

MEMORANDUM

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: October 15-16, 2026

From: STEVEN KECK, Chief Financial Officer

Reference Number: 2.8c.(6), Action Item

Prepared By: Jeffrey Wyly, Chief (Acting)
Division of Mass Transportation

Subject: **REQUEST TO EXTEND THE PERIOD OF PROJECT COMPLETION FOR A
TRANSIT AND INTERCITY RAIL CAPITAL PROGRAM COMPONENT, PER
TIRCP ALLOCATION POLICY
WAIVER 26-201**

ISSUE:

Should the California Transportation Commission (Commission) extend the period of project completion for the Transit and Intercity Rail Capital Program (TIRCP) (2020:02) Transbay Corridor Core Capacity Program (Vehicle Acquisition) component (PPNO CP060), in various counties, for the time period as identified in the attachment?

RECOMMENDATION:

The California Department of Transportation recommends that the Commission extend the period of project completion for the TIRCP (2020:02) Transbay Corridor Core Capacity Program (Vehicle Acquisition) component (PPNO CP060), in various counties, for the time period as identified in the attachment.

BACKGROUND:

In October 2023, the Commission allocated \$147,100,000 for the Construction (CON) phase of the TIRCP (2020:02) Transbay Corridor Core Capacity Program (Vehicle Acquisition) component (PPNO CP060). In August 2024, the Commission approved an Allocation Amendment to deallocate \$40,000,000 of the TIRCP (2020:02) Transbay Corridor Core Capacity Program (Vehicle Acquisition) component (PPNO CP060) due to cost savings. The responsible agency has been unable to complete the component phase per the Timely Use of Funds (TUF) policy.

The current TIRCP Allocation Policy stipulates that the agency implementing a project component request a time extension if the project will not be completed within the specified

timeline. Under the TUF policy, an extension can be requested for up to 20 months for each delivery milestone, where permissible by statute. The attachment describes the details of the component and the explanation for the delay.

Attachment

**Time Extension/Waiver – Project Completion
Transit and Intercity Rail Capital Program**

Project Number: 1
Applicant: San Francisco Bay Area Rapid Transit District
County: Various
District: 04
PPNO: CP060
Allocation Amount: \$147,100,000
Phase: Construction
Allocation Date: 10/19/2023
Allocation Resolution: TIRCP-2324-25
Award Date: 12/31/2023
Number of Months Requested: 20 Months
Extended Deadline: 08/31/2028
Department Recommendation: Support

(2020:02) Transbay Corridor Core Capacity Program (Vehicle Acquisition)

The San Francisco Bay Area Rapid Transit District (BART) requests a 20-month time extension for the period of project completion for the Construction (CON) phase of the (2020:02) Transbay Corridor Core Capacity Program (Vehicle Acquisition) component. BART has experienced unexpected delays in completing the delivery of the remaining BART rail vehicles, impacting the project milestone delivery schedule.

The project component consists of the procurement and delivery of 34 new rail vehicles to expand the existing vehicle fleet. The additional vehicles will allow BART to realize shorter headway times and increase capacity for the rail vehicles that will run through the Bay Area's Transbay Tube, with the goal to operate 30 regularly scheduled trains per hour on the trunk line between Daly City and the Oakland Wye.

The project has been delayed primarily due to unforeseen delays at the border between the United States (U.S.) and Mexico affecting the delivery process of the remaining BART rail vehicles. The rail vehicle delivery has been held up since December 2025 at the border by United States Customs over compliance with the Uyghur Forced Labor Prevention Act, which is a U.S. law that bans imports from China's Xinjiang region unless companies prove the goods are free of forced labor. The railcar manufacturer, Alstom, needed to submit the bill of materials to verify compliance before delivery was able to resume. Alstom submitted the full Bill of Materials list in June 2026 and will be meeting with the border patrol representatives to discuss the next steps for the remaining cars. Prior to this hold, Alstom was delivering about 20 rail vehicles per month. At this time, only the first three cars were released in August 2026, and since there is no definitive date as to when delivery will resume, BART is requesting the full

20-month time extension to allow for contingency. Due to these circumstances, it has impacted BART's ability to complete the CON phase of the project, complete the remaining vehicle delivery, testing, configuring, and commissioning operations needed within the project delivery schedule.

Therefore, BART is requesting a 20-month time extension for the period of project completion for the CON phase from December 31, 2026 to August 31, 2028.