

SANTA CLARA VALLEY TRANSPORTATION AUTHORITY (VTA)
APPLICATION FOR USE OF VTA-OWNED PROPERTY

Thank you for your interest in using VTA-owned real property. Before you start the application process, please review the information below to confirm you understand VTA's requirements and can comply with them.

In general, VTA real property is funded by federal, state, or local funds which restrict the property to transit-related uses. On a limited basis, VTA will consider third-party requests to use VTA-owned real property, provided the following conditions are met:

1. A completed application and a non-refundable \$500.00 application fee. Acceptance of the application and fee does not guarantee your request will be approved. If your requested use requires a permit from the local jurisdiction, such as a special event/activity or for the sale or consumption of food, etc., then your application must include a copy of the approved permit. *Note: the sale or consumption of alcohol is strictly prohibited on VTA property.*
2. The application process will take a minimum of eight (8) weeks once a complete application package with all listed requirements is received. Incomplete packages will not be processed.
This includes:
 - Review and approval by all relevant VTA stakeholder departments, including but not limited to Real Estate, Transit-Oriented Development, Risk Management, Legal, Safety & Security, Bus & Light Rail Operations, Construction Access Permits, Environmental, Engineering, Technology, Survey & Mapping, Transportation Planning, Investment Program, Finance and Sheriff's Department. Each VTA stakeholder department has full discretion to impose specific terms of use or deny the use altogether. For example, if there is a security concern, VTA may require the event/use to be staffed by VTA-designated special duty officers at the applicant's sole cost.
3. If the application for use is approved, a license agreement will be prepared. This includes, but is not limited to:
 - Review and approval by VTA Legal Counsel.
 - Payment of fair market rent.
 - Payment of a security deposit.
 - Required evidence of insurance. VTA requires that licensees maintain insurance coverage for (1) Commercial general liability per occurrence and general aggregate, covering the licensee's use, occupancy and operations on the premises rented from VTA; (2) Automobile liability for owned, hired, and non-owned vehicles; (3) Workers compensation insurance, as required by law; (4) Employer's liability; (5) Umbrella/Excess liability insurance; and (6) Environmental liability for bodily injury, property damage, and clean-up costs

due to hazardous materials or pollutants. Licensees must provide VTA with a certificate of insurance evidencing the insurance, with VTA included as an additional insured. After review of the application, VTA may require additional coverages based on the specific business of the applicant and/or the proposed use of VTA's property.

- Required indemnification of VTA.
- Other terms and conditions required by VTA.

4. Non-exclusive list of permitted uses:

- Telecommunications installed on VTA-owned or Carrier-owned towers.
- Long-term parking for employee vehicles.
- Construction staging for a city, county, or other public agency capital project.
- Existing licensee with a good track record of use with VTA, who wishes to continue a license or expand to another location.
- Use is sponsored by a city or county, where the city or county is the licensee.
- Food truck or food kiosk program that is managed by an experienced third party, where the third party is the licensee with a minimum of six food trucks or kiosks in the program. VTA does not license individual food truck or food kiosks operators.

5. Non-exclusive list of prohibited uses:

- Activity which would interfere with transit uses or operations.
- Activity which would interfere with an existing licensed use.
- Tailgating, parties, or other activities which have the potential to cause community disturbance.
- Activity where there is sale or consumption of alcohol or drugs.
- Uses requiring significant diversion of VTA Safety & Security from transit-focused needs.
- Uses contravening VTA policies or funding restrictions for the property.
- Use which is determined by a VTA stakeholder department to be non-permissible use, non-advisable use, or not in the best interest of VTA.

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1. Name of applicant: _____

2. Business type: Corporation LLC Partnership Sole Proprietorship

If a corporation or limited liability company, State of incorporation:

If a partnership, type: _____

3. Is applicant a non-profit entity: Yes No

(If applicant is a non-profit entity, please provide documentation of non-profit status.)

Applicant mailing address: _____

4. Contact person's name and title:

Contact's: Phone No. () _____ E-mail: _____

5. Legal signatory name and title: _____

Legal signatory's: Phone No. () _____ E-mail: _____

6. VTA Property requested (Name and/or location):

7. *Please attach a detailed print of the site map that clearly illustrates the location of the subject property and your specific area of use.*

8. Date(s) and time(s) of requested use, including set up and clean up:

Start Date: _____ Start Time: _____

End Date: _____ End Time: _____

9. Description of all proposed use of VTA property:

10. Please attach a copy of the permit and/or license from the appropriate local city department authorizing your proposed activity (i.e. for sale/consumption of food, special event, etc.)

11. Other comments pertinent to the proposed use or this application:

There may be follow-up questions and additional documentation required depending on the proposed use.

IMPORTANT NOTE: To allow for sufficient VTA stakeholder review and processing, applications for use of VTA real property must be submitted **at minimum eight (8) weeks** prior to the date on which the property use is requested.

Return your completed and signed application, along with a non-refundable check in the amount of \$500.00 made payable to Santa Clara Valley Transportation Authority.

**Mail to: Santa Clara Valley Transportation Authority
Real Estate & TOD
3331 North First Street, Bldg. A
San Jose, California, 95134-1927**

Email notification:

Please send an email to real.estate@vta.org to apprise VTA about the incoming application and payment.

Acceptance of the application and fee does not mean your request will be approved, or that VTA will enter into a license with you for the requested use. VTA will review this application and determine in its sole discretion whether it will approve the use and enter into a license agreement. The application form and the content you provide will help to ensure timely and thorough consideration.

Applicant signature: _____

Title: _____

Date: _____