

**Request for  
Developer Qualifications**

**Development of  
Photovoltaic Systems on BART Property**

**San Francisco Bay Area Rapid Transit District (BART)  
Real Estate and Property Development Department  
300 Lakeside Drive, 22nd Floor  
Oakland, CA 94612**

**July 7, 2014**

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## **I. INTRODUCTION**

### **A. BART Property Offering**

The San Francisco Bay Area Rapid Transit District (“BART” or the “District”) is making available property BART owns at the BART Warm Springs/South Fremont Station located in the City of Fremont, the eBART station in the City of Antioch, the rooftops of the Hayward Maintenance Complex in the City of Hayward, and on the garage rooftops as part of the transit village projects at the MacArthur and Walnut Creek BART Stations (collectively referred to as the “Property”), for solar photovoltaic power generation projects.

BART has already partnered with the private sector to develop two rooftop solar photovoltaic systems at the Richmond and Hayward maintenance facilities, one building-integrated photovoltaic (BIPV) canopy at the Union City BART Station, and one groundmount solar photovoltaic system on off-site property in the City of Gridley. All sites are currently in commercial operation, with a total output capacity of 2.5 MW.

BART desires to significantly expand its development of more solar power on additional sites and seeks developer(s) through this RFQ process for that expansion.

### **B. Request for Developer Qualifications (RFQ)**

BART is soliciting qualifications to select a developer able to assess solar development feasibility for selected BART sites and, for feasible sites, subsequently design, finance, develop, construct, install, operate, maintain, monitor, decommission, and remove the solar photovoltaic systems (“PV Systems” or “PV Projects”) at the Property or BART-selected portions of the Property. BART is looking for the best combination of experience, proven performance, customer satisfaction, qualifications, and responsiveness to the RFQ. In making its developer selection, BART reserves the right to take all of these factors into consideration.

BART desires a Power Purchase Agreement (“PPA”) where a selected developer will design, finance, install, own, maintain and operate the photovoltaic systems. However, BART will consider other financing and/or ownership models depending on the site, including equipment leases.

If a developer expresses interest in only certain portions of the Property, BART may, at its discretion, select additional developers from this RFQ.

Depending on the site, BART may either request that the selected developer propose draft terms for development and power purchase, or BART may propose a master agreement with terms and conditions for pricing, installation, operation and maintenance.

### **C. BART Development Objectives**

BART operates approximately 104 miles of rapid rail service, serving 44 stations in the four core counties of the Bay Area (Alameda, Contra Costa, San Francisco and San Mateo). The system is expanding and will soon also serve Santa Clara County.

BART is the steward of a large-scale public investment, which includes important real property assets essential to BART's operation. These assets also contribute to the ongoing financial viability of the transit system. By promoting the installation of photovoltaic systems on BART-owned properties, the District can reduce its cost of energy and continue to shift its acquisition of energy from conventional market power supplies to renewable energy sources.

### **D. Unique Aspects of This Solicitation**

**Power Purchase Agreement (“PPA”) Term.** The PPA Term could be for approximately twenty (20) years, with an option for BART to request to extend the term for up to two consecutive periods of 5 years each. BART expects separate PPAs for each site granting the selected developer rights to use the site for the 20 plus year term.

BART has an immediate interest in selecting a developer and executing an agreement for the Warm Springs/South Fremont site so that the photovoltaic system on this site will be in commercial operation by December 2015.

**Prevailing Wage.** The selected developer will be required to comply with the District's 1987 Prevailing Wage policy (refer to Appendix A)

**Coordination with On-Site Contractors.** The selected developer must coordinate and cooperate with existing on-site District construction, private development, or other contractors. In the event of unresolved differences or conflicts, the Developer shall refer such conflicts to the District for resolution.

**Disposition of Solar Renewable Energy Credits (S-RECs).** The selected developer could retain title to all solar renewable energy credits and Environmental Attributes (as that term will be defined in the PPA) generated by the PV Systems.

**Net Metering Contingency.** The selected developer should familiarize itself with issues related to Net Metering eligibility provided by California Public Utilities Commission. BART makes no representation or warranty as to its eligibility for participation in Net Metering generally or as to these sites specifically.

### **E. Non-Exclusivity**

For a specified duration and fee, BART selection of a developer under this RFQ will afford the selected developer exclusive rights to the Property or, if the developer so requests, to portions of the Property. BART also reserves the right to issue future RFQs for other BART property.

## **II. SUMMARY OF THE OFFERING**

### **A. Size of Offering**

The maximum capacity established by the local utility for the PV Systems at each of the identified sites are established at: 1 MW for the Warm Springs site and 1 MW for each of the four additional sites. The total estimated capacity for the five identified sites is 5 MW.

### **B. Site Descriptions**

The five sites for the Property are described below. Additional information and site plans are provided in Appendix B.

#### **B.1 Warm Springs/South Fremont Station Parking Lot (Fremont, CA)**

The Warm Springs Extension (WSX) project will extend BART service some 5.4 miles south of the existing Fremont Station to a new station located near the intersection of Warm Springs Boulevard and South Grimmer Boulevard in southern Fremont. The project is expected to offer five specific location opportunities for PV System development:

- i. The roof of the Warm Springs/South Fremont Station Concourse (approximately 18,000 square feet);
- ii. One (of the ten) parking lots on site located directly adjacent to the station on its east side and just to the north of the pedestrian entryway structure;
- iii. A second parking lot located directly adjacent to the station on its east side and just to the south of the pedestrian entryway structure;
- iv. The roof of the “CPS” subway ventilation structure located within Fremont Central Park, just south of Stevenson Boulevard (approximately 3,000 square feet); and
- v. The roof of the “LES” subway ventilation structure located within Fremont Central Park, just north of Paseo Padre Parkway (approximately 3,000 square feet).

The two parking lot location opportunities mentioned above would each require one or more canopies with associated parking lot lighting. The canopy required in the parking lot mentioned in (ii) above would be over approximately 68 parking stalls. The canopy required in the parking lot mentioned in (iii) above would be over approximately 38 parking stalls.

The October 2012 Final Supplemental Environmental Impact Report (SEIR) prepared pursuant to the California Environmental Quality Act (“CEQA”) discussed the addition of photovoltaic panels. This report may be found at <http://www.bart.gov/about/projects/wsx/environmental> a BART maintained webpage.

The Warm Springs Extension project's Line, Track, Station and Systems (LTSS) Design Build contract is presently under construction. The WSX Extension is expected to open for revenue service in the fall of 2015. It is desired that PV Systems be in commercial operation by the commencement of revenue service. This will require the PV developer and the WSX contractor to cooperate to the greatest extent possible. Certain limited accommodations have been included in the WSX LTSS contract to facilitate PV development (Refer to Appendix B for specific drawings).

## **B.2 eBART Station Parking Lot (Antioch, CA)**

The Antioch BART Station parking lot consists of three separate lots situated east of Hillcrest Avenue as accessed by Sunset Drive/Slatten Ranch Road/BART access road, and located between Sunset Drive/Slatten Ranch Road to the north and State Route 4 to the south. The largest of those lots, Lot B with 495 parking spaces, is available for a solar power generation facility. Lot B is an approximately 152,000 square foot site.

In anticipation of the future solar facility, switch gear accommodations and conduits routed from the switch gear to the future inverter pad as well as conduits routed from the inverter pad to two separate pull boxes have already been installed outside of Lot B. The final lift of asphalt paving within Lot B has not been installed to allow trenching, conduit and cable ductwork, and other solar facility work to take place.

After all PV installations have been completed, and site is restored to the existing condition before PV work commenced, a separate contract will provide the final lift of asphalt as well as install striping in that lot. The site is encumbered with two water utility easements.

The 2008 Final Environmental Impact Report (EIR) prepared pursuant to California Environmental Quality Act (CEQA) discussed the addition of photovoltaic panels. This report is available at <http://www.bart.gov/about/projects/ecc/environmental> a BART maintained webpage.

The eBART Project is currently under construction and is scheduled for completion in 2017. The parking lot is currently under construction and is scheduled for completion in September 2014. The PV installation will need to be in commercial operations before the final paving and striping construction begin in May 2016.

## **B.3 Hayward Maintenance Complex Rooftop (Hayward, CA)**

This 28 acre site, fronted by Whipple Road, will be an expanded maintenance facility as part of BART's existing Hayward Maintenance Yard. The site includes four existing tilt-up warehouses of approximately 160,000 square feet each. Two of the existing warehouses will remain, but will not be structurally

upgraded to accept the installation of photovoltaic systems. The other two warehouses will be demolished and re-built with roof areas for the installation of PV.

The 2011 Final Environmental Impact Report (EIR) prepared pursuant to California Environmental Quality Act (CEQA), including the Mitigated Negative Declaration and the Addendum did not address the addition of photovoltaic panels. For further information, please refer to the following BART link: [http://www.bart.gov/sites/default/files/docs/Hayward\\_BART\\_Final\\_IS-MND.pdf](http://www.bart.gov/sites/default/files/docs/Hayward_BART_Final_IS-MND.pdf)

The HMC Project is scheduled for completion in 2019, depending on funding availability. Construction will begin in the Fall of 2014 and be completed mid-year 2019.

#### **B.4 MacArthur Transit Village Multi-Level Garage (Oakland, CA)**

As part of the MacArthur BART Station transit-oriented development, the new 478 space BART parking structure at 550 West MacArthur Blvd in Oakland is expected to be completed and operational in August or September of 2014 (Appendix B). The rooftop floor of this six story \$28,000,000 parking structure presents an opportunity for the installation of a PV system. Solar panels on the rooftop were shown as a possible project option in the project submittal to the City of Oakland. However, the May 2008 MacArthur Transit Village Project Final Environmental Impact Report (FEIR) did not address the addition of photovoltaic panels. The FEIR is available at <http://www2.oaklandnet.com/Government/o/PBN/OurOrganization/PlanningZoning/DOWD008406> a City of Oakland website.

In anticipation of future needs, the parking structure has been designed with a chase-way with blockouts from the ground floor to the rooftop and a rooftop electrical room. While not all portions of the rooftop may be suitable for solar panel installation, the rooftop or top floor parking level's footprint is approximately 28,917 square feet. Seventy-four parking spaces are designated for this level, as well as stairway and elevator facilities. Because of the approaching completion of the parking structure, a PV system would need to be installed after structure completion and while the structure is fully operational.

#### **B.5 Walnut Creek Transit Village Multi-Level Garage (Walnut Creek, CA)**

Phase 1 of the proposed Walnut Creek Transit Village (Appendix B) calls for a new 895 space, five story BART parking structure at 200 Ygnacio Valley Road in the City of Walnut Creek. Its rooftop offers an opportunity for the installation of a PV system. The top floor parking level's footprint is anticipated to be approximately 87,650 square feet. Two hundred sixty

parking spaces are designated for this level, as well as stairway and elevator facilities. Provisions for the future installation of a roof level PV system (e.g., spare conduits and embeds for support structure) will be included in the parking structure's design. The construction schedule for the parking structure has not yet been finalized but is anticipated to begin in the Spring of 2015.

Further information on the project along with an electronic copy of the September 27, 2012 Walnut Creek BART Transit Village Final Environmental Impact Report is available at [http://www.walnut-creek.org/citygov/depts/cd/planning/bart\\_tod.asp](http://www.walnut-creek.org/citygov/depts/cd/planning/bart_tod.asp) a City of Walnut Creek website. The possibility of a parking structure rooftop PV system is addressed in Draft Environmental Impact Report Pages of Sections 3-17, 4.1, 4.13, 5-19, 6-4 and more briefly in III-29 of the Walnut Creek Transit Village Design Guidelines which may also be found at the link referenced above.

### **C. PV System Ownership**

It is anticipated that the selected developer will likely own the PV Systems and all equipment related to the PV Systems. BART shall have the option at the expiration or earlier termination of each PPA to purchase the corresponding PV Systems from the selected developer for consideration as set forth in the PPA.

The selected developer shall be responsible for all aspects of the PV Systems including, but not limited to the design, financing, development, construction, installation, operation, maintenance, monitoring, decommissioning, and removal at the selected developer's sole cost and expense. The District's preference is for the selected developer to enter into a PPA. If entering a PPA financing model is chosen, the PV System for each site will be subject to its own separate PPA.

BART intends to purchase all the power generated by the PV Systems.

### **D. Permits & Other Due Diligence Conditions**

Developers shall apply for and execute a BART Permit to Enter from BART prior to any construction work and prior to any due diligence including studies calling for borings or the disruption of soil (refer to <http://www.bart.gov/about/business/permits/repermits>). All applicants for such Permits are subject to their corresponding fees. Written permission from the District may be required to conduct other on site due diligence or feasibility assessments.

The selected developer shall be solely responsible for obtaining any and all other Federal, State, and local permits, approvals, and licenses required to design, finance, develop, construct, install, operate, maintain, monitor, decommission, and remove the PV Systems, including but not limited to qualifying the PV Systems as Net Metering eligible,



if applicable or desired. Successful developer must have or obtain a current business license and State required contractor licenses.

The selected developer is responsible for all costs and charges associated with municipal or state code compliance, permitting, licenses and the like.

### **III. MINIMUM QUALIFICATIONS**

As further described below under Section IV Submittal Requirements, the qualified developer must meet the following minimum qualifications:

1. Designed, financed, developed, constructed, installed, operated, maintained, and monitored three (3) or more solar projects.
2. Among the three (3) or more qualifying projects, at least one (1) project must be with a public agency as the property owner.
3. Among the three (3) or more qualifying projects, at least two (2) projects must have utilized a PPA.
4. Among the qualifying projects, at least one (1) project must be a carport PV system and at least one (1) project must be a completed rooftop system.
5. All qualifying projects must currently be in commercial operation and under its management.
6. The developer must have current State required contractor licenses.

### **IV. SUBMITTAL REQUIREMENTS**

#### **A. The Selection Process**

There are up to three steps to the selection process:

1. First step. The submission of the Statements of Qualifications as a response to this RFQ will start the first step in a three-step process. After evaluation of the responses to this RFQ, staff will recommend to the BART Board of Directors a developer for the BART PV projects on the Property. Subject to developer interest, staff may also choose to recommend more than one developer for the BART PV projects.
2. Second step. In the event that BART cannot identify a developer through the RFQ process, BART may issue a formal Request for Proposals for the Property or a portion of the Property in order to competitively select between development teams. In either event, if BART cannot successfully negotiate agreement with the selected developer, it reserves the right to award the Property to another developer under this RFQ.
3. Third step. Based on the competitive process, BART staff will identify a developer to begin negotiations with and will request Board authorization to do so. The result of any negotiations, such as a draft Power Purchase Agreement, will also require an additional and separate BART Board of Directors approval.

BART is the sole and final decision-maker regarding the selection of a development team. Subject to developer interest, BART may choose to recommend more than one developer for the BART PV projects. Alternatively, if BART selects a developer for the identified sites and fails to reach agreement on proposed power purchase agreement terms, after due diligence, feasibility studies, and negotiations, BART reserves the right to cancel the process and select another developer for the development.

BART also reserves the right to waive any informality or irregularity in any submission. Additionally, BART may, for any reason, decide not to award an agreement as a result of this RFQ or cancel the RFQ. BART shall not be legally bound in any manner by submission of the qualifications.

## **B. Preparation of Statements of Qualifications**

A complete Statement of Qualifications must include a table of contents at the front of the response and should be organized as follows:

### **1. Transmittal Letter**

Each developer's submittal shall include a transmittal letter that is signed by an individual who will be authorized to negotiate with BART and sign binding agreements for the project. The letter shall indicate that the developer has carefully read all of the provisions in the RFQ including the BART Permit to Enter (see Page 6).

The transmittal letter should include the following information:

- Name, address, telephone, e-mail, fax numbers, etc. for the lead development company.
- Legal structure of lead development company or anticipated entity (e.g., corporation, joint venture, limited partnership, etc.), and date of legal establishment.
- Name, title, address, telephone number, e-mail, fax number, and address of the person designated as the primary contact for the lead development company.
- Names and relationships of all companies included in the qualification submittal (e.g. consultants, EPC firms, investors, etc.).

### **2. Company Information**

A successful developer must provide:

- a. A description of the company, including the address of the office that would be conducting the work and the address of the corporate office (if different).
- b. Certificate of Good Standing from the Secretary of State's Office or out of state equivalent.

### 3. Company Relevant Experience

A successful developer must provide detailed information on relevant experience with projects that are similar to the one being considered for BART.

List at least three projects completed by the developer that meet the criteria described in Section III, Minimum Qualifications.

Include the following information for each project:

- Project name, location, size (MW) and type (rooftop, carport) of solar project.
- Development cost, financing methods employed, and demonstration of the company's ability to provide financing for solar projects.
- Photos and site plans of the project.
- Current status of the project (i.e., construction status or number of years since commercial operation date).
- Names and roles of other companies, organizations, partners, and all parties involved in the project, including but not limited to the financier, tax credit investor, project manager, and the customer/host site) and provide reference information including the name and current phone number of the Owner's Project Manager and the customer/host site.
- For each of the projects, attach a project schedule showing the critical milestones your team has managed from initial site feasibility assessment to the execution of PPA to Notice to Proceed ("NTP"), and from completing system installation to commissioning acceptance testing for commercial operation and final punch list closeout.
- Primary sources of equity and debt.
- List of lenders for the project including contact information.
- Indication of whether or not the project involved a lease, permit, or license.
- Indication of whether or not the project involved a business relationship with a public agency and a description of the nature of any such relationship.
- Provide a copy of an executed Power Purchase Agreement and related agreements/appendices between you and a public agency for at least one of the listed projects.

In addition, developers must provide information, if available, demonstrating the following:

- Experience, if any, in developing a PV facility for a multilevel parking structure.
- Experience, if any, in developing, integrating, and/or operating Electric Vehicle (EV) charging facilities as a part of the PV system.
- Experience in securing support of the local land use jurisdiction.
- Experience in securing support from the local utility.

- Experience providing opportunity to small and local businesses (SBEs), including women owned businesses (WBEs) and minority owned businesses enterprises (MBEs).
- Experience and success in coordinating with transit agencies and local jurisdictions in implementing and integrating other renewable energy programs or strategies.

#### 4. Development Team Summary

A successful developer must provide biographies and describe the relevant qualifications and experience of the key team members that would be involved with the project. Provide a list and description of the projects that each team member has completed. Provide resumes in the Appendix. Please also provide the following information for each member of your team.

- Provide names and a description of the roles of key team members and one-to-two page resumes of relevant team members for this project. If the lead development company has already identified outside consultants, advisors, or firms to assist in the planning, design, construction, installation, maintenance, operations, negotiations, or other aspects of the project, please identify these consultants/advisors and briefly describe the nature and type of service to be provided.
- If different from above, provide names, titles, and roles of your team that will negotiate agreements with BART.
- For the developer and each third-party team member (e.g. consultant), provide the following: (1) description of core business activities, (2) number of years in business, (3) number of full-time employees, (4) supplemental materials such as company brochures, etc.

If the entity is a joint venture, provide information on each partner and a description of prior working relationships.

#### 5. Preliminary Development Concept and Technical Approach (brief narrative only)

A successful developer must provide a brief description of a preliminary development concept and technical approach, including a comprehensive energy strategy, for developing all the sites (with an understanding that the Warm Springs/South Fremont site is a priority for the District). If the developer deems any sites (or portions of sites) as potentially infeasible, the preliminary development concept should so indicate.

#### 6. Demonstration of Financial Capacity and Related Information

Please provide the following information to demonstrate the financial capacity to undertake and complete the development proposed in the preliminary development concept. This information should be submitted under separate cover

and labeled "Confidential". This information will be used solely for purposes of evaluation under the RFQ and will be treated as confidential.

- Financial Statements for the previous three fiscal years for the lead team members. Certified statements are preferred.
- Most recent annual report(s).
- List of any current non-performing or loan defaults in the past five years.
- Information about instances in which any member of the development team has ever filed bankruptcy or had projects that have been lost to foreclosure.
- Describe your bonding capacity to secure a performance bond (a corporate surety bond or alternate surety such as letters of credit or self-insurance as agreed to by BART) in a sum not less than the full value of the construction contract and a payment bond to guarantee the payment of labor, materials, supplies, and equipment used to construct PV facilities.
- Provide any other evidence that proposer is a creditworthy company registered to conduct business in California and is in good standing.
- List of any PPAs in default or any PPAs that have been acquired or divested by developer, subsequent to execution of the PPA.

## 7. Specific Performance Matters

A successful developer must provide responses to the following questions/issues:

- a. Past experience, if any, with local hire or project stabilization agreements.
- b. Describe the company's methodology for providing guarantees for energy savings that have been proposed to be achieved by past projects. Quantify the differences between anticipated and actual energy utilization on completed projects, if available.
- c. Description of instances in which a member of the development team or any named individual has been involved in litigation or other legal dispute regarding energy efficiency and solar projects during the past five years. Include information regarding the outcome of and/or the status of the litigation or dispute.
- d. Description or copy of a sample safety plan developed and executed for past projects.
- e. Acknowledge that the developer will submit a draft safety plan for BART review and approval and will adhere to the approved safety plan in all of its activities.

## 8. References

A successful developer must provide at least 3 client references that represent similar projects that were conducted by key team members that are being proposed for the project. References should include sufficient information to ensure easy contact. This should include company/organization names, titles, telephone numbers, and e-mail addresses for individuals who can provide information related to the following items:

- **Financial contacts** - Identify at least three contacts that have provided members of the development team with debt or equity financing of at least the magnitude likely to be required for the proposed project.
- **Public or Government** - Identify at least three public agency, county, city or other public officials who have been involved with a project completed by members of the development team (e.g., city managers, development staff, energy procurement staff, construction managers, planning directors, economic development directors, transit officials, etc.).
- **General** - Provide the names of up to two other contacts that could provide information about the experience and capability of members of the development team to complete the proposed project.

## 9. Additional Information

A successful developer must provide any additional information that it believes BART should take into consideration while evaluating its qualifications.

### C. Submission of Statement of Qualifications

Respondents need to submit seven copies, one unbound original and six bound copies of their qualifications to:

San Francisco Bay Area Rapid Transit District  
Attn: Paul Voix, Principal Property Development Officer  
300 Lakeside Drive, 22<sup>nd</sup> Floor  
Oakland, CA 94612

All submittals must be received by BART at the above address no later than 4:00 P.M., local time, August 18, 2014. Material received after this time may not be accepted.

### D. Submission Confidentiality

The California Public Records Act (California Government Code Sections 6250 et seq.) mandates public access to government records. Therefore, unless the information is exempt from disclosure by law, the material submitted may be made available to the public.

## **V. EVALUATION OF QUALIFICATIONS**

An Evaluation Committee consisting of BART employees will evaluate the submitted statements of qualifications. Qualifications will be reviewed to determine if the minimum qualifications as described in Section III of this RFQ are met. Submittals not meeting minimum qualifications will be disqualified from further consideration.

BART may seek written clarification from any or all developers.

At its discretion, the Evaluation Committee may choose to conduct interviews with all or a short list of developers and consider the interviews in making its recommendation to the BART Board.

Submitted qualifications, as clarified in interviews, if applicable, will be evaluated in accordance with the following criteria:

### **A. Financial capability of development team, including lender references**

- Demonstrated ability to finance a project of the magnitude that is being considered.
- Strength of current relationships with financial institutions.
- Overall financial performance of past projects.
- Litigation and bankruptcy disclosures.

### **B. Development team's experience with parking lot/rooftop photovoltaic (PV) systems of similar size and scope**

- Development experience of team members assigned to the project.
- Experience with similar parking lot/rooftop PV systems projects.

### **C. Experience with local development, the community, and public agencies**

- Relevant experience in the respective area where the project takes place.
- Experience with public agency projects.
- Employment of small businesses, WBEs and MBEs in the planning, design, construction and commercial leasing of projects.

### **D. Performance Considerations**

- Ability to provide guarantees described in Section IV herein.

The above described criteria will be used solely for the purposes of identifying qualified developer to recommend to the BART Board of Directors for exclusive negotiations.

## **VI. SCHEDULE OF ACTIVITIES**

### **A. Request for Qualifications Timeline**

The following timeline is provided for planning purposes, but is subject to change at BART's discretion:

BART issues RFQ	July 7, 2014
Pre-submittal outreach conference	July 21, 2014
RFQ Final Questions due	July 28, 2014
BART Responses RFQ Questions/Clarification	August 4, 2014
Qualifications submittals Due	August 18, 2014
Staff Recommendation (estimated)	September 2014
Board Authorization (estimated)	September 2014

### **B. Pre-submittal Conference**

A pre-submittal conference will be held on Monday, July 21, 2014 at 10:00 AM to 12 Noon in the BART Board Room located at the Kaiser Center 20<sup>th</sup> Street Mall, 3<sup>rd</sup> Floor, 344 Thomas L. Berkeley Way (20<sup>th</sup> Street), Oakland, CA (94612).

### **C. Submission of Questions and Requests for Clarification**

Any questions or requests for clarification regarding this solicitation should be mailed to Paul Voix, Principal Property Development Officer at 300 Lakeside, 22nd Floor, Oakland, CA 94612, or by email at [pvoix@bart.gov](mailto:pvoix@bart.gov). BART's reply will be sent electronically to Pre-Submittal Outreach Conference registered attendees.



Appendix A

BART Prevailing Wage Policy Board Minutes  
September 10, 1987

SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT  
800 Madison Street, P. O. Box 12688, Oakland, CA 94604-2688  
464-6000

Board of Directors

Minutes of the 788th Meeting

September 10, 1987

A regular meeting of the Board of Directors was held September 10, 1987, convening at 9:15 a.m. in the Board Room, 800 Madison Street, Oakland, California. President Pryor presided; Phillip O. Ormsbee, District Secretary.

Directors present: Directors Allen, Bianco, Glenn, Kirkwood, Shartsis, Simpson, Smith, Ussery, and Pryor.

Absent: None.

Consent Calendar items brought before the Board were:

1. Approval of the Minutes of the meeting of August 27, 1987.
2. Fund transfer agreements for State Article XIX guideway funds for the Fiscal Year 1988/89.
3. Request for proposals; Integrated Control System Network Switch.
4. Authorization to amend the agreement with Metropolitan Transportation Commission for the Fremont-South Bay Corridor Study.
5. Acceptance of Contract No. 03FK-110, Electrical Service Up-grade at Berkeley Hills Tunnel.
6. Proposal/Contracts:
  - (a) Award of No. 6381, Herbicides.
  - (b) Rejection of bids and permission to readvertise No. 6349, Gasoline and Diesel Fuel.
7. Three-year extension of concession permit for Concord Flower Shop.

Consent Calendar motions, as follows, were moved as a unit by Director Kirkwood. Director Smith seconded the motion, which carried. Ayes - 9: Directors Allen, Bianco, Glenn, Kirkwood, Shartsis, Simpson, Smith, Ussery, and Pryor. Noes - 0. Absent - 0.

1. That the Minutes of the meeting of August 27, 1987, be approved.
2. The adoption of Resolution No. 4220, In the matter of authorizing the filing of an application, and execution of a fund transfer agreement with the Department of Transportation for FY 1988/89 State Article XIX Guideway Funds.
3. That the Board, having found that the purchase of the Network Switch in compliance with Public Utilities Code Section 20221 does not constitute a method of procurement adequate for the District's needs, authorizes the General Manager to advertise a Request for Proposals for Contract No. 61ED-150, Integrated Control System Network Switch, by competitive negotiation under the Public Contract Code Section 20229.1. (Carried by a two-thirds vote.)
4. That the General Manager or his designee be authorized to execute an amendment to the agreement with Metropolitan Transportation Commission which will commit BART to an additional cash contribution of \$140,000 for the Fremont-South Bay Corridor Study, with BART's total cash contribution not to exceed \$290,000 for this study. (6G7112)
5. The adoption of Resolution No. 4221, In the matter of accepting Contract No. 03FK-110.
6. That the General Manager be authorized to award Proposal/Contract No. 6381, herbicides, as follows, for the bid price, to which will be added applicable sales and use taxes, pursuant to notification to be issued by the General Manager, subject to compliance with the District's protest procedure:

<u>Items Nos.</u>	<u>Bidder</u>	<u>Price as Awarded, Including 7% Sales Tax</u>
1, 3, 7, 8, and 13	Moyer Chemical Co.	\$10,608.08
6, 9, and 11	Shore Chemical Co.	620.20
2, 4, 5, 10, and 12	Van Waters & Rogers	<u>44,745.20</u>
		\$55,973.48

(A tabulation of the prices as awarded on the proposal/contract is shown above. The motion was made on the basis of analysis by the staff and certification by the Director of Finance that funds are available for this purpose.)

That all bids be rejected on Proposal/Contract No. 6349, gasoline and diesel fuel, and the contract be readvertised.

7. That the General Manager be authorized to extend the concession permit with William and Hajar McGuire for a flower stand at the Concord Station for a period of three years at a new fee of \$262 per month, to be increased each year not less than the annual Consumer Price Index.

Director Shartsis, Chairperson of the Administration Committee, reported regarding the Quarterly Performance Report on System Objectives for the period April-June, 1987.

Director Kirkwood, Chairperson of the Engineering and Operations Committee, and Mr. Demko reported regarding the agreement to review existing designs, and redesign, fabricate, and test the Prototype Multiplex Printed Circuit Cards.

After discussion, the matter was referred back to the Engineering and Operations Committee.

Director Shartsis left the meeting.

Director Kirkwood, continuing, reported regarding Contract No. 11RD/SD-130, Landscaping of Daly City Turnback and Yard.

Mr. Phillip Bortolussi, representing Watkin & Bortolussi, Inc., addressed the Board.

Director Kirkwood moved that the bids for Contract No. 11RD/SD-130, Landscaping of Daly City Turnback and Yard, be rejected, and that the General Manager be authorized to arrange for the readvertising of the contract. Director Glenn seconded the motion, which carried. Ayes - 8: Directors Allen, Bianco, Glenn, Kirkwood, Simpson, Smith, Ussery, and Pryor. Noes - 0. Absent - 1: Director Shartsis.

Director Smith, Chairperson of the Public Affairs, Access, and Legislation Committee, reported regarding the proposed pilot program for reserved patron parking in selected station lots.

After discussion, the matter was referred back to the Public Affairs, Access, and Legislation Committee.

The matter of a proposed policy on prevailing wages on BART joint development contracts was brought before the Board.

The following persons addressed the Board:

- Mr. James L. Brown, representing the Building and Construction Trades Council of Alameda County;
- Mr. Thomas J. Sweeney, representing Electricians' Local No. 595 of the Alameda County Building Trades;
- Ms. Sheila R. Abernathy, representing Columbia Electrical Construction;
- Mr. Peter Gobbo, representing the Bay Area Coordinator Association;

Mr. Henry Nunn, representing the Painters and Drywall Finishers' Apprenticeship of the East Bay;  
Ms. Mari Choi of Choi Engineering;  
Mr. Robert A. Tucknott, representing Tucknott Construction Co., Inc.;  
Mr. Charles E. Fugel, representing Plumbers' Local No. 444;  
Mr. Mike McCrary, representing McCrary Construction Co.;  
Mr. Lonnie Reid, representing Associated Builders and Contractors;  
Mr. Clarence Miller, representing Express Electric Co.;  
Mr. Jeff Adams, representing a private developer/architect;  
Ms. Pat Jones, representing Associated Builders and Contractors;  
Ms. Carole L. Bionda, representing the Nova Group, Inc.;  
Mr. Mike Smith, representing Merit Shop Training Center;  
Mr. Jim Untiedt, representing Associated Builders and Contractors;  
Mr. John Robinson, representing Associated Builders and Contractors;  
Mr. Mark Thierman;  
Ms. Anne Quick, representing Associated Builders and Contractors;  
Mr. Richard Parejo, representing Goold Electric, Inc.;  
Mr. Donald L. Wolfe, representing Associated Builders and Contractors;  
Mr. Hank White, representing Amalgamated Transit Union, Div. 1555;  
Mr. Art Carter, representing the California Pipe Trades Council and the State Association of Electrical Workers;  
Mr. Paul Guerrero, representing the United Minority Business Entrepreneurs;  
Mr. Steven Roberti, representing Contra Costa Central Labor Council, AFL-CIO;  
Mr. Bill Wright, representing Bill Wright Painting and Decorating and president of Painters and Decorators of the State of California;  
Mr. Barry Luboviski;  
Mr. William J. Kelly;  
Ms. Tammie R. Lewis, representing BWB Electric, Inc.;  
Mr. James Bradford, representing Airetech HVAC;  
Mr. Lou Reid, representing Local 595, IBEW; and  
Mr. R. A. McArdle, representing McArdle Electrical Contracting.

Director Smith moved that the Board of Directors adopt prevailing wage requirements on all BART joint development projects. Director Ussery seconded the motion.

Director Simpson left the meeting.

The motion then carried. Ayes - 5: Directors Allen, Bianco, Smith, Ussery, and Pryor. Noes - 2: Directors Glenn and Kirkwood. Absent - 2: Directors Shartsis and Simpson.

Ms. Merrilie Mitchell addressed the Board regarding a suggested bicycle pathway near the North Berkeley Station.

The matter was referred to staff, to be brought later to the Public Affairs, Access, and Legislation Committee.

President Pryor announced the Fifteenth Birthday party of BART to be held the following day, on September 11, 1987.

The meeting was then adjourned at 12:20 p.m.

Phillip O. Ormsbee  
District Secretary

## Appendix B

### Site Plans and Renderings

## Warm Springs Station Renderings (Depicting Solar Panels)



Station Site Overview

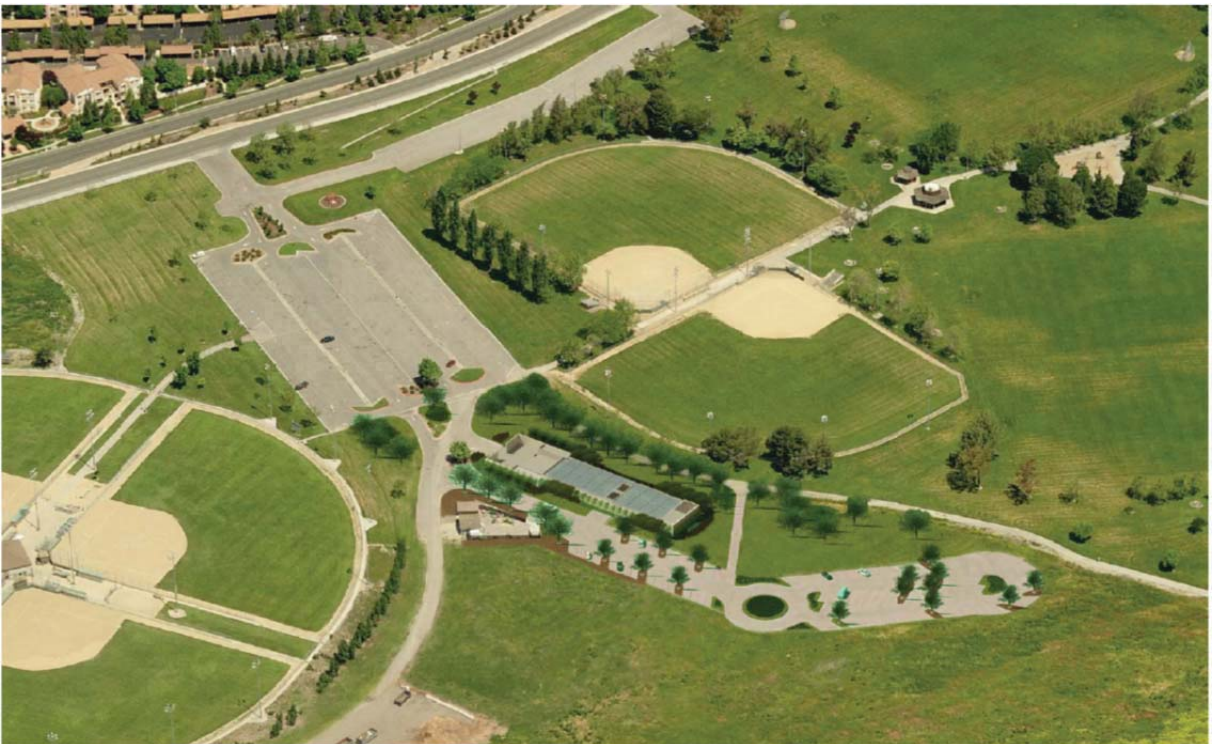


Bird's Eye View (from Northeast)

## Warm Springs Station Renderings



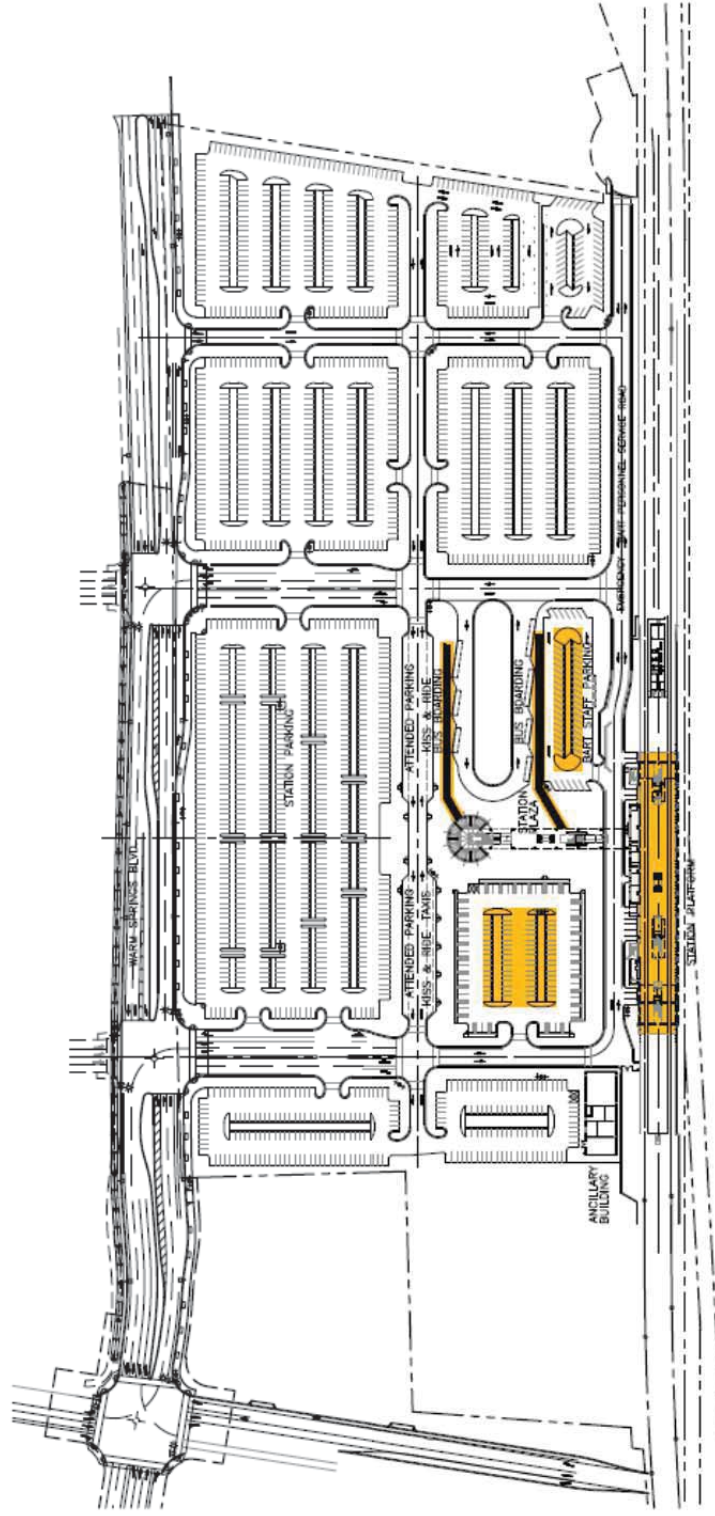
Bird's Eye View (Northwesterly)



Ventilation Structure



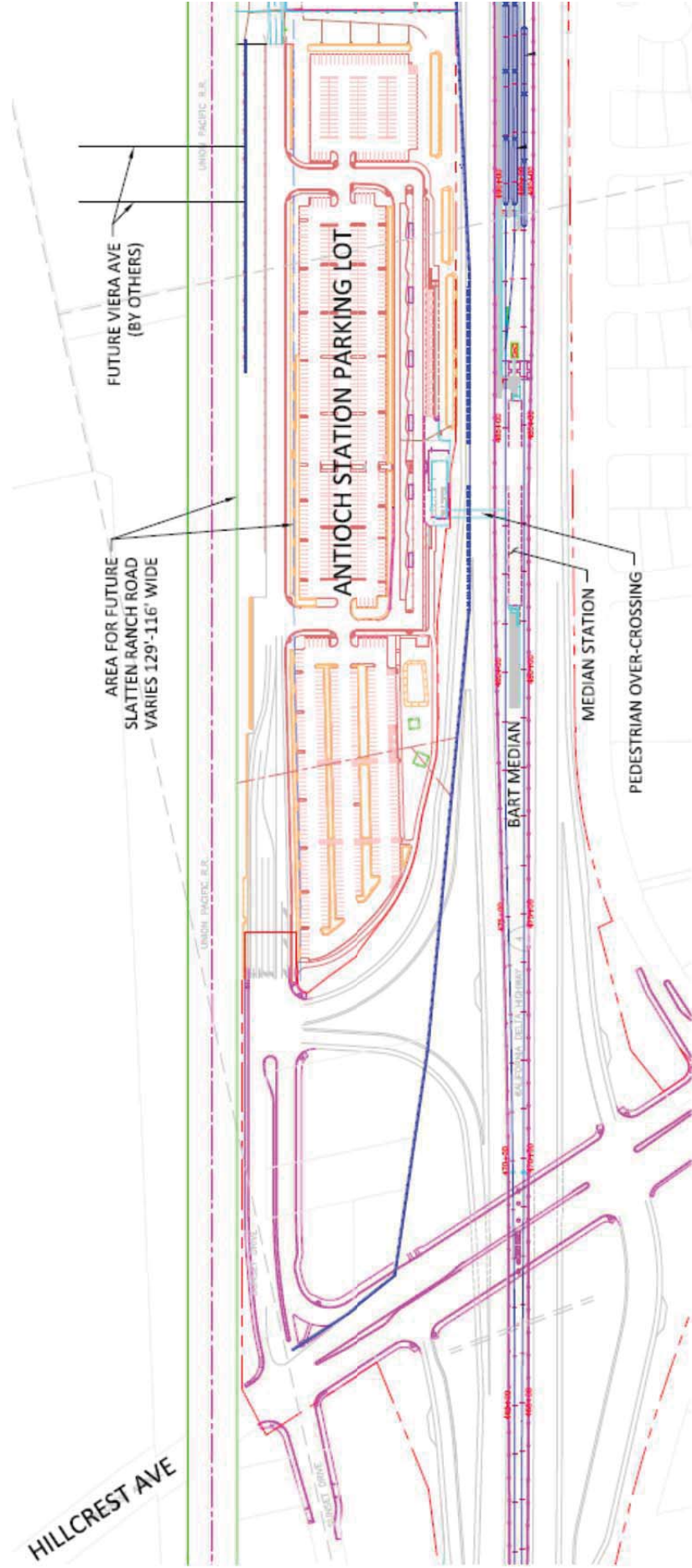
# Warm Springs Station Site Plan With Proposed PV System Locations



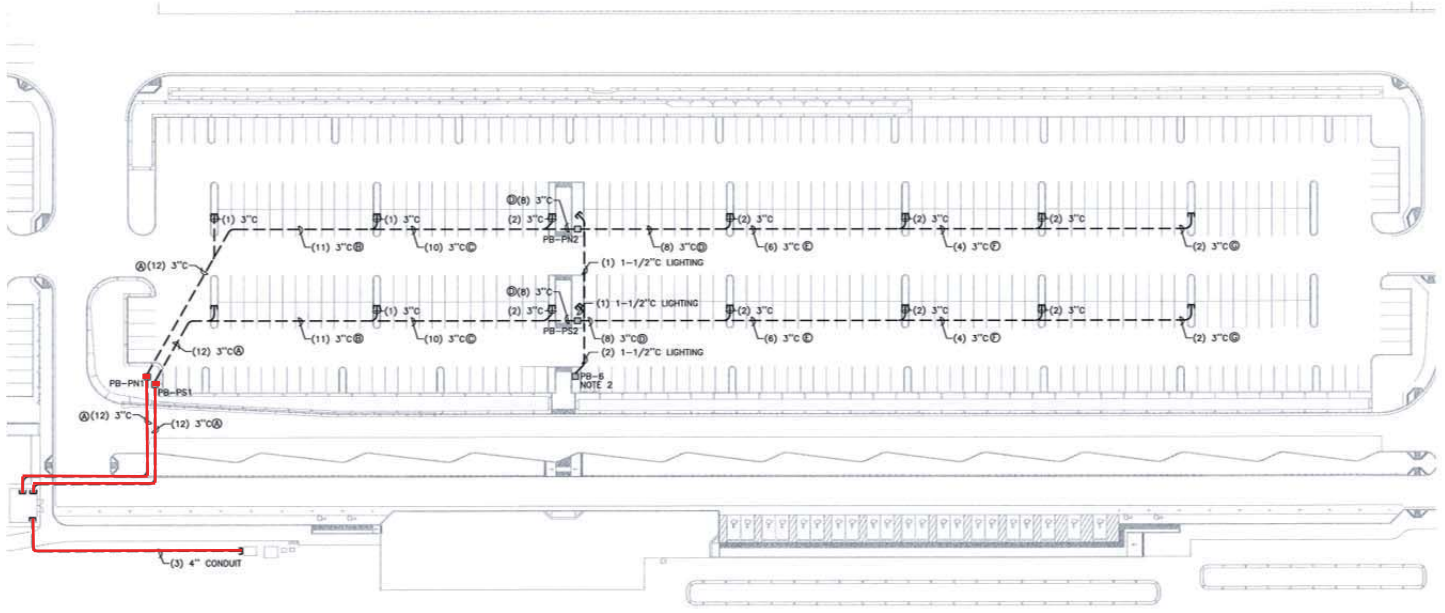
■ PROPOSED PV SYSTEM LOCATIONS



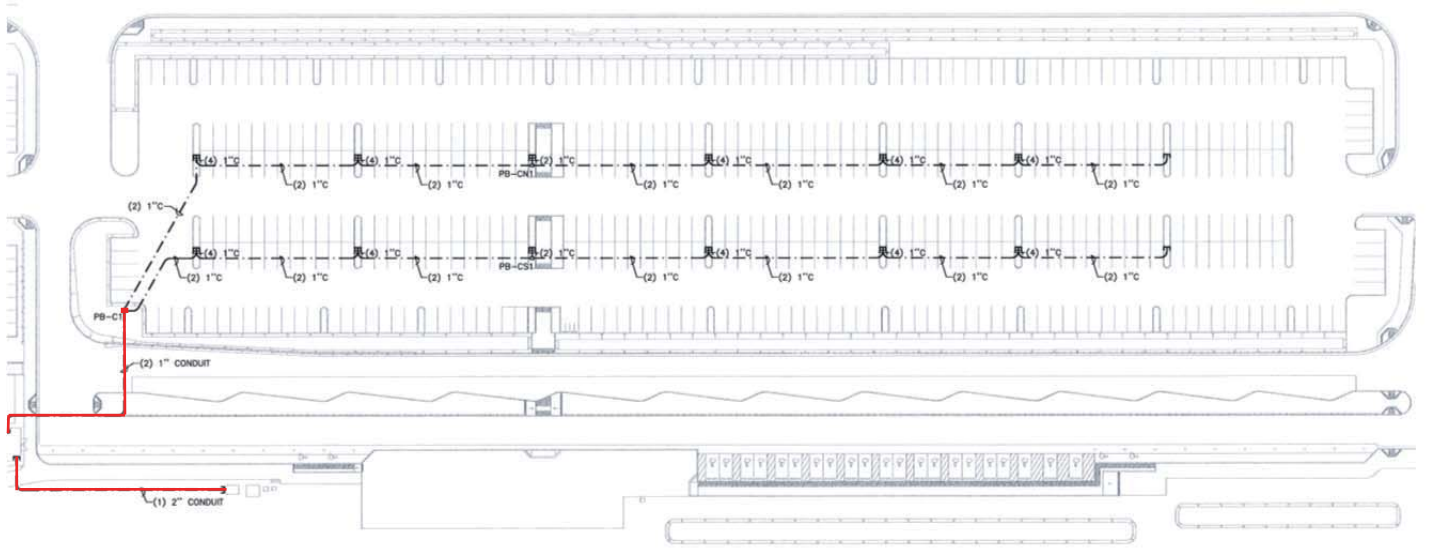
# Antioch eBART Station Site Plan



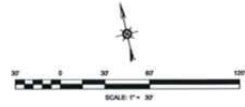
# Antioch eBART Parking Lot



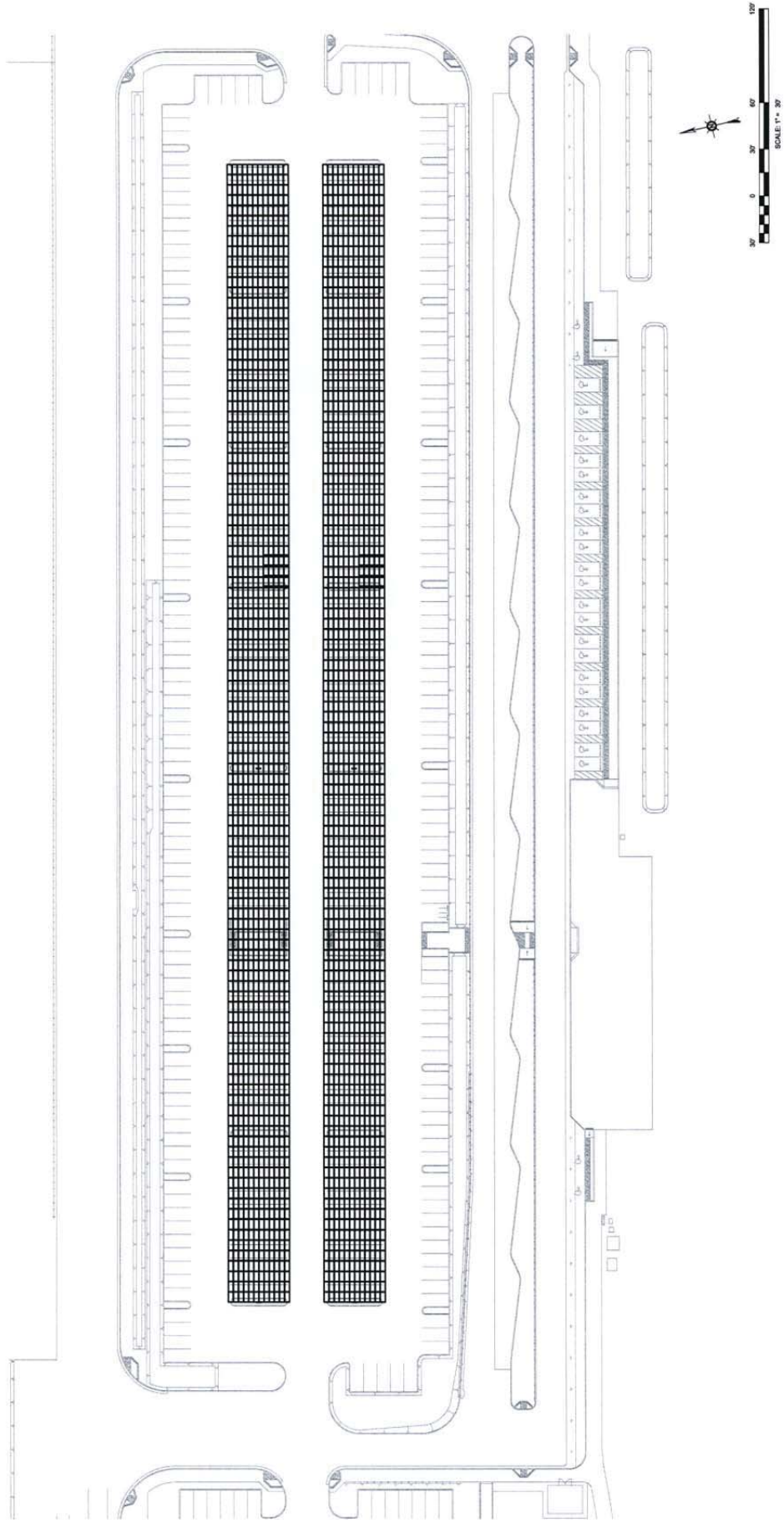
— Existing Electrical Power Conduit Layout for future PV System



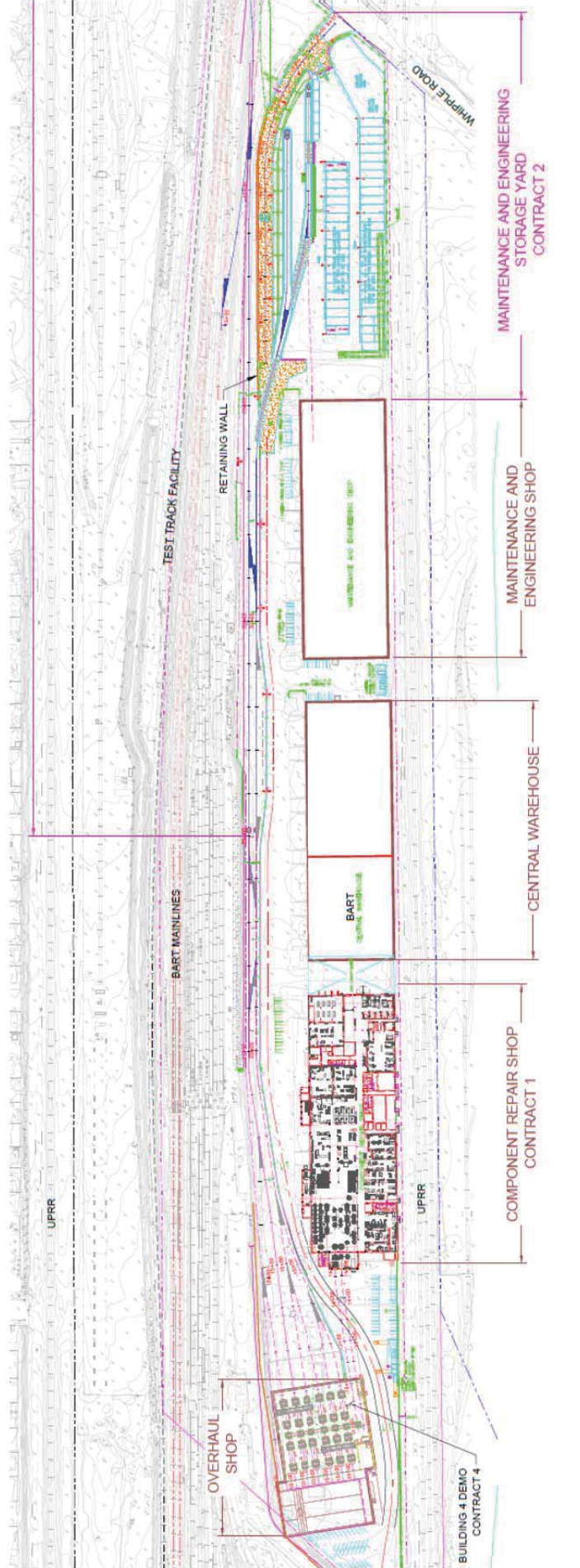
— Existing Communication Conduit Layout for future PV System



# Antioch eBART Station Parking Lot Suggested PV Layout

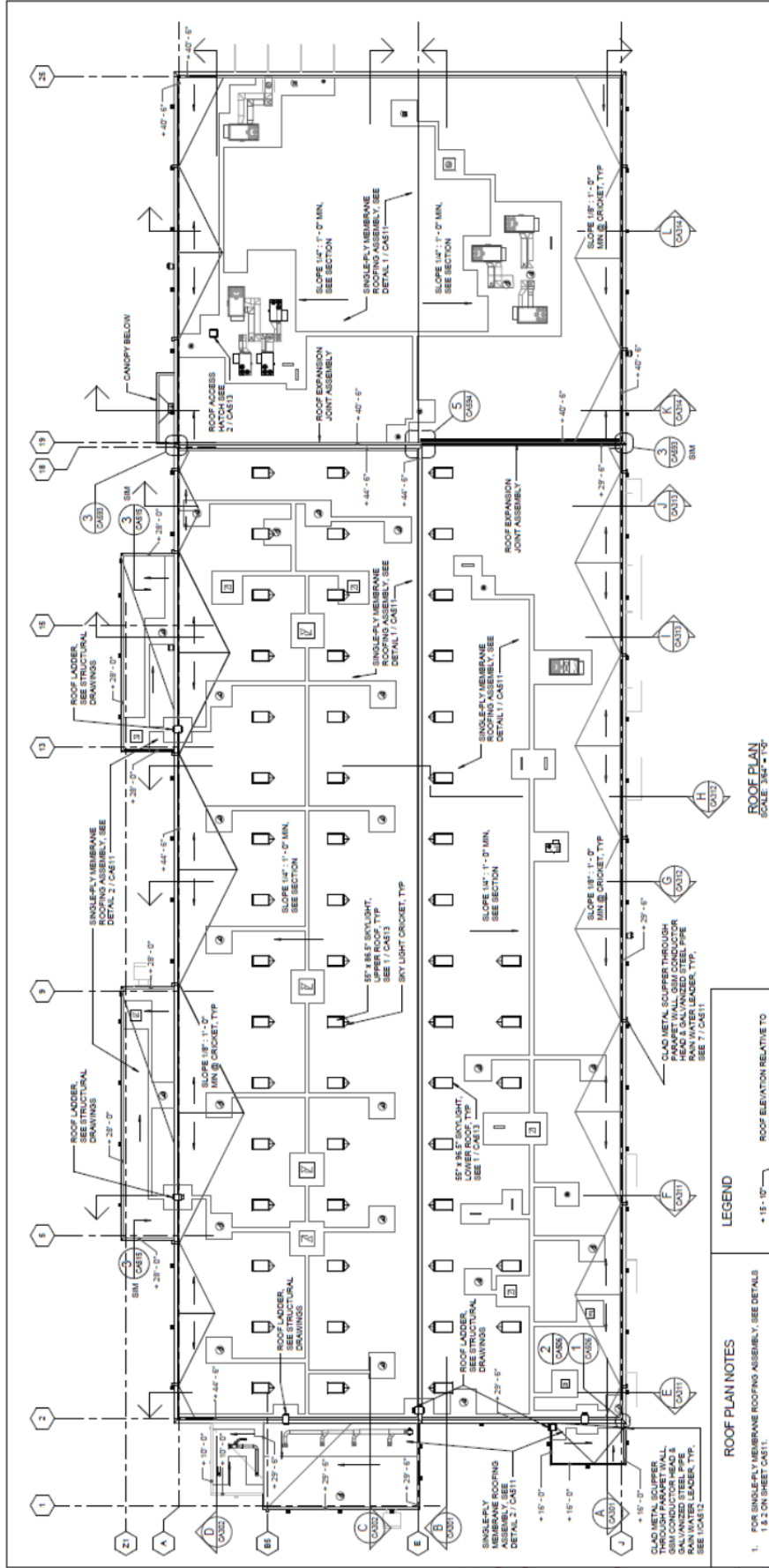


# Hayward Maintenance Complex Site Plan



HAYWARD MAINTENANCE COMPLEX (01RQ)

# Hayward Maintenance Complex Component Repair Shop Rooftop Plan



**ROOF PLAN NOTES**

- FOR SINGLEPLY MEMBRANE ROOFING ASSEMBLY, SEE DETAILS 1 & 2 ON SHEET 04S11.
- FOR PIPE PENETRATION THRU ROOF, SEE SHEET 40A511.
- LOCATE SKYLIGHT ON STRUCTURAL STEEL BEAM AND CENTER OF BAY BETWEEN STRUCTURAL STEEL BEAMS, SEE SHEET 10A513.
- FOR SKYLIGHT CURB DETAIL, SEE SHEET 10A513.
- VERIFY AND COORDINATE ALL ROOF PENETRATION OPENING SIZES AND LOCATIONS.
- PROVIDE MODULAR BRID POST AND WIRE SYSTEM AS RECOMMENDED BY MANUFACTURER.

**LEGEND**

**ROOF PLAN**  
SCALE: 3/8\"/>



GRAPHIC SCALE  
0 21'-0\"/>

<p><b>SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT</b> FOR WONG ENGINEERING, INC.</p>		<p><b>HAYWARD MAINTENANCE COMPLEX PROJECT</b> MAINTENANCE FACILITIES COMPONENT REPAIR SHOP ROOF PLAN</p>
<p>DATE: 01/15/15 DRAWN BY: K. MURDHAM CHECKED BY: T. NARVAL LAMAS DESIGNED BY: K. MURDHAM APPROVED BY: K. MURDHAM SUBMITTED: 01/15/15</p>	<p>SCALE: 3/8\"/&gt; </p>	<p>PROJECT NO: 01RQ-110 SHEET NO: 304-1-07 CONTRACT SHEET NO: CA115</p>

## MacArthur Parking Structure Renderings



## MacArthur Parking Structure Rooftop Renderings (Depicting Solar Panel Array Option)



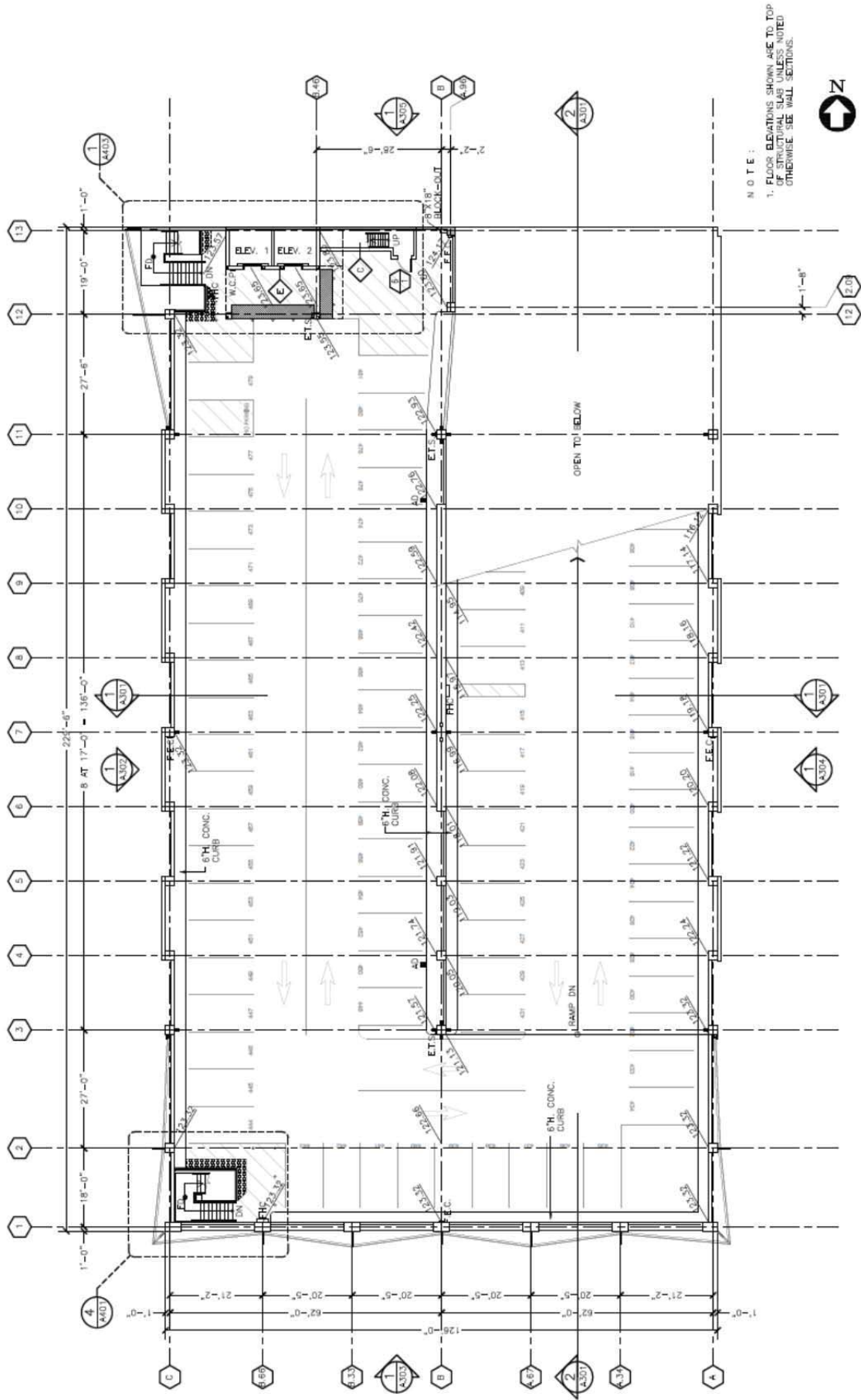
Aerial View



View from MacArthur Blvd.



# MacArthur Parking Structure Preliminary Floor Plan of Roof Level



# Proposed Walnut Creek BART Parking Structure & Transit Village Concept



# Walnut Creek Transit Village New South Parking Structure Preliminary Floor Plan of Roof Level

