



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <div style="float: right; text-align: right;"> DocuSigned by: <small>47000790F2D7463...</small> </div>		GENERAL MANAGER ACTION REQ'D:		
DATE: 11/7/2024 11/14/2024		BOARD INITIATED ITEM: No		
Originator/Prepared by: Catherine Relucio Dept: Capitol Corridor Admin <div style="text-align: right;"> Signed by: <small>5E6817C15EB4423...</small> </div> Signature/Date: 11/12/2024	General Counsel <div style="text-align: right;"> DocuSigned by: <small>2528C067C44147D...</small> </div> Signature/Date: 11/13/2024 <div style="text-align: right;">[]</div>	Controller/Treasurer <div style="text-align: right;"> DocuSigned by: <small>EE11C8CEEEA04FD...</small> </div> Signature/Date: 11/12/2024 <div style="text-align: right;">[]</div>	District Secretary <div style="text-align: right;"> Signed by: <small>72F0DC7F642E43B...</small> </div> Signature/Date: 11/14/2024 <div style="text-align: right;">[]</div>	BARC <div style="text-align: right;"> DocuSigned by: <small>3BB24D65B8724F5...</small> </div> Signature/Date: 11/13/2024 <div style="text-align: right;">[]</div>

Authorization to Execute an Agreement Between Capitol Corridor Joint Powers Authority and San Francisco Bay Area Rapid Transit District for Administrative Support

PURPOSE:

To obtain Board authorization for the Board President to execute the Administrative Services Agreement between the District and the Capitol Corridor Joint Powers Authority for a five-year term, effective February 20, 2025.

DISCUSSION:

Pursuant to the Joint Exercise of Powers Agreement to Establish the Capitol Corridor Joint Powers Authority (JEPA), Section 10.0 of the JEPA requires that the CCJPA enter into a contract with the Managing Agency to identify the responsibilities of the Managing Agency.

Effective February 20, 1999, the CCJPA and BART entered into an Administrative Support Agreement (ASA) for an initial term of three years to set forth the manner in which BART would provide all necessary administrative support to the CCJPA with its own staff to enable the CCJPA to perform its duties and responsibilities. Some of the key elements of the ASA include:

- Description of Managing Agency's administrative support duties;
- Appointed staff of Managing Agency;
- Invoicing procedures and availability;
- Audit provisions;
- Liability (Allocated Losses); and
- Initial Term (through February 20, 2002)

Prior to the expiration of the initial term of the ASA, the CCJPA Board agreed at its February 2002 meeting to select BART as the Managing Agency and to extend the ASA with BART for a further three-year term through February 2005 pursuant to the enabling legislation then in effect. BART concurred with this action by the CCJPA at its March 14, 2002 Board meeting and the Board President executed the ASA, effective through February 20, 2005.

The CCJPA's enabling legislation was further amended to eliminate the CCJPA's sunset date (June 30, 2004) and also to lengthen the CCJPA Managing Agency's agreement term from three to five years (effective February 2002) so that the CCJPA Board could better assess the performance of the Managing Agency.

Upon the expiration of the renewal term of the ASA on February 20, 2005, the CCJPA Board (CCJPB) has continuously selected BART to continue in its role in providing administrative support to the CCJPB for five-year terms beginning February 2005 (valid through February 2010), February 2010 (valid through February 2015), and February 2015 (valid through February 2020), and February 2020 (valid through February 2025). The renewals of these ASAs were based on the continuing success of the Capitol Corridor Service performance as well as the positive, cross-beneficial, cooperative relationship between BART and the CCJPA member agencies.

At its November 20, 2024 meeting, the CCJPA Board of Directors is expected to approve the extension of the ASA with the District for another 5-year term (February 2025 through February 2030), citing BART's professional partnership with the CCJPA and the continuing positive results in the performance of the Capitol Corridor services.

The terms of the Agreement during the renewal term remain generally the same with a revision in language to reflect the new Chief Financial Officer position at BART and additional language to reflect the current shared customer service call center between BART and CCJPA.

FISCAL IMPACT:

Pursuant to the terms of the ASA and the Interagency Transfer Agreement (ITA) between the CCJPA and the State of California, all expenses incurred by BART as Managing Agency of the CCJPA will be reimbursed by the CCJPA through the State of California. Therefore, there is no fiscal impact to BART.

ALTERNATIVES:

Do not proceed with this agreement. However, failure to do so would require that the CCJPA find a new Managing Agency, potentially result in a lapse in Capitol Corridor operations, and CCJPA Administrative Support Agreement necessitate the reassignment of Capitol Corridor staff.

RECOMMENDATION:

Adopt the following motion.

MOTION:

The Board President is authorized to execute an Agreement Between the Capitol Corridor Joint Powers Authority and the San Francisco Bay Area Rapid Transit District for Administrative Support for a consecutive five-year term through February 19, 2030 under generally the same terms as the current agreements subject to approval of the General Counsel.