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

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<th>Activity</th>
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<tr>
<td>Review Outline</td>
<td>December 2020</td>
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<tr>
<td>Draft &amp; Negotiate Agreement</td>
<td>January-February 2021</td>
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<tr>
<td>Finalize</td>
<td>March 2021</td>
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<tr>
<td>Approve</td>
<td>April 2021</td>
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BATA FasTrak® 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
Agreements typically include:
• FasTrak® 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®
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
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

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<td>January 2021</td>
<td>Equity Study Update on Program Options</td>
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<tr>
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<td>Toll Policy Issues Follow-up from October 2020</td>
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Questions?

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