

**Bay Area Infrastructure Financing Authority
Network and Operations Committee**

November 3, 2023

Agenda Item 4b

Express Lanes Enforcement: California Highway Patrol (CHP)

**i. Contract Amendment – Interstate 880 (I-880) Express Lanes Enforcement: CHP
(\$2,390,000)**

**ii. Contract Amendment – Interstate 680 (I-680) Contra Costa Express Lanes
Enforcement: CHP (\$1,190,000)**

Subject:

Committee authorization for the Executive Director or designee to enter into (i) a contract amendment with CHP for \$2,390,000 for enforcement services on the I-880 Express Lanes and (ii) a contract amendment with CHP for \$1,190,000 for enforcement services on the I-680 Contra Costa Express Lanes.

Background:

Currently, there are two methods of enforcement of express lanes:

- Automated toll enforcement – BAIFA’s express lanes have cameras and license plate recognition technology so vehicles without a FasTrak® account can be identified and a violation issued.
- Manual enforcement – Supported by toll system technology, CHP performs visual inspections of a vehicle’s occupancy to confirm that the vehicle meets the occupancy requirements. CHP also enforces illegal crossing of double-white lines, vehicles with no license plate, and other violations as appropriate.

BAIFA reimburses CHP for the cost of providing manual enforcement services, which is still an important tool to address drivers who don’t follow carpool occupancy rules, license plate requirements and double lane restrictions. Like every express lane operator in California, BAIFA pays overtime hourly rates for shift work, typically scheduled during peak period travel when occupancy violations are more likely and the enforcement value is more significant.

In September 2023, staff launched the MTC Express Carpool Check Pilot, which tests app-based technology to verify carpools on the I-680 Express Lanes. The pilot will run through December 2023. Staff will evaluate the pilot to determine the next steps in spring 2024.

i. Contract Amendment – I-880 Express Lanes Enforcement: CHP (\$2,390,000)

The I-880 Express Lanes between Oakland and Milpitas opened in October 2020. BAIFA has approved \$4,500,000 for CHP enforcement services on the I-880 Express Lanes through June 2024. Staff proposes adding a not-to-exceed amount of \$2,390,000 in new contract authority to provide enforcement services from July 2024 through June 2026. This budget assumes four CHP officers in the morning and four officers in the evening (Monday through Friday), including vehicle mileage and contingency, and accounts for unspent carry-over funds. The total contract value would be \$6,890,000, as shown below, subject to future BAIFA operating budget approvals.

I-880 CHP services authorized by BAIFA	Contract Authority
Actual: October 2020 through June 2022 ¹	\$2,020,000
Actual: July 2022 through June 2024	\$2,480,000
Subtotal ²	\$4,500,000
Proposed: July 2024 through June 2025	\$790,000
Proposed: July 2024 through June 2026	\$1,600,000
Total	\$6,890,000

¹BAIFA approved contract authority of \$2,640,000 in November 2018, subject to budget approval, but BAIFA only approved budget authority of \$2,020,000.

²About \$770,000 of unspent operating funds will carry over to FY 2024-25. With a proposed contract authority of \$790,000, staff's complete FY 2024-25 cost estimate is \$1,560,000.

ii. Contract Amendment – I-680 Contra Costa Express Lanes Enforcement: CHP (\$1,190,000)

CHP has provided enforcement services for BAIFA since the I-680 Express Lanes opened in October 2017. In 2021, CHP changed the leadership of BAIFA's contract from its Dublin Area Office to its Contra Costa Area Office and requested a new contract for a clean administrative record. In December 2021, BAIFA approved a new contract in the amount of \$1,600,000 for enforcement from July 2022 through June 2024. Staff proposes adding a not-to-exceed amount of \$1,190,000 in contract authority to cover BAIFA's desired level of enforcement services from

July 2024 through June 2026. The budget assumes two CHP officers in the morning and two officers in the evening (Monday through Friday), including vehicle mileage and contingency, and accounts for unspent carry-over funds. The total contract value would be \$2,790,000, as shown in the below table, subject to future BAIFA operating budget approvals.

I-680 CHP services authorized by BAIFA	Contract Authority
Actual: July 2022 through June 2024 ¹	\$1,600,000
Proposed: July 2024 through June 2025	\$390,000
Proposed: July 2024 through June 2026	\$800,000
Total	\$2,790,000

¹About \$410,000 of unspent operating funds will carry over to FY 2024-25. With a proposed contract authority of \$390,000, staff's complete FY 2024-25 cost estimate is \$800,000.

Issues:

None identified.

Recommendations:

Staff recommends that the Committee authorize the Executive Director or designee to negotiate and enter into:

- (i) A contract amendment with CHP to provide enforcement services for the I-880 Express Lanes in an amount not to exceed \$2,390,000 and
- (ii) A contract amendment with CHP to provide enforcement services for the I-680 Contra Costa Express Lanes in an amount not to exceed \$1,190,000, both subject to adoption of future BAIFA budgets.

Attachments:

- Summaries of Proposed Contract Amendment



Andrew B. Fremier

Request for Committee Approval

Summary of Proposed Contract Amendment

Work Item No.: 6864

Agency: California Highway Patrol (CHP)
Sacramento, CA

Work Project Title: Express Lanes Enforcement: I-880

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

Brief Scope of Work: 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: \$2,390,000
Total authorized contract before this amendment: \$4,500,000
Total authorized contract including this amendment: \$6,890,000

Funding Source: BAIFA Express Lanes Program Operating Budget for FY 2024-25 and FY 2025-26, subject to budget approvals.

Fiscal Impact: Operating funds in the amount of \$2,390,000 are subject to future annual BAIFA operating budgets.

Motion by Committee: That the Executive Director or designee is authorized to negotiate and enter into a contract amendment with CHP in an amount not to exceed \$2,390,000 for enforcement of express lanes described above and in the Bay Area Infrastructure Financing Authority Network and Operations Committee Summary Sheet dated November 3, 2023 and that the Chief Financial Officer is authorized to set aside \$2,390,000 for such amendment, subject to annual budgetary approvals as specified.

BAIFA Network and
Operations Committee:

Carol Dutra-Vernaci, Chair

Approved: November 3, 2023

Request for Committee Approval

Summary of Proposed Contract Amendment

Work Item No.: 6861

Agency: California Highway Patrol (CHP)
Sacramento, CA

Work Project Title: Express Lanes Enforcement: I-680

Purpose of Project: Provide enforcement services for the I-680 Express Lanes

Brief Scope of Work: 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: \$1,190,000
Total authorized contract before this amendment: \$1,600,000
Total authorized contract including this amendment: \$2,790,000

Funding Source: BAIFA Express Lanes Program Operating Budget for FY 2024-25 and FY 2025-26, subject to budget approvals.

Fiscal Impact: Operating funds in the amount of \$1,190,000 are subject to future annual BAIFA operating budgets.

Motion by Committee: That the Executive Director or designee is authorized to negotiate and enter into a contract amendment with CHP in an amount not to exceed \$1,190,000 for enforcement of express lanes described above and in the Bay Area Infrastructure Financing Authority Network and Operations Committee Summary Sheet dated November 3, 2023 and that the Chief Financial Officer is authorized to set aside \$1,190,000 for such amendment, subject to annual budgetary approvals as specified.

BAIFA Network and
Operations Committee:

Carol Dutra-Vernaci, Chair

Approved: November 3, 2023