



# Operating Agreements & Schedule Update

SMCEL-JPA Board  
November 13, 2020

# Agenda

- Operating Agreements
  - BAIFA Operations & Maintenance
  - BATA FasTrak® Regional Customer Service Center (RCSC)
  - Caltrans Right of Way Maintenance
  - California Highway Patrol (CHP) Enforcement Services
- Upcoming Discussion Topics





# BAIFA Express Lanes Operations & Maintenance Agreement

# Express Lanes Operator

- San Mateo County C/CAG and TA authorized the Bay Area Infrastructure Financing Authority (BAIFA) to be the Express Lanes operator
- Express Lanes operator is responsible for:
  - Collect toll transactions and traffic data
  - Build Express Lanes trips and sends them to the RCSC
  - Monitor system performance
  - Provide roadway operations
  - Maintain the system equipment and software

# BAIFA Toll System O&M Agreement

## Agreement terms include:

- Length/term of service contract
- Routine system maintenance, changes, and upgrades
- Maintenance of equipment
- Ownership of equipment and systems
- System performance metrics
- Cost sharing and reimbursements for operations
- Insurance
- Risk Allocation
  - Loss of Toll Revenue
  - Indemnification

# BAIFA Agreement Status

- Multiple discussions with BAIFA staff
  - Term sheet to negotiate key areas
  - Define terminology
  - Identify critical areas of alignment
- Next steps
  - Continue discussions on critical areas of alignment
  - Review outline and first draft of the agreement from BAIFA

# BAIFA Agreement Timeline

Activity	Target
Review Outline	December 2020
Draft & Negotiate Agreement	January-February 2021
Finalize	March 2021
Approve	April 2021



# BATA FasTrak<sup>®</sup> Regional Customer Service Center (RCSC) Agreement




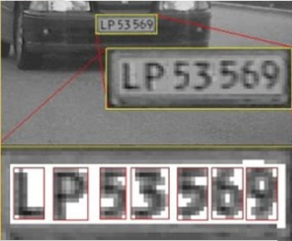

# FasTrak® Regional Customer Service Center (RCSC)

- Operated by Bay Area Toll Authority (BATA)
- Distributes FasTrak® toll tags
- Manage customer accounts
- Processes payment transactions
- Provide customer service and call center activity
- Issues and processes violation notices
- Applies and collects penalties



# Toll Evasion Violation Process

1. Roadside system detects a vehicle without a valid FasTrak® transponder ID and sends the license plate data to the FasTrak® RCSC
2. The RCSC communicates with the DMV to identify the registered owner of the vehicle and processes the violation:
  - First notice issued by mailed
  - Manage customer inquiries about notices
  - Issue second notice (delinquent)
  - Conduct impartial administrative review of notice
  - Place hold on DMV registration
  - Escalate unpaid violations to collections



VIOLATION NUMBER	LICENSE PLATE	NOTICE DATE	TOLL AMOUNT	TOLL EVASION PENALTY	TOTAL AMOUNT DUE	DUE DATE
T1234567890	CA ABC1234	12/05/2013	\$6.00	\$25.00	\$31.00	01/04/2013

FAST AND EASY WAYS TO PAY **10**  
WITH IMMEDIATE PAYMENT CONFIRMATION

# BATA RCSC Operations Agreement

Agreements typically include:

- FasTrak<sup>®</sup> account management and reporting
- Data management and reporting
- Processing payments for toll revenue collection
- Transfer toll revenue and support revenue reconciliation
- Issuing and processing toll evasion violation notices
- Collecting penalties
- Providing customer service and handle disputes
- Support marketing efforts that promote the use of the Express Lanes and FasTrak<sup>®</sup>

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# Operations and Maintenance (O&M) Agreement Between Caltrans and SMCEL-JPA

# Owner of State Right of Way

- **Caltrans as owner of the State Highway System (SHS) is responsible for:**
  - Operation and maintenance
  - Approval of all modifications to the SHS
- **The SM 101 Express Lanes is an approved modification to the SHS**
  - Ownership of the express Lanes belongs to SMCEL-JPA
  - Caltrans has conditioned the approval to open/operate the express lanes on having an Operation and Maintenance (O&M) Agreement in place.
- **SMCEL-JPA staff is working with Caltrans to identify enhanced maintenance responsibilities associated with the Express Lanes.**
- **The O&M Agreement between Caltrans and SMCEL-JPA memorializes these responsibilities and meets the condition imposed by Caltrans to open/operate the express lanes.**

# What's in the O&M Agreement with Caltrans

## Agreement will typically include:

- Inventory of Express Lanes infrastructure and location
- Definition of routine roadway maintenance / responsibilities / schedule
- Length/term of agreement – Perpetual unless amended or terminated
- Traffic operation responsibilities
- Handling of emergencies
- Formulation of maintenance budget
- Insurance requirements
- Risk Allocation
  - Roadway accidents
  - Indemnification

# Caltrans O&M Agreement Negotiation Status

- **SMCEL-JPA and Caltrans staff have on-going meetings to:**
  - Initially outline terms of agreement
  - Model our agreement with similar O&M agreements, i.e., VTA and MTC
  - Commence defining the terminologies and areas covered
- **Next steps:**
  - Continue discussions on key areas
  - Coordinate with the BAIFA Agreement
  - Draft the Preliminary Agreement
  - Present the preliminary draft to the Board in the Spring 2021
  - Seek Board Approval in the Summer of 2021

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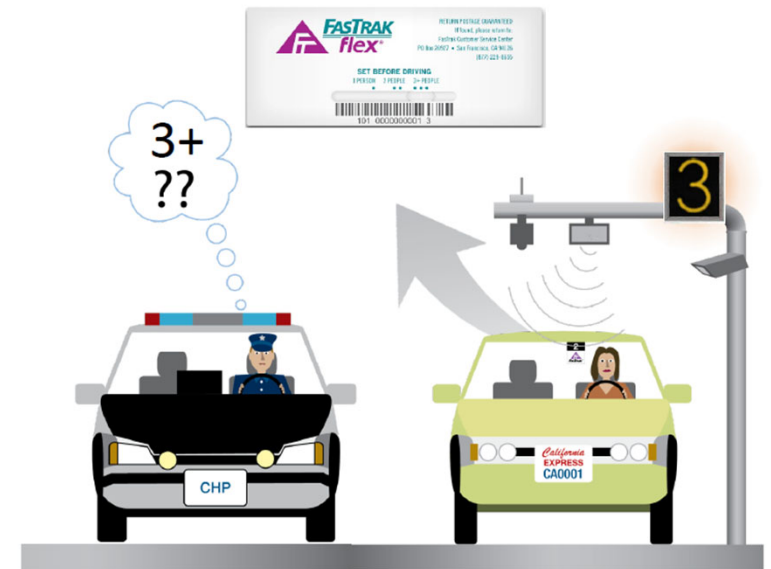
CHP Agreement  
Vehicle Occupancy Enforcement  
Services



# Vehicle Occupancy Enforcement Services

## Manual enforcement of HOV occupancy along the Express Lanes:

- CHP officers patrol lanes and issue citations, including HOV violations
- CHP officers visually verify occupancy
- CHP uses the enforcement web portal to look-up toll tag information



# CHP Agreement

## Agreement typically includes:

- Service area
- Duty/service hours
- Procedures for enforcement
- Reimbursement to CHP for enforcement activities
- Invoicing for CHP services

# Upcoming Discussion Topics

Board Meeting Date	Informational Agenda Items
December 2020	Equity Study Update on Baseline Conditions and Needs Assessment
January 2021	Equity Study Update on Program Options
February 2021	Toll Policy Issues Follow-up from October 2020
March 2021	Toll Ordinance Overview

# Schedule

Today

	2020					2021										2022
	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Fall	Winter	
Equity Program		◆			◆	◆		◆		★						
Toll Ordinance								◆		◆	★					
BAIFA O&M				◆			◆		★							
BATA O&M				◆			◆		★							
Caltrans				◆							◆	★				
CHP				◆							◆	★				
														South Opening - Late 2021		North Opening - Late 2022

**Legend**

- ◆ Informational
- ★ Board Action

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# Questions?

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