



Bay Area Infrastructure Financing Authority
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Memorandum

TO: Bay Area Infrastructure Financing Authority

DATE: November 14, 2018

FR: Executive Director

W. I. 6860 & 6861

RE: Express Lanes Enforcement: California Highway Patrol (CHP)

- i. Contract Amendment – I-680 Express Lanes Enforcement: CHP (\$1,520,000); and
- ii. Contract – I-880 Express Lanes Enforcement: CHP (\$2,640,000)

This memorandum requests Authority approval of contract actions with CHP to perform enforcement services for BAIFA's express lanes. Specifically, staff requests BAIFA authorize:

- A contract amendment with CHP for \$1,520,000 for enforcement of the I-680 Contra Costa Express Lanes through June 2021; and
- A new contract with CHP for \$2,640,000 for enforcement of the I-880 Express Lanes from opening in early 2020 through June 2021.

These requests cover multiple years of CHP service, subject to approval of future BAIFA Operating Budgets, to minimize contract administration. Staff is seeking BAIFA authorization now to allow time for CHP to process and execute contracts, which may take as long as six months.

Background

Carpools and other eligible toll-free vehicles can use BAIFA's express lanes for free with a FasTrak Flex® toll tag, while solo drivers with a prepaid FasTrak® account can pay a toll to use the lanes. Enforcing these "rules of the road" supports lane performance and builds public trust. Enforcement currently happens two ways:

1. Automated Toll Enforcement – BAIFA's express lanes have cameras and license plate recognition technology so that vehicles without a FasTrak® toll tag can be identified and either tolled for their trip or a violation can be issued.
2. Manual Enforcement – Supported by toll system technology, CHP performs visual inspections of toll-free vehicles to confirm they meet the occupancy requirement or have the appropriate clean air vehicle decal. CHP also enforces illegal crossing of double-white lines, vehicles that have no license plate and other violations as appropriate.

BAIFA must reimburse CHP for the cost to provide manual enforcement services per California law. Like every express lane operator in the State, BAIFA pays overtime hourly rates for shift work. Overtime rates are not as expensive as fully-burdened hourly rates, saving BAIFA money relative to paying for dedicated officers. This approach also allows BAIFA to pay for enforcement only during peak period travel when occupancy violations are more likely, not during the off-peak when the value of enforcement is limited and toll revenue will not offset costs.

In addition, staff continues to explore technologies to aid or automate verification of carpool occupancy, as reported at the November Meeting of the MTC Operations Committee, but does not see an immediate technology solution.

I-680 Contra Costa Express Lanes

The I-680 Express Lanes between Walnut Creek and San Ramon opened in October 2017. The Authority approved \$750,000 for enforcement in July 2016. BAIFA and CHP executed a contract for the CHP to provide express lanes enforcement in March 2017. The budget was projected to last through June 2019, but is likely to run out early due to an increase in hours requested by BAIFA staff relative to its original estimate. Originally staff planned on a higher level of enforcement in the first year of operation, with reduced hours in subsequent years. At this time, staff plans to continue the coverage provided when the lane opened and continuing today. CHP fields two officers in the morning and two officers in the evening, Monday through Friday, costing roughly \$600,000 per year, including vehicle mileage costs. From October 2017 through September 2018, CHP has worked about 4,200 hours and performed about 6,200 enforcement contacts. Staff proposes to add a not to exceed amount of \$1,520,000 to the existing CHP contract to maintain the existing level of enforcement services through June 2021.

I-880 Express Lanes

The I-880 Express Lanes between Oakland and Milpitas are slated to open in early 2020. At 20 miles long northbound and 25 miles long southbound, the I-880 Express Lanes are twice as long as BAIFA's I-680 Express Lanes, so staff is planning twice the number of officers. CHP will field four officers in the morning and four officers in the evening, Monday through Friday, costing roughly \$1,320,000 per year, including vehicle mileage costs. Staff proposes to execute a new contract in a not to exceed amount of \$2,640,000 for enforcement services through June 2021.

Recommendation

Staff recommends that the Authority authorize the Executive Director or his designated representative to negotiate and enter into a contract amendment with CHP to provide enforcement services for the I-680 Express Lanes in an amount not to exceed \$1,520,000, and a new contract with CHP to provide enforcement services for the I-880 Express Lanes in an amount not to exceed \$2,640,000, subject to the adoption of future BAIFA budgets.



Steve Heminger

SH:pg

REQUEST FOR AUTHORITY APPROVAL

Summary of Proposed Contract Amendment

Work Item No.:	6861
Contractor:	California Highway Patrol (CHP), Sacramento, CA
Work Project Title:	Express Lanes Enforcement: I-680
Purpose of Project:	To provide enforcement services for the I-680 Contra Costa Express Lanes
Brief Scope of Work:	CHP shall perform visual inspections of toll-free vehicles to confirm they meet the occupancy requirement or have the appropriate clean air decal and issue citations as appropriate, as well as enforce other rules of the road.
Project Cost Not to Exceed:	This Amendment: \$1,520,000 Total authorized contract before this amendment: \$750,000 Total authorized contract including this amendment: \$2,270,000
Funding Source:	BAIFA Express Lanes Program Operating Budget for FY 2018-19 through FY 20-21, subject to future budget approvals.
Fiscal Impact:	Funding in the amount of \$200,000 is included in the FY 2018-19 BAIFA Express Lanes Program Operating Budget (BAIFA Resolution No. 17). Operating funds in an amount of \$1,320,000 are subject to future annual BAIFA operating budgets.
Motion by Authority:	That the Executive Director or his designee is authorized to negotiate and enter into a contract amendment with CHP in an amount not to exceed \$1,520,000 for enforcement of express lanes as described above and in the Executive Director's memorandum dated November 14, 2018, and the Chief Financial Officer is directed to set aside funds in the amount of \$1,520,000, subject to annual budgetary approvals as specified above.
BAIFA:	<hr/> Dave Cortese, Chair
Approved:	Date: November 28, 2018

REQUEST FOR AUTHORITY APPROVAL

Summary of Proposed Contract

Work Item No.: 6860

Contractor: California Highway Patrol (CHP), Sacramento, CA

Work Project Title: Express Lanes Enforcement: I-880

Purpose of Project: To provide enforcement services for the I-880 Express Lanes

Brief Scope of Work: CHP shall perform visual inspections of toll-free vehicles to confirm they meet the occupancy requirement or have the appropriate clean air decal and issue citations as appropriate, as well as enforce other rules of the road.

Project Cost Not to Exceed: \$2,640,000

Funding Source: BATA Express Lanes Capital Project Budget: \$1,320,000
BAIFA operating budget for FY 2020-21: \$1,320,000

Fiscal Impact: Funding in the amount of \$1,320,000 is included in the Express Lanes Capital Project Budget, as adopted in the FY 2018-19 Toll Bridge Program Operating and Capital Budgets (BATA Resolution No. 124). Funding for the balance of \$1,320,000 is subject to adoption of a BAIFA operating budget for FY 2020-21.

Motion by Authority: That the Executive Director or his designee is authorized to negotiate and enter into a contract with CHP for enforcement of express lanes as described above and in the Executive Director's memorandum dated November 14, 2018, and the Chief Financial Officer is directed to set aside funds in the amount of \$2,640,000, subject to annual budgetary approvals as specified above.

BAIFA:

Dave Cortese, Chair

Approved: Date: November 28, 2018