

## **VTA BSVII Executive Monthly Progress Report**

December 1, 2023 – December 31, 2023

Revision 0  
January 31, 2024

*Issued for February 8, 2024 BSVII Ad Hoc  
Steering Committee Meeting*

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# 1 VTA BSVII EXECUTIVE SUMMARY

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## 1.1 BSVII HIGHLIGHTS

1. **FTA Coordination (updated with January 2024 status):** FTA, PMOC, and the BSV team participated in a three-day Risk Workshop on January 16-18, 2024. VTA, BART, PMT, and GEC staff represented the BSV program. The workshop explored and resolved questions about program risk, schedule, budget, and management capacity. In February 2024, the PMOC will share its independent findings which will form the cost and schedule basis of VTA's application to enter the New Starts Engineering phase.
2. **Management Capacity:** BSVII Program Organization Chart with key positions listed was issued in December 2023. Rob Ostermiller is onboarded as the new CP2 Project Manager. A national recruitment is underway for a Program Director and a Construction Director.
3. **Schedule Critical Path:** West Portal construction activities (Early Works Package 3 – “EWP 3”) by CP2 Contractor are now on the critical path. Negotiations between VTA and KST are still ongoing and threaten to push the RSD beyond Q4 2036. To prevent this, VTA plans to issue a Limited Notice to Proceed (LNTP) to KST to begin critical path work while preserving time to resolve remaining cost differences on EWP3.
4. **Scope (Configuration) Updates:** No Configuration Changes were executed this month.
5. **Budget Updates:** No Budget Transfers or Contingency updates to report this month.
6. **Risks:** During this reporting period, two new risks were added, and no active risks were retired, resulting in an increase to the overall number of active risks.
7. **Key CP2 updates:**
  - a. VTA continued negotiations on the cost proposals for EWPs – equipment used to manufacture the PCTL tunnel lining segments, West Portal launch structure, West Portal geotechnical instrumentation, and West Portal Initial Sitework. To prevent schedule slippage, VTA will issue “not-to-exceed” NTP by February 2024 for critical path EWP 3C scope elements while remaining costs are being negotiated and finalized.
  - b. KST is finalizing the Interim design submittals. VTA reviewed KST's initial set of Interim design packages: D10 - Bored Tunnel Design, D25 - Diridon Station Design, D45 - West Portal Design and D15 – Tunnel Internal Structures for which review comments were completed in October 2023. VTA and KST are progressing to comment resolution for the above packages. VTA has initiated the review of the D20 – Trackwork, expected review completion by January 2024, and D40 – East Portal and D35 - 28th St/Little Portugal, expected review completion by February 2024. The final interim design package, D30 Downtown San Jose Station is expected to be submitted in February 2024.
  - c. KST and VTA continued to focus on Value Engineering elements and have begun implementation coordination.
  - d. Geotechnical exploratory borings at West Portal and all other locations are complete.
8. **CP1, CP3 and CP4 updates:** Design and technical specifications for Systems, Stations, and Yard facilities are progressing with the current General Engineering Consultant (GEC) team:
  - a. Current focus on further progression of Value Engineering (VE) items. VTA actively engaging BART in the review of VE items requiring DCM modification(s).
  - b. 60% design advancing for Systems, Newhall Yard, and Stations.
  - c. Monitor the progress between the KST and GEC design teams in interface design requirements definitions.
9. **Right of Way (ROW):** One Purchase and Sale Agreement was signed with the owner. Other acquisitions are in progress. Refer to Section 6.2 for ROW Status.

- a. **Third Party / Utilities / Agency Coordination:** Continued coordination activities with external agencies, utility owners and third parties. Refer to Section 6.3 for Utilities summary.

## 1.2 KEY ISSUES

Table 1 outlines the open high priority issues as of this reporting period.

**Table 1 – Key Issues and Actions**

Issue Description	Actions
Temporary Power SNH long-lead transformer procurement is a potential schedule issue due to the supply chain and production timeframe issues.	VTA has identified and is exploring mitigation strategies to address this issue, including expedited transformer procurement and alternative sourcing of transformers that are on the critical path for TBM launch.
West Portal Enabling works and TBM launch structure are now on critical path.	VTA is working with KST on potential mitigations to minimize schedule impact. VTA plans to issue a Limited Notice to Proceed (LNTP) to KST to begin critical path work while preserving time to resolve cost differences for the remainder of EWP 3.

## 1.3 KEY DECISIONS

Table 2 outlines the open key decisions as of this reporting period.

**Table 2 – Key Decisions**

Description	Notes
Decision on exercising an option for procurement of 48 railcars under BART's contract by April 30, 2024.	Discussions between VTA and BART are underway. If staff recommends exercising option at this time, the item is expected to be submitted to the Administration and Finance Committee (February 2024) and Full Board (March 2024) for approval.
Construction Management Services Procurement	Selection is under way. Expected for April 2024 Board Approval/NTP.
Execution of CP2 KST Amendment #2 and issue NTP to KST (Design progression thru 85% - \$43M)	Execution and NTP issuance are expected to occur in January 2024.
Execution of CP2 KST Amendment #3 and issue NTP to KST (EWP 3A - \$87M, EWP 7A - \$1.8M, EWP 11A - \$18M, Bond Value - \$1.6M)	This is currently impacting the critical path. Execution and NTP issuance are anticipated to occur by February 1, 2024.

## 1.4 BSVII OVERVIEW / SUMMARY

VTA BART Silicon Valley Phase II (BSVII or Program) is an approximately six-mile extension of BART service from the Berryessa/North San José Station through Downtown San José and terminating near the Santa Clara Caltrain Station. BSVII is planned to include three below-ground stations (28th Street/Little Portugal



Station, Downtown San José Station, and Diridon Station) and one at-grade station (Santa Clara Station), and a maintenance facility at Newhall Yard.

VTA and BART are active partners in the decision-making process for BSVII. The division of responsibilities between VTA and BART with respect to BSVII is governed by the VTA/BART Comprehensive Agreement executed on November 19, 2001.

BSVII will be implemented within, and serve, the City of San José, the City of Santa Clara, and the County of Santa Clara. The Program requires public works coordination, work in city ROW, traffic control, environmental compliance, and various other points of interface.

In February 2018, FTA and VTA issued the Final SEIS/SEIR. On April 5, 2018, VTA's Board of Directors certified the Final SEIR and approved BSVII. On April 26, 2018, the BART Board of Directors accepted the SEIR and, pursuant to the Cooperative Agreement, approved BSVII. FTA issued a ROD on BSVII on June 4, 2018.

VTA's Consultant Team is providing program management, engineering services and engineering support to VTA and is comprised of a Program Management Team (PMT) and a General Engineering Consultant (GEC). Currently, both the contracts are active. VTA's Consultant Team will support VTA through an annual integrated work program that sets the level of support and responsibilities based on Program development requirements. VTA is also procuring a Construction Management Services Consultant that, once selected, will become part of VTA's Consultant Team.

BSVII comprises of four major construction contract packages (CPs) that are being planned with different delivery methods. CP1 (Systems), CP3 (Newhall Yard and Santa Clara Station), CP4 (Underground Stations) are currently being in Design by the GEC. Construction delivery will be through Design-Bid-Build delivery method. CP2 (Tunnel and Trackwork) is also currently in design phase and being designed by KST. CP2 is being delivered through Progressive Design Build delivery method.

In June 2022, Kiewit Shea Traylor – A Joint Venture (KST) was selected as PDB contractor for CP2 and initiated design services. KST scope includes design and construction of a single bore tunnel with side-by-side trackways, internal concrete structures, portals, adits, support of excavation for underground stations, trackwork, procurement of a tunnel boring machine, demolition, utility relocations and other enabling works. CP2 contract interfaces with the three underground station facilities along the alignment and the CP2 contractor will be responsible for constructing the support of excavation and any required adits connecting the underground stations with the tunnel.

BSVII is a federally funded project in conjunction with the Federal Transit Administration (FTA). VTA initially entered New Starts Project Development with FTA in 2016. As of 2018, VTA advanced the BSVII project under FTA's Expedited Project Delivery (EPD) Pilot Program. The project was conditionally approved for an EPD grant and FTA issued a Letter of Intent (LOI) on September 21, 2021 that granted pre-award authority to incur costs for engineering activities, utility relocation, real estate acquisition, and construction. In mid-2022, VTA began exploring alternative funding strategies, including re-entering the New Starts Program. On October 18, 2022, through letters to the FTA Associate Administrator for Planning and Environment and Region IX Administrator, respectively, VTA simultaneously requested re-entry into New Starts Project Development (NSPD) and a Letter of No Prejudice (LONP) that would preserve elements of the pre-award authority for project activities provided for by the EPD LOI. FTA approved both requests on December 1, 2022.

As part of the re-entry to the New Starts Program, updated preliminary baseline data (scope, cost, schedule and risk) was developed that incorporated the CP2 Innovations, CP2 Contractor Stage 1 Baseline schedule, and the updated design-bid-build (DBB) contract packaging approach for CP1, CP3 and CP4. This BSVII preliminary baseline schedule (data date of August 1, 2023) was submitted to FTA to support the upcoming FTA risk workshop. Upon completion of FTA's risk assessment, the updated preliminary baseline schedule is anticipated to be adopted as the new Project Baseline Schedule. The preliminary baseline currently projects the revenue service date at Q4-2036 and the preliminary project budget at \$12.237B. The results of the FTA's in-process risk assessment may impact these baselines.

## 2 SCHEDULE SUMMARY

A new preliminary baseline schedule was developed reflecting the CP2 Innovations, the approved Stage 1 baseline schedule from the CP2 Contractor with updates, and the updated design-bid-build (DBB) contract packaging strategy for CP1, CP3 and CP4. This preliminary baseline schedule (data date of August 1, 2023) was submitted to FTA to support the upcoming FTA risk workshop. Upon completion of FTA's risk assessment, the updated preliminary baseline schedule is anticipated to be adopted as the new Project Baseline Schedule.

Until the project baseline schedule is approved for use, the monthly progress report will be reflecting progress updates against the preliminary baseline schedule. VTA completed the December 2023 schedule (data date of January 1, 2024) and the summary can be found in Sections 2.1, 2.2 and 2.3.

- a. Section 2.1 summarizes the overall Program schedule as of this reporting period.
- b. Section 2.2 shows the key milestones for the program based on this submission.
- c. Section 2.3 provides a high-level summary narrative update of schedule status.





## 2.2 MILESTONE SUMMARY

Table 3 provides the key milestone dates based on the Current Month Forecast (Jan 1, 2024 data date) in comparison to the preliminary baseline schedule (as presented to VTA BOD in October 2023) and prior month forecast (Dec 1, 2023 data date). A summary narrative is provided in Section 2.3.

\*NSB indicates New Starts Basis as submitted to FTA in Q3 2022. It should be noted that the CPs scope of work and delivery methods vary between the NSB and Preliminary Baseline information.

**Table 3 – Milestone Summary as of December 2023**

Milestone Name (Bolded Dates = Actuals)	NSB* (Q3 2022)	Preliminary Baseline Forecast (Q3 2023)	Last Month Forecast	Current Month Forecast
<b>Programwide</b>				
BSVII Project start (FTA's NSPD approval)		<b>Q1 2016</b>	<b>Q1 2016</b>	<b>Q1 2016</b>
VTA Board approval of BSVII		<b>Q2 2018</b>	<b>Q2 2018</b>	<b>Q2 2018</b>
BART Board approval of BSVII		<b>Q2 2018</b>	<b>Q2 2018</b>	<b>Q2 2018</b>
FTA Issued ROD		<b>Q2 2018</b>	<b>Q2 2018</b>	<b>Q2 2018</b>
Submit EPD grant request		<b>Q2 2021</b>	<b>Q2 2021</b>	<b>Q2 2021</b>
VTA received EPD LOI		<b>Q4 2021</b>	<b>Q4 2021</b>	<b>Q4 2021</b>
VTA request to leave EPD, Enter NSPD		<b>Q4 2022</b>	<b>Q4 2022</b>	<b>Q4 2022</b>
FTA Issuance of LONP to NSPD		<b>Q4 2022</b>	<b>Q4 2022</b>	<b>Q4 2022</b>
VTA Request to enter NSEE		Q3 2023	Q1 2024	Q1 2024
FTA Issue Entry into NSEE		Q1 2024	Q2 2024	Q2 2024
VTA Request to Execute FFGA	Q2 2023	Q2 2024	Q2 2024	Q2 2024
FFGA Execution	Q4 2023	Q4 2024	Q4 2024	Q4 2024
Start of BART OCC Validation	Q2 2032	Q1 2036	Q1 2036	Q1 2036
Revenue service start	Q1 2033	Q4 2036	Q4 2036	Q4 2036
<b>CP2 - Tunnel and Trackwork</b>				
CP2 LNTP	<b>Q2 2022</b>	Q2 2022	<b>Q2 2022</b>	<b>Q2 2022</b>
CP2 NTP1	<b>Q3 2022</b>	Q3 2022	<b>Q3 2022</b>	<b>Q3 2022</b>
CP2 NTP1A	Q1 2023	Q1 2023	<b>Q1 2023</b>	<b>Q1 2023</b>
CP2 NTP2	Q3 2024	Q4 2024	Q4 2024	Q4 2024
<b>CP1 - Systems</b>				
CP1 RFP Issue	Q1 2023	Q1 2027	Q1 2027	Q1 2027
CP1 NTP	Q4 2023	Q2 2028	Q2 2028	Q2 2028
<b>CP3 - Newhall Yard and Santa Clara Station</b>				
CP3 RFP Issue	Q1 2023	Q1 2026	Q1 2026	Q1 2026
CP3 NTP	Q3 2023	Q1 2027	Q1 2027	Q1 2027
<b>CP4 - Underground Stations</b>				
CP4 RFP Issue	Q2 2023	Q1 2026	Q1 2026	Q1 2026
CP4 NTP	Q2 2024	Q1 2027	Q1 2027	Q1 2027

## 2.3 SUMMARY NARRATIVE

Table 4 provides a high-level summary of the December 2023 monthly schedule update and description of high-level changes that occurred since the past month update.

**Table 4 – December 2023 Monthly Schedule Update Summary**

### Summary

VTA BSVII program schedule has been updated to reflect the Preliminary Baseline Schedule submission to FTA. The schedule that was used as a basis to submit to FTA has been progressed with the Data Date of January 1, 2024.

The December 2023 Monthly Schedule Update indicates December 31, 2036, as the completion date (Revenue Service Date).

### Major changes to the schedule since the last update

1. CP2 Early works procurement and construction activities at the West Portal have slipped. West Portal construction activities by the CP2 Contractor are now on the critical path. These critical path changes caused the Revenue Service Date to shift from November 24, 2036, to December 31, 2036.
2. ROW: Updates to a few ROW activities dates caused slippage in the schedule but did not impact the critical path.
3. Utility Owners: Updates to Utility Owners activities dates caused slippage in the schedule but did not impact the critical path. AT&T and Comcast relocation construction activities at Diridon station was revised from July 2025 to January 2026.
4. Updated Vehicles Procurement start activity to April 30, 2024 to coincide with the price-hold decision between BART and the Vehicle manufacturer.

### Major milestones missed this period since the last update

1. West Portal Enabling work NTP date slipped from December 1, 2023, to February 1, 2024. The scope of work falls under EWP 3A is currently being negotiated with the CP2 contractor.

### Critical path summary

The critical path was impacted this month. West Portal construction became on the critical path in December. The following items below are on critical path as of this update:

1. West Portal enabling work (CP2)
2. TBM launch structure, excavation, and base slab (CP2)
3. TBM assembly, set up, and testing (CP2)
4. Tunnel mining from West Portal to DTSJ station (CP2)
5. DTSJ Station: Primary Headhouse heavy construction & Adits mining. (CP2)
6. DTSJ Station: Primary Headhouse construction (CP4)
7. DTSJ Station: Primary Headhouse Systems (CP1)
8. BART PTC Validation / Testing
9. BART OCC Validation / Testing

The following item below is near critical as of this update:

1. CP2 – TBM procurement, fabrication, and shipping
2. CP2 – TBM power long lead procurement and installation

### Major events forecasted for next reporting period (January 2024)

1. Finalize negotiations for issuance of NTP for EWP 3A and EWP 7A to start Enabling work at the West Portal.
2. Finalize negotiations for issuance of NTP for EWP11A for the procurement of TBM power equipment.

### 3 COST SUMMARY

A new preliminary budget was developed reflecting the CP2 Stage 1 baseline, and the updated design-bid-build (DBB) contract packaging strategy for CP1, CP3 and CP4. This preliminary budget (with expenditures through June 30, 2023) was submitted to FTA in October 2023, to support the upcoming FTA risk workshop. Upon completion of the FTA's risk assessment, the updated preliminary baseline budget is anticipated to be adopted as the new Project Baseline Budget. Section 3.1, 3.2, 3.3 and 3.4 summarize the relevant cost information through this reporting period.

#### 3.1 SUMMARY COST REPORT

This section provides the summary cost report by Standard Cost Code (SCC) through this reporting period. Table 5 outlines the working summary budget by SCC, commitments in VTA's financial system of record (SAP) and forecasted expenditures as of this reporting period. Figure 2 outlines the draft cashflow by fiscal year based on the working budget submitted to FTA for the upcoming FTA risk workshop.

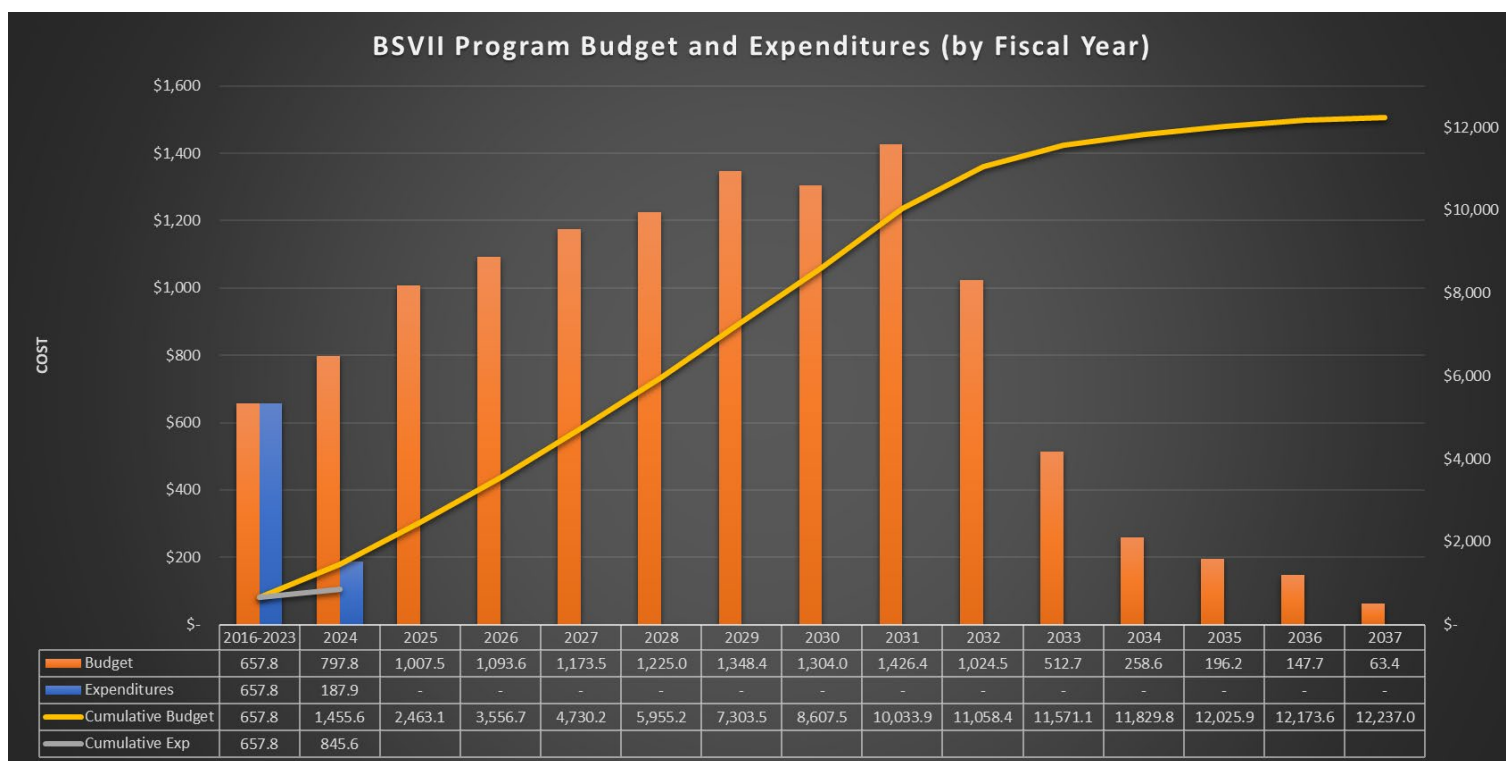
**Table 5 – Summary Cost Report (in \$M) \***

SCC (w/summary scope)	Preliminary Budget	Commitments	Actuals Paid	Accruals**
10 - GUIDEWAY & TRACK ELEMENTS (Includes West Portal, East Portal, TBM, Tunneling, Segmental Lining and Trackwork)	\$2,819	\$144	\$17	\$0
20 – STATIONS (All station costs, including rough grading, excavation, structures, enclosures, finishes, and equipment)	\$1,932	\$0	\$0	\$0
30 - YARDS, SHOPS (All yard and support facilities, including rough grading, excavation, support structures, finishes, and equipment, Yard track)	\$337	\$0	\$0	\$0
40 - SITEWORK & SPECIAL CONDITIONS (Enabling works, hazmat, environmental mitigation, site structures, landscaping, temporary facilities, Utility relocations by owners; Temporary TBM Power, Diridon Temporary Parking; other indirect costs)	\$568	\$29	\$8	\$0
50 - SYSTEMS (All train control and signals, traction power, communications, fare collection, and central control)	\$1,329	\$0	\$0	\$0
60 - ROW, LAND, EXIST. IMPROV.	\$241	\$114	\$108	\$0.2
70 - VEHICLES	\$201	\$0	\$0	\$0
80 - PROFESSIONAL SERVICES (incl. VTA, BART, Consultants (PMT, GEC, CM, others), OCIP, Third Parties, Legal, CP2 Design, IT, Office leases and other supporting costs)	\$2,779	\$891	\$674	\$38.5
90 - UNALLOCATED CONTINGENCY	\$1,550	\$0	\$0	\$0
100 - FINANCE CHARGES	\$481	\$0	\$0	\$0
<b>TOTAL</b>	<b>\$12,237</b>	<b>\$1,178</b>	<b>\$807</b>	<b>\$38.8</b>

Cost is rounded to closest millions

\*Data excludes FTA ineligible/revised cashflow projections

\*\*Accruals include invoices received that are under review and/or forecast of work performed but not yet invoiced



**Figure 2 – Budget and Expenditures by Fiscal Year\***

## 3.2 BUDGET TRANSFERS AND CONTINGENCY UPDATES

This section outlines the work in progress and executed budget transfers to date against the preliminary baseline budget. Table 6 summarizes the contingency updates through this reporting period.

1. No budget changes were executed this period.
2. The following items are under development or under final review:
  - a. Budget updates reflecting FTA and PMOC direction on converting cost data from Fiscal year to Calendar year.
  - b. Budget updates to reflect CP2 Amendment #1 related to TBM Procurement.
  - c. Budget transfers to reflect scope transfers from CP2 to other CPs.

**Table 6 – Summary Contingency Status (in \$M)**

Contingency Type	Original Prelim Contingency	Approved (Drawdowns / Increases)	Current Prelim Contingency
Allocated Contingency (under SCC 10-80)	\$1,328	\$0	\$1,328
Unallocated Contingency/Reserve (under SCC 90)	\$1,550	\$0	\$1,550
<b>Total</b>	<b>\$2,878</b>	<b>\$0</b>	<b>\$2,878</b>

### 3.3 ACTIVE CONTRACTS

During the month of December 2023, no major contracts and amendments were executed that were over a million dollars. Table 7 provides a list of major active contracts and Table 8 provides a list of other active contracts.

**Table 7 – Major Active Contracts**

Contract No.	Vendor Name	Description	Contract Value
V22021	Kiewit Shea Traylor Joint Venture	BSVII CP2 Tunnel and Trackwork PDB Contractor	\$380.8M
S17017	HNTB/PB Joint Venture,	BSVII Program Management Services	\$191.6M
S18088	MMW Joint Venture,	BSVII General Engineering Services	\$342.8M

**Table 8 – Other Active Contracts**

Contract No.	Vendor Name	Description
P20071	Insight Public Sector Inc,	BSVII CISCO SMARTNET
S16043	Hexagon Transportation, Consultants	TRAFFIC FORECASTING SERVICES
S18202	Comcast Cable Communications Mgmt.,	BSVII COMCAST VOIP INSTALLATION & CONFIG
S18210	Kastle Systems of Los Angeles, Par	BSVII CARD READERS FOR GATEWAY 2033
S18230	State Water Resources Control Board	BSVII COST RECOVERY OVERSIGHT8/
S19216	JRP Historical Consulting LLC,	BSVII HISTORICAL ARCHITECTURAL SERVICES (On Call)
S20020	Transit Project Strategies LLC,	BSVII PROGRAM DELIVERY CONSULTING SVCS
S20134	JH Albert International Insurance,	BSVII OCIP FEASIBILITY STUDY SERVICES
S20161	Nossaman LLP,	BSVII CONTRACT DEV & PROGRAM LEGAL ADV
S20248	Peninsula Corridor, Joint Powers Bo	BSVII COOPERATIVE AGREEMENT
S20250	Dodge Data & Analytics,	BSVII PO FOR ADVERTISING SOLICITATIONS
S21023	Kiefer Consulting Inc,	BSVII TECHNOLOGY PROFESSIONAL SERVICES
S21171	Lubin Olson & Niewiadomski LLP,	BSVII LUBIN OLSON & NIEWIADOMSKI LLP
V21080	PEACOCK ENTERPRISES INC., DBA PEACO	BSVII ADOBE SOFTWARE LICENSES
V21113	Montague Premier Inc,	BSVII PROJECT VEHICLES CAR WASHES
V21220	Kastle Systems of Los Angeles, Par	BSVII ACCESS CONTROL/CCTV 2830 DELACRUZ
V21225	DLT Solutions LLC, DLT Solutions	BSVII AUTODESK AEC LICENSES
V21236	City of San Jose,	BSVII MOU TO CONSULT AND COOPERATE
V21216	Santa Clara City of, Finance Depart	BSVII MOU TO CONSULT AND COOPERATE
V21263	Pacific Gas & Electric Company,	BSVII TEMPORARY POWER STUDY
V21264	Pacific Gas & Electric Company,	BSVII TUNNEL IMPACT STUDY
V21339	Sprint, Sprint Solutions Inc	SPRINT UTILITY RELOCATION
V21345	Consultant Specialists Inc,	BSVII IT STAFFING
V21346	Environmental Systems Research, Ins	BSVII ARCGIS LICENSES
V21355	Synergy Corporate Technologies, Ltd.	BSVII NINTEX WORKFLOW ENTERPRISE EDITION
V21366	Perforce Software, Inc.,	BSVII HELIX REQUIREMENTS MANAGEMENT



Contract No.	Vendor Name	Description
V21367	DLT Solutions LLC, DLT Solutions	BSVII AUTODESK BIM 360 SUBSCRIPTION
V22016	San Jose Water Company,	BSVII SJWC FACILITY RELOCATIONS
V22171	HDR Engineering Inc,	BSVII FINANCIAL MODELING SUPPORT
V23045	Union Pacific Rail Road	PRELIMINARY ENGINEERING
V21238	PEACOCK ENTERPRISES INC., DBA PEACO	BSVII BLUEBEAM REVU EXTREME OPEN LICENSE
S16050	Meyers Nave, A Professional Corpora	BSVII PHASE II LEGAL SERVICES
S18313	Hanson Bridgett LLP,	BSVII DESIGN BUILD LEGAL SERVICES
V21216	CVE Contracting Group Inc.	LAS PLUMAS ABATEMENT AND DEMOLITION
V22188	Mythics, Inc,	ORACLE ACONEX Document Control Software
V23009	PEACOCK ENTERPRISES INC., DBA PEACO	BSV II- HPE Hardware & Software Support
V23017	Cushman & Wakefield	Commercial Broker to Sublease Gateway Offices
V23104	Insight Public Sector, Inc.	Workflow Management System
P18240	PCMG Inc,	BSVII PROJECT OFFICE DESKTOP COMP
S20166	San Francisco Bay Area Rapid, Trans	BSVII BART IMPLEMENTATION LETTER #43
V21150	Insight Public Sector, Inc.,	BSVII SOPHOS INTERCEPT X
V22239	Insight	DTV CCTV RECORDER
V22240	SHI	DTV CCTV SWITCH

### 3.4 FUNDING SUMMARY

Table 9 provides a snapshot funding summary. Anticipated funding is per the draft SCC workbook submitted to support the risk workshop for NSEE application. Appropriations, and expended costs through December 2023 from UTA's Financial System (SAP).

**Table 9 – Funding Summary (in \$M)**

Funding Source	Anticipated Planned Funding	Appropriated*	Expended
Federal – Capital Investment Grant	\$6,045		
State Transit and Intercity Rail Capital Program (TIRCP)	\$750		
Other State Funds	\$750		
2000 Measure A Sales Tax	\$2,009	\$1,606	\$607
2016 Measure B Sales Tax	\$2,308	\$621	\$200
Regional Measure 3 (RM3)	\$375		
<b>Total Sources of Funds</b>	<b>\$12,237</b>	<b>\$2,228</b>	<b>\$807</b>

Cost is rounded to closest million.

\* Appropriations by the UTA Board through FY2025 forecasted \$5,424M but Table 9 only shows the grantor authorized amounts and excludes MTC/FTA allocated funds.



## 4 CHANGE SUMMARY

This section outlines configuration changes at the program level and CP2 contract amendment status.

### 4.1 CONFIGURATION CHANGES

All the prior configuration changes have been superseded by the preliminary baseline submittal to FTA. No configuration changes (in reference to the preliminary baseline information) were executed in the month of December 2023.

Status of Configuration Changes are shown in Table 10.

**Table 10 – Configuration Changes**

CCS-ID	CCS - Title	Status	CP*	RSD impacts	Net Budget Impact
NSEE-001	Approved Value Engineering Concepts	In Process	PWD	TBD	TBD

\*CP = Contract Package (CP1, 2, 3, 4; or PWD-Program-Wide)

### 4.2 CP2 CONTRACT AMENDMENTS

No CP2 Contract amendments were executed in the month of December 2023.

Status of identified amendments is reflected in Table 11.

**Table 11 – CP2 Contract Amendments**

Amendment-ID	Scope	Status	Schedule impacts	Overall Budget Impact	Estimated Value
001	TBM Procurement (EWP 1A)	Executed	Schedule allowance was utilized; No RSD Impacts	~\$21M savings. Budget transfer in progress	\$144M
002	Additional Design Funds	Under Legal Review	None	None	\$43M
003	EWP 3A, 7A, 11A, Stage 1 Bond	Under Legal Review	Yes; Pending assessment	Yes; Pending assessment	~\$110M
004	EWP 3C – LNTP	In development	TBD	TBD	TBD

## 5 RISK SUMMARY

This section covers the summary risk updates as of the December 2023 reporting period. During this reporting period, two new risks were added, and no active risks were retired, resulting in an increase to the overall number of active risks, as summarized in Table 12.

**Table 12 – Risk Summary**

Risk Category	As of Nov 30, 2023	As of Dec 31, 2023	Change
High	13	16	+3
Med	56	56	0
Low	32	31	-1
<b>Total Risks</b>	<b>101</b>	<b>103</b>	<b>+2</b>

Figure 3 is the active risk heat map based on updates through this reporting period.

		Risk Heat Map					Active Risks	
Probability	Very High	0	0	1	0	0	16	High
	High	0	1	3	0	1	56	Medium
	Medium	0	0	4	9	0	31	Low
	Low	8	21	18	6	2		
	Very Low	5	11	7	4	2	103	Total
		1	2	3	4	5		
		Very Low	Low	Medium	High	Very High		
		Threat Impact Level						

**Figure 3 – Risk Heat Map**

Table 13 shows the top risks (threats and opportunities) identified in the current risk register.

**Table 13 – Top Risks**

Risk ID	Risk Title	Threat/Opportunity	Action Plan
BSV-203	Timely readiness and cost of the West Portal TBM launch facility	Threat	Explore limited NTP for KST to start construction.
BSV-211	Opportunity for eliminating DTSJ Secondary Headhouse	Opportunity	Implement the approved VE and realize savings as part of 60% design estimate
BSV-005	Unanticipated damage to historic buildings, critical utilities & other structures	Threat	KST to develop instrumentation and monitoring programs for sensitive structures. VTA to support KST in obtaining access as appropriate.
BSV-029	VTA financial capacity / funding plan to finance potential future project cost increases	Threat	Update the financial plan following completion of cost estimates and agreement with FTA on project cost.
BSV-036	General construction labor shortage / labor premiums	Threat	Continue to monitor economic trends and impacts; increase industry outreach efforts.
BSV-096	Testing and Commissioning delays due to various factors	Threat	Schedule include 28 months (incl. allowances). Implement Phase 1 lessons learned.

## 6 OTHER UPDATES

### 6.1 KST (CP2 PDB) CONTRACT SUMMARY

Table 14 outlines the Cost summary of CP2 Contractor.

**Table 14 – CP2 (KST) Cost Summary as of December 2023**

Item	Cost (in \$M)
Original Contract Value (Stage 1 only)*** (A)	\$236.5
Amendments issued to Date (B)	\$144.2
Revised Contract Value (Stage 1 only)*** (C) =(A)+(B)	\$380.8
Expenditures this period*	\$10.0
Expenditures to Date* (D)	\$ 206.5
Remaining Authorization Value** (C) - (D)	\$174.3

\*Expenditures are approximate accrual values that are not yet approved by VTA and are subject to change.

\*\*Remaining Authorization Value is subject to change based on expenditure approximations.

\*\*\*Includes \$1.585M Stage 1 Bond Value that is yet to be amended to the contract value.

### 6.2 RIGHT OF WAY (ROW)

Table 15 – Real Estate Status Summary below provides a high-level summary of the acquisition status as of end of December 2023.

**Table 15 – Real Estate Status Summary**

PROJECT ACQUISITION STATUS					
Description	Total	Possession Obtained	Pending Possession	Relocation****	
				Required	Completed
SUMMARY OF REQUIRED TAKES					
Total Parcels: 75*	75	25	50	38	10
Type of Take: Quantity					
Full Fee: 7	7	5	2	19	10
Other Multiple Takes (Easement/Fee): 5	5	1	4	14	0
Tunnel Easement: 44	44	18	26	0	0
Roadway Easement: 3	3	0	3	0	0
Utility Easement: 4	4	0	4	0	0
Temporary Construction Easement: 8	8	1	7	3	0
BPE** & Other Takes: 4	4	0	4	2	0

\* Six Building Protective Easements were removed due to elimination of DTSJ Secondary HH; pending confirmation from KST

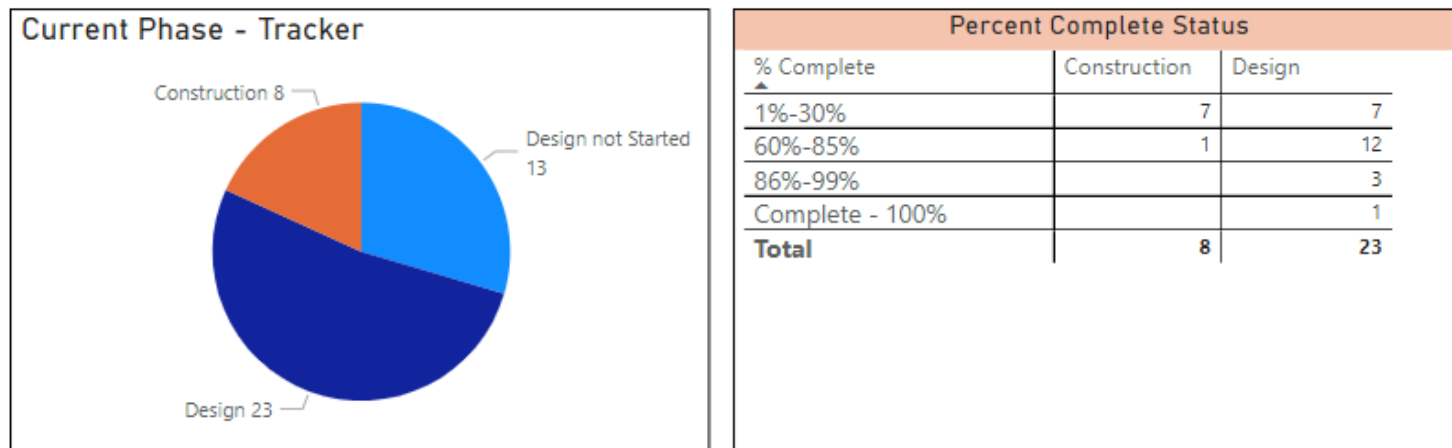
\*\* BPE: Building Protective Easements - Parcels have additional acquisitions, such as Tieback Easement

\*\*\* Total includes two parcels removed from the elimination of DTSJ Secondary HH

\*\*\*\* Represents total tenants not parcels

## 6.3 UTILITIES

Figure 4 outlines the summary status of Utility Relocations.



**Figure 4 – Utilities Summary**

## 6.4 THIRD PARTY AND PERMITS

Within a total of 43 identified third-party agreements, 35 agreements have been executed with the respective agencies. Of the remaining eight agreements, six are operation and maintenance (O&M) agreements that are not required to support BSVII construction. As such, they are forecast to be executed in several years. Table 16 outlines the summary status of the remaining two Third-Party Agreements that are yet to be executed.

**Table 16 – Third Party Agreements Status (excl. O&M)**

Agency/Third Party	Agreement Type	Forecast execution	Update
Union Pacific Railroad (UPRR)	Final Engineering Cost Reimbursement	Q1 2024	VTA is working with UPRR legal counsel.
San Jose Water Company	28 <sup>th</sup> Street Station Water Relocation	Q1 2026	This is a non-critical agreement. Coordination of Notice to Owner (NTO) for design is anticipated to begin after 60% design at 28 <sup>th</sup> Street Station.

## 6.5 PMT CONTRACT SUMMARY

Table 17 shows the HNTB-WSP Contract Summary and executed Task Orders to date.

Task Order Number	Task Order Status	Period Start and End	Authorized Task Orders/Final Commitments	Incurred to Date	Incurred / Forecast* (Per Task Order)	Incurred / Forecast* (Cumulative)	S17017 Contract Balance based on Forecast*
All Costs in Millions and rounded							
<b>S17017 Contract Value:</b>		<b>\$ 191.6</b>					
Task Order 1	Closed	Nov 2017 to Jun 2018	\$ 18.3	\$ 18.3	\$ 18.3	\$ 18.3	\$ 173.3
Task Order 2	Closed	Jul 2018 to Jun 2019	\$ 25.8	\$ 25.8	\$ 25.8	\$ 44.1	\$ 147.5
Task Order 3	Closed	Jul 2019 to Oct 2020	\$ 29.1	\$ 28.8	\$ 29.0	\$ 73.1	\$ 118.5
Task Order 4	Closed	Nov 2020 to Aug 2021	\$ 17.8	\$ 17.7	\$ 17.7	\$ 90.7	\$ 100.8
Task Order 5	Closed	Aug 2021 to Jun 2022	\$ 15.6	\$ 15.6	\$ 15.6	\$ 106.3	\$ 85.3
Task Order 6	Closed	Jul 2022 to Feb 2023	\$ 12.9	\$ 12.4	\$ 12.4	\$ 118.7	\$ 72.9
Task Order 7	Closed	Feb 2023 to Jun 2023	\$ 15.0	\$ 10.0	\$ 10.0	\$ 128.6	\$ 63.0
Task Order 8*	Completed. Pending closure	July 2023 to Dec 2023	\$ 26.3	\$ 17.5	\$ 18.0	\$ 146.6	\$ 45.0
Task Order 9	In Progress	Jan 2024 to Jun 2024	\$ 30.5	\$ -	\$ 30.5	\$ 177.1	\$ 14.4
	Remaining Contract	Jul 2024 - Oct 2024					\$ 14.4
<b>S17017 Contract Total:</b>				<b>\$ 145.9</b>	<b>\$ 177.1</b>	<b>\$ 177.1</b>	<b>\$ 14.4</b>

\* Forecast is projected and subject to change

**Table 17 – Program Management Team Contract Summary**

## 6.6 GEC CONTRACT SUMMARY

Table 18 shows the MMD-PGH Wong Contract Summary and executed Task Orders to date.

Task Order Number	Task Order Status	Period Start and End	Authorized Not to Exceed amount	Incurred to Date	Incurred / Forecast* (Per Task Order)	Incurred / Forecast* (Cumulative)	\$18088 Contract Balance
All costs rounded to millions							
<b>\$18088 Contract Value:</b>		<b>342.8</b>					
Task Order 1	Closed	Apr 2019 to Jun 2019	\$ 3.4	\$ 3.4	\$ 3.4	\$ 3.4	\$ 339.3
Task Order 2	Closed	Apr 2019 to Jan 2021	\$ 35.9	\$ 35.9	\$ 35.9	\$ 39.3	\$ 303.4
Task Order 3	Closed	Aug 2019 to Sep 2020	\$ 1.5	\$ 1.5	\$ 1.5	\$ 40.8	\$ 301.9
Task Order 4	Closed	Mar 2020 to Oct 2020	\$ 20.7	\$ 20.7	\$ 20.7	\$ 61.5	\$ 281.2
Task Order 5	Closed	Nov 2020 to Aug 2021	\$ 46.5	\$ 46.5	\$ 46.5	\$ 108.1	\$ 234.7
Task Order 6	Closed	Dec 2020 to Aug 2021	\$ 0.6	\$ 0.6	\$ 0.6	\$ 108.7	\$ 234.1
Task Order 7	Closed	Aug 2021 to Jun 2022	\$ 37.9	\$ 37.9	\$ 37.9	\$ 146.6	\$ 196.1
Task Order 8	Completed. Pending closure	Apr 2022 to Jun 2023	\$ 0.9	\$ 0.9	\$ 0.9	\$ 147.5	\$ 195.2
Task Order 9	Completed. Pending closure	Jul 2022 to Dec 2022	\$ 17.3	\$ 17.3	\$ 17.3	\$ 164.8	\$ 178.0
Task Order 10	Completed. Pending closure	Jan 2023 to Jun 2023	\$ 32.2	\$ 30.2	\$ 30.2	\$ 195.0	\$ 147.8
Task Order 11	In Progress	Jul 2023 to Mar 2024	\$ 66.1	\$ 31.0	\$ 66.1	\$ 261.1	\$ 81.7
Task Order 12	In Progress	Sep 2023 to Oct 2023	\$ 0.0	\$ 0.0	\$ 0.0	\$ 261.1	\$ 81.7
	Remaining Contract Balance	March 2024 to Dec 2026			TBD	TBD	\$ 81.7
<b>\$18088 Contract Total:</b>			<b>\$ 263.1</b>	<b>\$ 226.0</b>	<b>\$ 261.1</b>	<b>\$ 261.1</b>	<b>\$ 81.7</b>

\* Forecast is projected and subject to change.

**Table 18 – General Engineering Consultant Contract Summary**