. Resolution authorizing a consulting agreement
2. Firms that Submitted Proposals

RESOLUTION NO.

Adopted by the Santa Cruz County Regional Transportation Commission
on the date of February 16, 2012
on the motion of Commissioner
duly seconded by Commissioner

A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE
A CONTRACT NOT TO EXCEED \$35,000 TO PERFORM A POLL OF LIKELY VOTERS ON
TRANSPORTATION FUNDING PLANS, PROJECTS AND FUNDING SOURCES

WHEREAS, existing local, state, and federal transportation revenues are insufficient
to address the backlog of transportation system needs;

WHEREAS, there are public opinion research firms who specialize in transportation
funding measures and can assist in crafting a poll that will determine the strength of
support by the voters of Santa Cruz County for various elements of a local transportation
ballot measure and expenditure plan,

BE IT RESOLVED BY THE SANTA CRUZ COUNTY REGIONAL TRANSPORTATION
COMMISSION:

1. The Executive Director is hereby authorized to negotiate and execute an agreement
with a polling consultant in an amount not to exceed \$35,000, to conduct a county
wide poll of likely voters to assess support for a local transportation funding ballot
measure.
2. The Executive Director is authorized to negotiate and execute amendments to the
agreement identified above provided that the amendments are within the intended
scope of duties to complete the poll and are consistent with the adopted RTC
budget.

AYES: COMMISSIONERS

NOES: COMMISSIONERS

ABSENT: COMMISSIONERS

ABSTAIN: COMMISSIONERS

Neal Coonerty, Chair

ATTEST:

George Dondero, Secretary

Distribution: RTC Fiscal
RTC Planner

Firms that Submitted Proposals
Transportation Funding Poll of Likely Voters in Santa Cruz County

- Abt SRBI, New York, NY
- Competitive Edge Research & Communication (CERC), San Diego, CA
- Corey, Canapary & Galanis (CC&G), San Francisco, CA
- Fairbank, Maslin, Maullin, Metz & Associates (FM3), Oakland, CA
- Gene Bregman & Associates, Soquel, CA
- Godbe Research, San Mateo, CA
- EMC Research, Inc, Oakland, CA