

VTA PERMIT POLICY	POLICY	
	Document Number:	CO-PL-0001
	Version Number:	03

1.0 Purpose:

To safeguard and protect VTA property, services and assets by establishing conditions for construction and/or activities that might or will affect VTA property, services and/or assets, and for VTA to recover the associated costs.

2.0 Scope:

To review proposed work by individuals and other non-VTA entities in and around VTA properties and enforce rules and regulations that will safeguard VTA assets from potential damages as well as provide safety training for persons working in and around VTA properties.

3.0 Responsibilities:

3.1 The General Manager or his designee shall enforce this policy.

3.2 Permit holders shall comply with the special and general conditions of their permits.

3.3 VTA Inspectors shall monitor permit activities by inspecting the work site, as appropriate, to ensure permit compliance and that all activities are performed safely and in accordance with all applicable standards and procedures.

4.0 Policy:

CONSTRUCTION ACCESS PERMIT: No person other than VTA or its contractors shall undertake construction on VTA property, facilities or improvements, or that has the potential of affecting VTA property, services or assets without first obtaining a **Construction Access Permit** from VTA.

RESTRICTED ACCESS PERMIT: No person shall undertake any work or activities within 10 feet of the Light Rail Tracks or System, over or under any light rail catenary system, or any activity that has the potential of affecting the Light Rail Tracks or System, without first obtaining a **Restricted Access Permit** from VTA.

4.1 Permit Conditions

4.1.1 Permit Contents

Each permit shall describe the work proposed, the location of the work, the schedule or duration of the proposed work and the persons undertaking the work.

4.1.2 Fees

The permit applicant, other than a VTA contractor, shall agree to reimburse VTA for all costs incurred by VTA in connection with permit application review, processing and monitoring as well as any costs incurred by VTA to accommodate the work undertaken by the permit holder.

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VTA has determined the minimum cost of reviewing and processing Construction Access Permit and Restricted Access Permit applications and monitoring permit activities. VTA shall determine and collect the appropriate fee at the time of permit issuance based on the type, anticipated scope, and duration of the activities. If VTA incurs costs beyond those collected at the time of permit issuance, it shall bill the permit holder and the costs shall be paid promptly as a condition for permit activities to continue or for any installations or improvements to remain. The permit holder shall bear the cost of any required removal. Fees are established and shall be collected as set forth on the most recent version of VTA Permit Fee Schedules.

4.1.2.1 Transit Improvement Agreements

The General Manager may agree to waive permit fees in consideration of transit improvements or other activities that enhance transit facilities such as bus stop improvements or accessibility improvements to transit.

4.1.2.2 Reciprocity Agreements

The General Manager may enter into agreements with other public entities for a mutual waiver of like-kind permit fees when the General Manager determines that such a waiver is in the best interests of VTA.

4.1.2.3 Cooperative Agreements

The fees hereunder shall not apply to any work or project accomplished pursuant to a VTA cooperative or other agreement in which consideration for permit fees is provided.

4.1.3 Insurance

VTA shall determine the type and amount of insurance necessary to protect VTA, and permit holders shall maintain such insurance. VTA shall be named as an additional insured and proof of insurance shall be obtained prior to issuance of the permit.

4.1.4 Indemnification

The permit shall contain an indemnification provision whereby the permit holder agrees to indemnify, defend and hold VTA harmless in connection with permit activities.

4.1.5 Roadway Worker Protection Training (Restricted Access Permits Only)

No person shall work in or near a restricted access area without first attending VTA Roadway Worker Protection Training. Workers in restricted access areas shall wear VTA issued badges certifying training completion.

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4.1.6 Track Allocation Meetings (Restricted Access Permits Only)

Permit holders working in a Restricted Access Area shall attend weekly track allocation meetings. The purpose of the meetings shall be to coordinate all planned traction power, train movement, construction and other activities.

4.2 Enforcement and Penalties

The General Manager shall implement procedures to enforce permit requirements and conditions and adopt penalties for failure to comply.

4.3 Copies of Procedures

Permit applicants shall be provided copies of all applicable rules and procedures.

4.4 Background Security Checks

The permit applicant will be required to have their employees undergo a background security check through a process determined by VTA at the permittee's cost. VTA reserves the right to decide all aspects of the background security check process, including, but not limited to all costs.

5.0 Definitions

Person: An individual, group of individuals, firm or firms, corporation or corporations, association or associations, the United States Government or any department or agency thereof, the state of California or any department or agency thereof, any city, county, town or any of their departments or agencies, a school district, any other governmental or public district or entity, or any other legal district, entity or entities, or any combination of the foregoing. "Person" shall not include the Santa Clara Valley Transportation Authority.

6.0 Summary of Changes:

- Add new Section 4.1.2.1 Transit Improvement Agreements and renumber following sections: 4.1.2.1 and 4.1.2.2.

7.0 Approval Information

Prepared by:	Reviewed by:	Approved by:
Bill Kindricks Business Relations Manager	Mark S. Robinson Chief Engineering & Construction Officer	Michael T. Burns General Manager

I certify that the foregoing instrument is a true and exact copy of the original on file in the Secretary of the Board of Director's office.

Michael T. Burns
Date 11-13-13

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Attachment AResolution No. 2013.11.24**RESOLUTION OF THE BOARD OF DIRECTORS OF THE SANTA CLARA VALLEY
TRANSPORTATION AUTHORITY ADOPTING AMENDED VTA PERMIT FEE
SCHEDULE**

WHEREAS, pursuant to state law, which authorizes a local agency to charge fees for various services, including the issuance of permits and inspections related thereto, not to exceed the estimated reasonable cost of providing the service for which the fee is charged, the Santa Clara Valley Transportation Authority ("VTA") proposes to adopt an amended VTA Permit Fee Schedule ("Schedule");

WHEREAS, the schedule sets forth fees for the issuance of permits by VTA to cover the costs of administration and processing, plan checking and inspection, material lab services, and other construction services, in amounts that do not exceed the estimated reasonable cost of providing such services;

WHEREAS, prior to the regularly scheduled meeting of the Board of Directors on November 7, 2013, data, indicating the amount of cost, or estimated costs, required to provide the services for which the fees in the Schedule are to be levied and the revenue sources anticipated to provide the services, including Enterprise Fund revenues, were made available to the public;

WHEREAS, the proposed adoption of the Schedule was agendized for and considered by the Board of Directors at its regularly scheduled meeting on November 7, 2013, which meeting was an open and public meeting, at which oral or written presentations could be made concerning the Schedule; and,

WHEREAS, the Board of Directors has determined that the fees set forth in the Schedule do not exceed the estimated reasonable cost of providing the services for which such fees are to be charged, and the Schedule should be adopted to defray the costs to VTA of providing those services;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the Santa Clara Valley Transportation Authority that the VTA Permit Fee Schedule attached hereto be and hereby is adopted effective November 7, 2013, and that the fees set forth therein shall be charged by VTA for those specified services provided on and after such date.

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MTA Permit Fee Schedule**Construction Access Permit Fees**

(Effective November 7, 2013)

	Minimum Fees
1. <u>Application Fee</u>	\$1,530
• Administration, Processing and Plan Check Fee	
2. <u>Inspection Fee For Underground Utility Light Rail Crossing</u>	\$2,670
• Directional Bore Method	
• Jack and Bore Method (Under 12" In Diameter)	
3. <u>Inspection Fee For Bus and Transit Facility Restorations</u>	\$2,460
• Removing and restoring any portion of MTA Portland Cement	
• Concrete (P.C.C.) Bus Pad or a MTA P.C.C. Shelter Pad	
4. <u>As-Built Fee</u>	
• Cost for MTA for providing a simple As-Built Drawing	\$3,145
5. <u>Background Security Check for MTA Permittees</u>	
The permit applicant will be required to have their employees undergo a background security check through a process determined by MTA at the Permittee's cost. MTA reserves the right to decide all aspects of the background security check process including, but not limited to, all costs.	

Restricted Access Permit Fees
(Effective: November 7, 2013)

	Minimum Fees
1. <u>Restricted Access Permit</u>	\$1,590
<ul style="list-style-type: none"> • Application processing, administration, including weekly track allocation meetings, and inspection charges. 	
2. <u>Roadway Worker Protection Training Fee</u>	\$ 65
<ul style="list-style-type: none"> • Per participant based on attending a regularly scheduled class conducted at a VTA facility. 	
3. <u>Light Rail Traction Power Down and Power Up Fee</u>	\$1,010
<ul style="list-style-type: none"> • For Traction Power Down and Power Up if permit activities require VTA to shut down light rail power. 	
4. <u>Bus Bridge Fees</u>	\$ 180 per hour/bus
<ul style="list-style-type: none"> • For supplemental portal to portal bus service required because permit activities disrupt rail services. 	
5. <u>Modified Bus and/or Light Rail Services</u>	
The following impact fees are intended to reimburse VTA for the impacts to normal VTA Bus and Rail Operations resulting from construction or other events.	
<ul style="list-style-type: none"> • Hourly cost for each additional bus required for service (regular or bus bridge): \$180 • Hourly cost for a one-car train: \$435 • Hourly cost for a two-car train: \$515 • Hourly cost for a three-car train: \$590 	
6. <u>Background Security Checks for VTA Permittees</u>	
The permit applicant will be required to have their employees undergo a background security check through a process determined by VTA at the permittee's cost. VTA reserves the right to decide all aspects of the background security check process including, but not limited to, all costs.	

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Permit Related Rates
(November 7, 2013)

The services of VTA personnel will be charged in accordance with the following rates. If the services of others not specified herein are required those services will be billed at the existing allocated rates.

Classification/Type Service

**Hourly
Rate**

Assistant Superintendent	\$135
Bus or Light Rail Operator	\$79
Bus Stop Maintenance Worker	\$70
Construction Inspector	\$97
Engineering Technician (Alternate Staff)	\$105
Environmental H & S Supervisor	\$135
Information Services Representative	\$70
Fare Inspector	\$82
Light Rail Power Supervisor	\$141
Light Rail Signal Supervisor	\$141
Light Rail Operations Superintendent	\$156
Light Rail Technical Trainer	\$127
Light Rail Track Supervisor	\$128
Maintenance Scheduler	\$92
Management Analyst	\$111
Office Specialist II	\$71
Office Support Supervisor	\$87
Operations Manager Engineering	\$184
Overhead Line Worker	\$115
Light Rail Signal Maintainer - new	\$115
Light Rail Track Worker - new	\$115
Light Rail Vehicle Maint. Service Worker - new	\$82
Light Rail Station Maint. Service Worker - new	\$72
Passenger Facilities Maint. Supervisor - Bus	\$109
Passenger Facilities Maint. Supervisor - LR - new	\$104
Permit Technician	\$77
Principal Construction Inspector	\$135
Public Communication Specialist	\$107
Senior Construction Inspector	\$110

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Senior Engineer	\$154
Senior Real Estate Agent	\$139
Senior Environmental Engineer	\$154
Sr. Environmental Planner	\$142
Senior Mechanical Engineer	\$160
Senior Transportation Engineer	\$154
Substation Maintainer	\$115
Transit Development Specialist II	\$95
Transportation Supervisor	\$123
Way Power & Signal Superintendent	\$156
Non-Revenue Vehicle (Cars, Trucks ¾ Ton & Lighter)	\$21.43
Sergeant	\$64
Deputy Sheriff	\$55
Level 1 Reserve Deputy	\$55
Armed Patrol Officer – Contract Year FY13	\$29
Armed Patrol Officer OT- Contract Year FY13	\$43
Armed Patrol Officer – Contract Year FY14	\$32 Estimate
Armed Patrol Officer OT – Contract Year FY14	\$48 Estimate
Armed Patrol Sergeant – Contract Year FY13	\$32
Armed Patrol Sergeant OT – Contract Year FY13	\$48
Armed Patrol Sergeant – Contract Year FY14	\$36 Estimate
Armed Patrol Sergeant OT – Contract Year FY14	\$54 Estimate
Unarmed Officer – Contract Year FY13	\$20
Unarmed Officer OT – Contract Year FY13	\$30
Unarmed Officer – Contract Year FY14	\$22 Estimate
Unarmed Officer OT – Contract Year FY14	\$33 Estimate
Unarmed Field Supervisor – Contract Year FY13	\$29
Unarmed Field Supervisor OT – Contract Year FY13	\$43
Unarmed Field Supervisor – Contract Year FY14	\$32 Estimate
Unarmed Field Supervisor OT – Contract Year FY14	\$48 Estimate

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**Cost Basis for Permit Fee Schedule
(November 7, 2013)**

Construction Access Permit Fees

1. Permit Application Fee (minimum fee)

Additional fees may be assessed for applications requiring new or revised plan checks. The Application Fee includes processing and administration charges and shall be added to the appropriate Inspection Fee. The components of the inspection fee are listed in Sections 2, 3, and 4 below.

<u>Classification</u>	<u>Number of Hours</u>		<u>Allocated Cost</u>		<u>Total Cost</u>
Construction Inspector	1 hr.	X	\$97	=	\$97
Sr. Engineer	1 hr.	X	\$154	=	\$154
Sr. Transportation Engineer	1 hr.	X	\$154	=	\$154
Permit Technician	7 ½ hr.	X	\$77	=	\$577
Environmental H & S Supervisor	¼ hr.	X	\$135	=	\$34
Principal Construction Inspector	1 hr.	X	\$135	=	\$135
Sr. Construction Inspector	2 hr.	X	\$110	=	\$220
Sr. Environmental Planner	¼ hr.	X	\$142	=	\$36
Sr. Real Estate Agent	¼ hr.	X	\$139	=	\$35
Cars, Trucks ¾ Ton & Lighter*	4 hr.	X	\$21.43	=	\$85.72

Total: \$1,527.72 adjusted to \$1,530.00

*Based on 4 Inspector Hours above and Caltrans' 2013/2014 Equipment Rental Rates.

2. Inspection Fee For Underground Utility Light Rail Crossing

- Directional Bore Method
- Jack and Bore Method (Under 12" in Diameter)

<u>Classification</u>	<u>Number of Hours</u>		<u>Allocated Cost</u>		<u>Total Cost</u>
Permit Technician	7 hr.	X	\$77	=	\$539
Principal Construction Inspector	1 hr.	X	\$135	=	\$135
Sr. Construction Inspector	15 hr.	X	\$110	=	\$1,650
Cars, Trucks ¾ Ton & Lighter*	16 hr.	X	\$21.43	=	\$342.88

Total: \$2,666.88 adjusted to \$2,670.00

*Based on 16 Inspector Hours above and Caltrans' 2013/2014 Equipment Rental Rates.

3. Inspection Fees For Bus and Transit Facility Restorations

Removing and restoring any portion of a VTA Portland Cement Concrete Bus Pad or Shelter Pad. The estimated amount of inspection time is the same for a bus pad or shelter pad.

<u>Classification</u>	<u>Number of Hours</u>		<u>Allocated Cost</u>		<u>Total Cost</u>
Permit Technician	7 hr.	X	\$77	=	\$539
Principal Construction Inspector	1 hr.	X	\$135	=	\$135
Sr. Construction Inspector	12 hr.	X	\$110	=	\$1,320
Bus Stop Maintenance Worker	2 hr.	X	\$70	=	\$140
Cars, Trucks ¾ Ton & Lighter*	15 hr.	X	\$21.43	=	\$321.45

Total \$2,455.45 adjusted to \$2,460.00

*Based on 13 Inspector Hours and 2 Hours Bus Stop Maintenance above and Caltrans' 2013/2014 Equipment Rental Rates.

4. As-Built Fee

Cost to VTA for providing a simple As-Built Drawing. The cost may be reimbursed to the Permittee if the Permittee submits an As-Built Drawing satisfactory to VTA Standards within 30 Calendar Days following completion of the permitted construction work.

Additional fees may be assessed depending on the scope of the work.

<u>Classification</u>	<u>Number of Hours</u>		<u>Allocated Cost</u>		<u>Total Cost</u>
Permit Technician	1 hr.	X	\$77	=	\$77
Sr. Construction Inspector	1 hr.	X	\$110	=	\$110
3-Person Field Survey Crew	4 hr.	X	\$319*	=	\$1,276
Engineering Technician III	16 hr.	X	\$105	=	\$1,680

Total \$3,143.00 adjusted to \$3,145.00

*Includes labor, equipment and material.

5. Background Security Check

The permit applicant will be required to have their employees undergo a background security check through a process determined by VTA at the permittee's cost. VTA reserves the right to decide all aspects of the background security check process, including, but not limited to all costs.

The hourly labor rates for the various classifications listed herein were rounded up to the nearest dollar and classification totals were rounded up to the nearest five-dollar increments, for ease of calculating fees.

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Restricted Access Permit Fees**1. Restricted Access Permit Fee**

Includes administration, processing and inspection charges.

<u>Classification</u>	<u>Number of Hours</u>		<u>Allocated Cost</u>		<u>Total Cost</u>
Assistant Superintendent	10 hr.	X	\$135	=	\$1,350
Permit Technician	2 hr.	X	\$77	=	\$154
Cars, Trucks ¾ Ton & Lighter*	4 hr.	X	\$21.43	=	\$85.72

Total \$1,589.72 adjusted to \$1,590.00

*Based on 4 Hours Field Review and Inspection and Caltrans' 2013/2014 Equipment Rental Rates

2. Roadway Worker Protection Training Fee

<u>Classification</u>	<u>Number of Hours</u>		<u>Allocated Cost</u>		<u>Total Cost</u>
Light Rail Technical Trainer	6 hr.	X	\$127	=	\$762
Permit Technician	1 hr.	X	\$77	=	\$77
Office Spec. II	4 ½ hr.	X	\$71	=	\$320
Cars, Trucks ¾ Ton & Lighter*	6 hr.	X	\$21.43	=	\$128.58

Per Training Class Total \$1,287.58 adjusted to \$1,290.00**Per Participant: Total \$64.50 adjusted to \$65****

*Trainers commute to and from other locations to conduct 4 hour training sessions.

**Based on a regularly scheduled class size of 20 conducted at VTA facilities.

Any special training will be charged on an actual cost basis.

3. Light Rail Traction Power Down and Power Up Fee

<u>Classification</u>	<u>Number of Hours</u>		<u>Allocated Cost</u>		<u>Total Cost</u>
Overhead Line Worker	2 hr.	X	\$115	=	\$230
Overhead Line Worker	2 hr.	X	\$115	=	\$230
Substation Maintainer	2 hr.	X	\$115	=	\$230
Substation Maintainer	2 hr.	X	\$115	=	\$230
Cars, Trucks ¾ Ton & Lighter*	4 hr.	X	\$21.43	=	\$85.72

Per Substation Total \$1,005.72 adjusted to \$1,010.00

*Based on 2 Trucks at 2 Hours each and Caltrans' 2013/2014 Equipment Rental Rates

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4. **Bus Bridging Fee**

For supplemental bus service required because permit activities disrupt rail service.

Fully Allocated Cost per Hour for Bus Service \$180.

5. **Modified Bus or Light Rail Service**

The following impact fees are intended to reimburse VTA for the impacts to normal VTA Bus and Rail Operation resulting from construction or other events.

- Hourly cost for each additional bus required for service
(regular or bus bridge): \$180
- Hourly cost for a one-car train: \$435
- Hourly cost for a two-car train: \$515
- Hourly cost for a three-car train: \$590

6. **Background Security Check**

The permit applicant will be required to have their employees undergo a background security check through a process determined by VTA at the permittee's cost. VTA reserves the right to decide all aspects of the background security check process, including, but not limited to all costs.

The hourly labor rates for the various classifications listed herein were rounded up to the nearest dollar and classification totals were rounded up to the nearest five-dollar increments, for ease of calculating fees.

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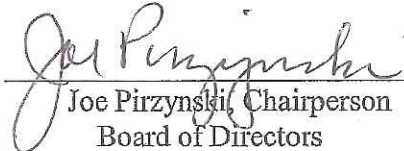
Resolution Adopting Amended VTA Permit Fee Schedule
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PASSED AND ADOPTED by the Board of Directors of the Santa Clara Valley Transportation Authority on November 7, 2013, by the following votes:

AYES: Abe-Koga, Chavez, Estevez, Kalra, Liccardo, Pirzynski,
Rocha, Whittum, Woodward

NOES: None

ABSENT: Campos, Herrera, Yeager


Joe Pirzynski, Chairperson
Board of Directors

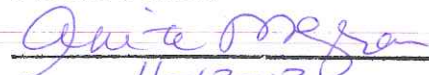
ATTEST:


Sandra Weymouth, Board Secretary

APPROVED AS TO FORM:


Robert Fabela
General Counsel

I certify that the foregoing instrument
is a true and exact copy of the original
on file in the Secretary of the Board of
Director's office.


Date 11-13-13