

SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT
300 Lakeside Drive, P. O. Box 12688, Oakland, CA 94604-2688

AGENDAS FOR BOARD AND COMMITTEE MEETINGS

April 26, 2007
9:00 a.m.

A regular meeting of the Board of Directors and regular meetings of the Standing Committees will be held on Thursday, April 26, 2007, commencing at 9:00 a.m. All meetings will be held in the BART Board Room, Kaiser Center 20th Street Mall – Third Floor, 344 – 20th Street, Oakland, California.

Members of the public may address the Board of Directors and Standing Committees regarding any matter on these agendas. Please complete a “Request to Address the Board” form (available at the entrance to the Board Room) and hand it to the Secretary before the item is considered by the Board. If you wish to discuss a matter that is not on the agenda during a regular meeting, you may do so under General Discussion and Public Comment.

Any action requiring more than a majority vote for passage will be so noted.

Items placed under “consent calendar” and “consent calendar addenda” are considered routine and will be received, enacted, approved, or adopted by one motion unless a request for removal for discussion or explanation is received from a Director or from a member of the audience.

Please refrain from wearing scented products (perfume, cologne, after-shave, etc.) to these meetings, as there may be people in attendance susceptible to environmental illnesses.

BART provides service/accommodations upon request to persons with disabilities who wish to address BART Board matters. A request must be made within one and five days in advance of Board/Committee meetings, depending on the service requested. Please contact the Office of the District Secretary at (510) 464-6083 for information.

Kenneth A. Duron
District Secretary

Regular Meeting of the
BOARD OF DIRECTORS

The purpose of the Board Meeting is to consider and take such action as the Board may desire in connection with:

1. CALL TO ORDER

- A. Roll Call.
- B. Pledge of Allegiance.
- C. Introduction of Special Guests.

2. CONSENT CALENDAR

- A. Approval of Minutes of the Meeting of April 12, 2007.* Board requested to authorize.

- B. Adoption of Resolutions of Local Support for a Transportation for Livable Communities Grant and a Lifeline Grant Related to the Ed Roberts Campus Project at the Ashby BART Station.* Board requested to adopt.
- C. Award of Contract No. 79HE-234, Procurement of Mobile Data Computers for BART Police Patrol Cars.* Board requested to authorize.
- D. Reject All Bids for Contract No. 11AF-130, Fabrication and Installation of Street-Level Elevator Enclosures at Civic Center, Embarcadero, Montgomery Street, and Powell Street Stations.* Board requested to reject.

RECESS TO STANDING COMMITTEES

Immediately following the Standing Committee Meetings, the Board Meeting will reconvene, at which time the Board may take action on any of the following committee agenda items.

ALL COMMITTEES ARE ADVISORY ONLY

ADMINISTRATION COMMITTEE

Immediately following the Board Meeting recess

Director Franklin, Chairperson

- A-1. New Employee Relocation Expense Reimbursement for the Component Shop Superintendent Position.* Board requested to authorize.
- A-2. District Participation in Proposed Northern California Power Agency (NCPA) Power Plant.* For information.
- A-3. General Discussion and Public Comment.

ENGINEERING AND OPERATIONS COMMITTEE

Director Fang, Chairperson

NO REPORT.

PLANNING, PUBLIC AFFAIRS, ACCESS, AND LEGISLATION COMMITTEE

Immediately following the Administration Committee Meeting

Director Radulovich, Chairperson

- C-1. Authorize Developer Solicitation for the Glen Park BART Station.* Board requested to authorize.
- C-2. Execution of Contract Option for CDSNet, LLC for the Sales and Exchange of Tickets.* Board requested to authorize.
- C-3. (CONTINUED from April 12, 2007, Planning, Public Affairs, Access, and Legislation Committee Meeting)
Strategic Plan Update.* For information.

C-4. General Discussion and Public Comment.

RECONVENE BOARD MEETING

3. CONSENT CALENDAR ADDENDA

Board requested to authorize as recommended from committee meetings above.

4. REPORTS OF STANDING COMMITTEES

A. ADMINISTRATION COMMITTEE

A-1. New Employee Relocation Expense Reimbursement for the Component Shop Superintendent Position.* Board requested to authorize.

A-2. District Participation in Proposed Northern California Power Agency (NCPA) Power Plant.* For information.

B. ENGINEERING AND OPERATIONS COMMITTEE
NO REPORT.

C. PLANNING, PUBLIC AFFAIRS, ACCESS, AND LEGISLATION COMMITTEE

C-1. Authorize Developer Solicitation for the Glen Park BART Station.* Board requested to authorize.

C-2. Execution of Contract Option for CDSNet, LLC for the Sales and Exchange of Tickets.* Board requested to authorize.

C-3. (CONTINUED from April 12, 2007, Planning, Public Affairs, Access, and Legislation Committee Meeting)
Strategic Plan Update.* For information.

5. GENERAL MANAGER'S REPORT

NO REPORT.

6. BOARD MATTERS

A. Report of the District Security Advocacy Ad Hoc Committee. For information.

B. (CONTINUED from March 22, 2007, Board Meeting)
Report of the District Organizational Review Ad Hoc Committee: First Set of Actions Proposed by the Ad Hoc Committee.* Board requested to authorize.

C. Roll Call for Introductions.

7. GENERAL DISCUSSION AND PUBLIC COMMENT

8. CLOSED SESSION (Room 303, Board Conference Room)

A. PUBLIC EMPLOYMENT APPOINTMENT:

Title: General Manager
Gov't. Code Section: 54957(b)(1)

B. CONFERENCE WITH LABOR NEGOTIATORS – PUBLIC
EMPLOYEE PERFORMANCE EVALUATION:

Agency Negotiators: Directors Keller, Sweet, and Ward Allen
Titles: General Manager
General Counsel
Controller/Treasurer
District Secretary
Gov't. Code Sections: 54957 and 54957.6

9. OPEN SESSION

A. Employee Recruitment and Relocation for the Position of General
Manager. Board requested to authorize.



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>Donna Wong</i>		GENERAL MANAGER ACTION REQ'D: Approve and Forward to Board for Approval		
DATE: <i>4/20/07</i>		BOARD INITIATED ITEM: No		
Originator/Prepared by: Joanne Parker Dept: Capital Development and Control Ext. 4795 Signature/Date: <i>J. Parker 4/19/07</i>	General Counsel <i>S. Wasserman 4.19.07</i>	Controller/Treasurer <i>[Signature]</i>	District Secretary	BARC

NARRATIVE:

Adoption of Resolutions of Local Support for a Transportation for Livable Communities Grant and a Lifeline Grant Related to the Ed Roberts Campus Project at the Ashby BART Station

Purpose:

To request Board adoption of the two attached Resolutions of Local Support for acceptance of a Transportation for Livable Communities (TLC) Program Capital Grant and a Lifeline Grant for project components related to the Ed Roberts Campus Project at the Ashby BART Station.

Discussion:

The Ed Roberts Campus Project (ERC Project) will result in the construction of an approximately 80,000-square-foot facility on the east side of the Ashby BART Station. The ERC Project will include the offices of ERC, the ERC partner organizations, meeting rooms, a computer/media resource center, a café, a childcare center, and other office space. The ERC Project is estimated to serve approximately 500 people a day, most of whom will arrive by public transportation. In addition to ERC and its partners, the City of Berkeley and BART, the Metropolitan Transportation Commission (MTC) and AC Transit have also been involved in the planning and development of the ERC Project.

ERC, with the cooperation of BART and the City of Berkeley, has sought grant funds from various sources to pay for the ERC Project. ERC has succeeded in obtaining two programming actions, one from the MTC for \$2,000,000 of capital funds from the Regional TLC Program and one from the Alameda County Congestion Management Agency (CMA) for \$1,385,760 of capital funds from the Lifeline Program. As these funds will be federalized and will be transferred to the project via the Federal Transit Administration (FTA), ERC has requested that BART act as the primary grantee pass-through agent. A Fund Pass-Through Agreement between BART and ERC has been executed. The MTC, the administrator of both the Regional TLC Program and the fund allocation of the Lifeline Program, has requested that BART, as the designated primary grantee, adopt resolutions of local support for each of the grants. BART staff has worked with ERC staff and MTC staff to ensure that the resolutions of local support accurately reflect the unique arrangement between the BART and the ERC.

Key points of the attached TLC and Lifeline resolutions are as follows: (1) TLC Program funding for the ERC Project is fixed at \$2,000,000; (2) the 11.47% local match requirement for the TLC funds will total \$229,400, and will be provided by the ERC; (3) any cost increases to the

EDD: Resolutions of Local Support for Grants Related to the Ed Roberts Campus Project

project must be secured by the ERC from other revenues; (4) Lifeline Program funding for the ERC is fixed at \$1,385,760; and for both the TLC and the Lifeline program funding, (5) MTC expects that BART will obligate the funds before May 31, 2009; and (6) ERC commits to complete the project. The total construction cost of the ERC Project is estimated to be approximately \$38.8 million with the remaining \$35.4 million to be committed to the project by other public and private fund sources.

Fiscal Impact:

This action has no fiscal impact on District Reserves. Overall project funding of \$38.8 million for the ERC Project will be secured via multiple public and private grant actions.

Alternatives:

Do not adopt the attached Resolutions. If the Resolutions are not adopted, BART would risk loss of \$3,385,760 in grant revenues on behalf of ERC.

Recommendation: Adoption of the following Motion.

Motion: Adoption of the attached two Resolutions.

**Resolution of Local Support
SAFETEA STP/CMAQ Funding**

Resolution No.

Authorizing the filing of an application for federal Surface Transportation Program (STP) and/or Congestion Mitigation and Air Quality Improvement (CMAQ) funding and committing the necessary non-federal match and stating the assurance to complete the project

WHEREAS, BART (herein referred as APPLICANT) is submitting an application to the Metropolitan Transportation Commission (MTC) for \$2,000,000 in funding from the federal Surface Transportation Program (STP) and/or Congestion Mitigation and Air Quality Improvement (CMAQ) program on behalf of the Ed Roberts Campus (herein referred as PROJECT MANAGER) in support of the Transportation Enhancements to Ashby BART Station/Ed Roberts Campus (herein referred as PROJECT) for the MTC Transportation for Livable Communities, MTC Resolution Number 3723, (herein referred as PROGRAM); and

WHEREAS, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA) (Public Law 109-59, August 10, 2005) continues the Surface Transportation Program (23 U.S.C. § 133) and the Congestion Mitigation and Air Quality Improvement Program (CMAQ) (23 U.S.C. § 149); and

WHEREAS, pursuant to SAFETEA, and the regulations promulgated thereunder, eligible project sponsors wishing to receive federal Surface Transportation Program and/or Congestion Mitigation and Air Quality Improvement Program (STP/CMAQ) funds for a project shall submit an application first with the appropriate Metropolitan Planning Organization (MPO), for review and inclusion in the MPO's Transportation Improvement Program (TIP); and

WHEREAS, the Metropolitan Transportation Commission (MTC) is the MPO for the nine counties of the San Francisco Bay region; and

WHEREAS, MTC has adopted a Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised) that sets out procedures governing the application and use of STP/CMAQ funds; and

WHEREAS, APPLICANT is an eligible project sponsor for STP/CMAQ funds; and

WHEREAS, as part of the application for STP/CMAQ funding, MTC requires a resolution adopted by the responsible implementing agency stating the following:

- 1) the commitment of necessary local matching funds of at least 11.47%; and
- 2) that the sponsor understands that the STP/CMAQ funding is fixed at the programmed amount, and therefore any cost increase cannot be expected to be funded with additional STP/CMAQ funds; and
- 3) that the project will comply with the procedures specified in Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised); and
- 4) the assurance of the sponsor to complete the project as described in the application, and if approved, as included in MTC's TIP; and
- 5) that the project will comply with all the project-specific requirements as set forth in

Transportation for Livable Communities program.

NOW, THEREFORE, BE IT RESOLVED that BART is authorized to execute and file an application for funding under the Surface Transportation Program (STP) and Congestion Mitigation and Air Quality Improvement Program (CMAQ) of SAFETEA for Transportation Enhancements to Ashby BART Station/Ed Roberts Campus; and be it further

RESOLVED that the APPLICANT by adopting this resolution does hereby state that:

1. PROJECT MANAGER will provide \$229,400 in non-federal matching funds; and
2. APPLICANT and PROJECT MANAGER understand that the STP/CMAQ funding for the project is fixed at the MTC approved programmed amount, and that any cost increases must be funded by the PROJECT MANAGER from other funds, and that APPLICANT does not expect any cost increases to be funded with additional STP/CMAQ funding; and
3. APPLICANT and PROJECT MANAGER understand the funding deadlines associated with these funds and will comply with the provisions and requirements of the Regional Project Funding Delivery Policy (MTC Resolution No. 3606, as revised); and
4. PROJECT will be implemented as described in the complete application and in this resolution and, if approved, for the amount programmed in the MTC federal TIP; and
5. APPLICANT and PROJECT MANAGER and the PROJECT will comply with the requirements as set forth in Transportation for Livable Communities; and therefore be it further

RESOLVED that APPLICANT is an eligible sponsor of STP/CMAQ funded projects; and be it further

RESOLVED that APPLICANT is authorized to submit an application for STP/CMAQ funds for the PROJECT; and be it further

RESOLVED that there is no legal impediment to APPLICANT making applications for the funds; and be it further

RESOLVED that there is no pending or threatened litigation that might in any way adversely affect the proposed PROJECT, or the ability of APPLICANT to deliver such PROJECT; and be it further

RESOLVED that APPLICANT authorizes its Executive Director, General Manager, or designee to execute and file an application with MTC for STP/CMAQ funding for the PROJECT as referenced in this resolution; and be it further

RESOLVED that a copy of this resolution will be transmitted to the MTC in conjunction with the filing of the application; and be it further

RESOLVED that the MTC is requested to support the application for the PROJECT described in the resolution and to include the PROJECT, if approved, in MTC's TIP.

Resolution of Local Support
Lifeline Project Funding

Resolution No. _____

WHEREAS, the Metropolitan Transportation Commission (MTC) has established a Lifeline Transportation Program to assist in funding projects that 1) are intended to result in improved mobility for low-income residents of the nine San Francisco Bay Area counties, 2) are developed through a collaborative and inclusive planning process and 3) are proposed to address transportation gaps and/or barriers identified through a Community-Based Transportation Plan or are otherwise based on a documented assessment of needs; and

WHEREAS, MTC has identified a certain amount of funds in the Job Access Reverse Commute (JARC), Congestion Mitigation and Air Quality (CMAQ) and State Transit Assistance (STA) programs to be made available for eligible projects for a three year interim program; and

WHEREAS, MTC adopted principles, pursuant to MTC Resolution No. 3726, Revised, to guide implementation of the Lifeline Transportation Program for the three year period from Fiscal Year 2005-06 through Fiscal Year 2007-08, and has designated the County Congestion Management Agency (or another countywide entity) in each of the nine bay area counties to help with recommending project selections and project administration; and

WHEREAS, the Alameda County Congestion Management Agency (ACCMA) has been designated by MTC to assist with the Lifeline Transportation Program in Alameda County on behalf of MTC; and

WHEREAS, the ACCMA conducted a competitive call for projects for the Lifeline Transportation Program in Alameda County; and

WHEREAS, the Ed Roberts Campus and the City of Berkeley submitted a project(s) in response to the competitive call for projects; and

WHEREAS, the ACCMA, after review, recommends the Ed Roberts Campus and the City of Berkeley's proposed project(s), described more fully on Attachment A to this Resolution, attached to and incorporated herein as though set forth at length, be funded in part under the Lifeline Transportation Program; and

WHEREAS, the Ed Roberts Campus and BART agree to meet project delivery and obligation deadlines, provide for the required local matching funds, and all other conditions set forth in MTC Resolution No. 3726 Revised; and

WHEREAS, BART certifies that the project(s) and purpose(s) for which funds are being requested is in compliance with the requirements of the California Environmental

Quality Act (Public Resources Code Section 21000 et seq.), and with the State Environmental Impact Report Guidelines (14 California Code of Regulations Section 1500 et seq.), through the Mitigated Negative Declaration adopted by the City of Berkeley and recorded by Alameda County in March 2005, and the National Environmental Policy Act (NEPA), 42 USC Section 4-1 et seq. and the applicable regulations thereunder; as included in the Findings of No Significant Impact prepared by the City of Berkeley for HUD in May 2006 and submitted by BART to the FTA for concurrence, and

WHEREAS, the Ed Roberts Campus and the City of Berkeley have requested that BART act as the grant manager for these funds and an agreement between BART and the Ed Roberts Campus has been signed to pass through funds from BART to the Ed Roberts Campus; and

WHEREAS, the Ed Roberts Campus is the responsible project manager for the implementation of this grant and the agreement between BART and the Ed Roberts Campus spells out the roles and responsibilities of each agency; and

WHEREAS there is no legal impediment to BART making the funding request; and

WHEREAS, there is no pending or threatened litigation which might in any way adversely affect the ability of BART, the City of Berkeley and the Ed Roberts Campus to deliver the proposed project(s) for which funds are being requested, and

RESOLVED, that BART request that MTC grant funds available under its Lifeline Transportation Program, in the amounts requested for which BART is eligible, for the project(s) described in Attachment A of this Resolution; and be it further

RESOLVED, that staff of BART shall forward a copy of this Resolution, and such other information as may be required, to MTC, the ACCMA, and such other agencies as may be appropriate.

BART Resolution of Local Support

Lifeline Project Funding

Resolution Number _____

ATTACHMENT A

Project Title: Ashby BART Station/Ed Roberts Campus, Berkeley

Project Applicant: City of Berkeley, Ed Roberts Campus

Project Amount: \$1,385,760

Project Description: Contributes to the installation of new ramp, staircase, pedestrian pathway and new crosswalk on Adeline, and transit plaza and universally designed bus shelter and transit information kiosk and signage.



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>[Signature]</i>		GENERAL MANAGER ACTION REQ'D: Approve and forward to the Board of Directors	
DATE: 4/20/07		BOARD INITIATED ITEM: No	
Originator/Prepared by: Carissa Goldner Dept: Police Department Ext. 7606 <i>[Signature]</i> Signature/Date: 4/12/2007	General Counsel <i>[Signature]</i> 4/12/2007	Controller/Treasurer <i>[Signature]</i> 4/13/07	District Secretary BARC <i>[Signature]</i> 4/16/07

NARRATIVE:

Award Contract No. 79HE-234 For Procurement of Mobile Data Computers for BART Police Patrol Vehicles

PURPOSE:

To obtain Board authorization for the General Manager to award Contract No. 79HE-234, for the Procurement of Mobile Data Computers (MDCs) for BART Police Patrol Vehicles to DSFreeman Co, LLC dba Wireless Mobydata.

DISCUSSION:

This Contract consists of furnishing components of MDCs which will be installed in BART Police Patrol Vehicles by a District-designated contractor. The Contract also provides for maintenance support Monday through Friday on an as-needed basis.

This Contract is a requirements contract for a three (3) year term with an estimated quantity. The bid price is based on an estimate quantity of 30 MDCs, however, the District is only obligated to purchase 10 MDCs. The initial purchase for this contract will be twelve (12) MDCs in the amount of \$96,000. Additional MDC purchases are subject to availability of funds. Only the initial purchase is associated with the Fiscal Impact statement below, as uncommitted funds are currently anticipated for other projects.

The Police Department began researching the feasibility of utilizing MDCs to enhance Department operations and communication in August 2005. The Department created a Committee comprised of twenty-three (23) Police employees as well as employees from the Information Technology Department. The Committee invited five (5) companies to discuss available MDC technology for Law Enforcement Agencies. The Committee also discussed ergonomic, connectivity and functionality concerns for the Department. Requirements for a beneficial MDC solution were developed by the Committee over a course of three (3) months. These requirements provided the foundation for the Technical Specifications in this Contract.

This Contract will enable the Police Department to procure the MDC solution best suited for our Department needs and thereby improve officer safety, enhance process efficacy, increase communication and improve employee performance. Installation of the initial twelve (12) MDCs to be ordered under the Contract will be completed within sixty (60) days of issuance of the Notice to Proceed.

This was a two-step sealed bid contract. Advance Notice to Bidders was mailed on November 22, 2006 to ten firms. The Contract Book was advertised on November 25, 2006 in the Oakland Tribune and the San Francisco Chronicle. A total of six firms purchased the Contract Book. A Pre-Bid Meeting was held on December 12, 2006 with eight (8) firms attending. A Vehicle Inspection was completed at the conclusion of the Pre-Bid Meeting. Each bidder was required to concurrently submit a separate Technical and Price Bid. One bid was received on February 27, 2007 from DSFreeman Co, LLC dba Wireless Mobydata ("Wireless Mobydata"). The Selection Committee evaluated the responsiveness of the bid and the

EDD: Award Contract No. 79HE-234 For Procurement of Mobile Data Computers for BAR

technical qualifications of the bidder and determined that Wireless Mobicdata was responsive and met the minimum technical requirements. Wireless Mobicdata's price bid was publicly opened on March 6, 2007. The bid, and the Engineer's Estimate, are as follows:

<u>Bidder</u>	<u>Total Amount Bid</u>
Wireless Mobicdata	\$245,491.50
Engineer's Estimate	\$300,000.00

The Technical and Price Bids submitted by the apparent low bidder, Wireless Mobicdata, are responsive, and Wireless Mobicdata has been determined to be responsible. Wireless Mobicdata's price bid is determined to be fair and reasonable. Its price is 18% lower than the Engineer's estimate.

FISCAL IMPACT:

Funding for the initial \$96,000 purchase is included in the total project budget for the FMS# 79HE, Procurement of Mobile Data Computers for BART Police Patrol Vehicles. The Office of the Controller/Treasurer certifies that funds are currently available to meet the obligation for this initial purchase.

<u>1995 Sales Tax Revenue Bond</u>	<u>51F</u>	<u>\$96,000</u>
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As of the month ending 2/25/07, \$402,334 is available for commitment from this fund source for this project, and \$59,576 has been committed by BART to date. There is a \$66,000 pending commitment in BART's financial management system. This action will commit an additional \$96,000, leaving an uncommitted balance of \$180,758 in this fund source.

BART Capital Development and Control will certify the eligibility of identified funding sources, and the Controller/Treasurer will certify the availability of funding prior to additional MDC purchases.

There is no fiscal impact on available unprogrammed District Reserve.

ALTERNATIVE:

The alternative is not to award the Contract. If the Contract is not awarded, the Police Department will experience operations failures, communications interruptions, decreased employee performance and increased threats to officer safety.

RECOMMENDATION:


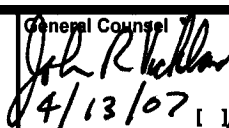


It is recommended that the Board adopt the following motion:

MOTION:

The General Manager is authorized to award Contract No. 79HE-234 for the Procurement of Mobile Data Computers for BART Police Patrol Vehicles, which is a requirements contract to DSFreeman Co, LLC dba Wireless Mobicdata, for the bid price of \$245,491.50, including applicable taxes, pursuant to notification by the General Manager.



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: 		GENERAL MANAGER ACTION REQ'D: Approve and Forward to the Board		
DATE: 4/17/07		BOARD INITIATED ITEM: No		
Originator/Prepared by: Isaac Lim Dept: M&E Ext. 6150	General Counsel  4/13/07	Controller/Treasurer  4/16/07	District Secretary []	BARC  4/17/07
Signature/Date:				

NARRATIVE:

Reject All Bids for Contract No. 11AF-130 Fabrication and Installation of Street-Level Elevator Enclosures at Civic Center, Embarcadero, Montgomery St., and Powell St. Stations

PURPOSE:

To reject all bids for Contract No. 11AF-130, Fabrication and Installation of Street-Level Elevator Enclosures at Civic Center, Embarcadero, Montgomery Street, and Powell Street Stations.

DISCUSSION:

This Contract is to provide replacement elevator enclosures for the street-level elevators at Civic Center, Embarcadero, Montgomery Street, and Powell Street Stations. The new enclosures are required to provide structural support for the elevator cabs. Modification of these elevators will be performed under a separate contract.

On November 27, 2006 Advance Notice to Bidders was mailed to 117 prospective bidders and contract documents were sent to 23 plan rooms. This contract was advertised on November 30, 2006 in local publications. Two firms purchased copies of the contract documents. A pre-bid meeting was held on December 12, 2006 with 2 prospective bidders attending. On January 9, 2007, the following two bids were received and opened:

No.	Bidder		Total Bid (Lump Sum)
1.	Nari Construction Co., Inc.	Hayward, CA	\$776,000.00
2.	William P. Young Construction, Inc.	San Leandro, CA	\$1,044,683.00
	Engineer's Estimate		\$550,000.00

The bids submitted by Nari Construction and William P. Young Construction are respectively 41% and 89.9% higher than the Engineer's estimate. After evaluation of the bids, Staff has determined that the contract should be re-bid for the following reason:

Both bids received were considerably higher than the District's budget for this Contract. The bid for the glass component of the work, which accounts for approximately one third of the total bid price, was deemed excessive after confirmation by a quote from the District's on-call glass-replacement vendor. Staff believes that re-advertising the contract with some changes and clarifications should attract more bidders with more competitive bids.

FISCAL IMPACT:

There is no fiscal impact to the District as a result of this action.

ALTERNATIVE:

Award the contract to Nari Construction, Inc. As the award would exceed the budget for this contract, the District would need to find a way to augment the budget.

EDD: Reject All Bids for Contract No. 11AF-130 Fabrication and Installation of Street-Level

RECOMMENDATION:

It is recommended that the Board adopt the following motion:

MOTION:

All bids received for Contract 11AF-130, Fabrication and Installation of Street-Level Elevator Enclosures at Civic Center, Embarcadero, Montgomery St. and Powell St. Stations, are rejected.



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: 		GENERAL MANAGER ACTION REQ'D: Approve and forward to Board		
DATE: 4/20/07		BOARD INITIATED ITEM: No		
Originator/Prepared by: Elaine M. Kurtz Dept: Human Resources Ext. 7591 Signature: Date:	General Counsel S. Wahner 4.20.07 <input type="checkbox"/>	Controller/Treasurer Date: 4/20/07 <input type="checkbox"/>	District Secretary <input type="checkbox"/>	BARC <input type="checkbox"/>

NARRATIVE:

New Employee Relocation Expense Reimbursement

Purpose:

To obtain Board authorization to pay relocation expenses in accordance with Management Procedure 70, New Employee Relocation Expense Reimbursement for the individual selected to fill the position of Component Shop Superintendent in the Rolling Stock & Shops Department.

Discussion:

The Component Shop Superintendent position will be responsible for assisting Rolling Stock and Shops with the coordination and facilitation of the District's new Strategic Maintenance Program (SMP). As such, this position requires specialized skills in preventative maintenance and strategic maintenance including the methodology of the lean manufacturing programming. This position was posted as an internal and external recruitment and was advertised on the District's website, which provides broad access to local and national applicants. Through this recruitment effort, six candidates, including one out-of-state applicant, were referred to the hiring department for further consideration. As a result of the selection and recruitment process, the out-of-state candidate was selected as the best candidate for the position. This individual has extensive prior experience in managing a preventive maintenance program based on the same concepts and principles as BART'S SMP.

The Rolling Stock & Shops Department, with the concurrence of the Human Resources Department, has offered the position of the Component Shop Superintendent to this out-of-state candidate. However, the candidate has indicated that it would be difficult to accept our offer unless the District can offer reasonable reimbursement of relocation costs. As we enter further negotiations with this candidate, the District needs the ability to reimburse eligible relocation expenses up to a maximum of \$18,000 in accordance with Management Procedure No. 70, New Employee Relocation Expense Reimbursement.

Fiscal Impact:

The Rolling Stock and Shops Department will assume the funding responsibility for the

EDD: New Employee Relocation Expense Reimbursement

approved relocation expenses incurred by the prospective employee. The Human Resources Department will be authorized to negotiate reimbursement of relocation expenses in an amount not to exceed \$18,000, consistent with the provisions of Management Procedure No. 70, New Employee Relocation Expense Reimbursement.

The Component Shop Superintendent is currently a permanently budgeted position in the annual budget for Rolling Stock & Shops. The relocation expenses will be funded from the Department's current Fiscal Year 2007 budget.

Alternative:

Not to offer relocation expenses reimbursement at the risk of losing the recommended candidate. The loss of the candidate will cause the Human Resources Department to initiate a new recruitment and selection process and will further delay filling this critical position.

Motion:

That the General Manager or his designee is authorized to enter into a relocation agreement with the recommended candidate for the position of Component Shop Superintendent in an amount not to exceed \$18,000 consistent with Management Procedure No. 70, New Employee Relocation Expense Reimbursement.



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>Dorothy W. Duggan</i>		GENERAL MANAGER ACTION REQ'D: Approve and forward to PPAAL Committee		
DATE: 4/20/07		BOARD INITIATED ITEM: No		
Originator/Prepared by: Jeffrey P Ordway Dept: Property Development Ext. 6114 Signature/Date:	General Counsel <i>S. Wakeman</i> 4-19-07 []	Controller/Treasurer []	District Secretary []	BARC []

NARRATIVE:

Solicitation for Private Development at Glen Park BART Station

PURPOSE: To obtain Board authorization to release a private development solicitation for BART property at the Glen Park BART Station.

DISCUSSION: In November of 2003 the San Francisco Department of Planning released the Draft Glen Park Community Summary, the culmination of an extensive community planning process with the Glen Park residents and businesses to address transportation problems and identify development opportunities. The plan envisions small-scale, in-fill housing development ranging from mixed use to retail and multi-story housing with emphasis on transit-oriented development features. Development is proposed as infill on vacant lots in the area. The Plan has identified the BART parking lot as one of the potential lots for this infill development.

Glen Park is located in the southeastern quadrant of San Francisco and has a commercial core served by the BART station which has become one of the busiest stations outside downtown San Francisco.

BART staff sees this as an opportunity to make productive use of a 45-space parking lot across Bosworth Street from the Glen Park BART Station (refer to Exhibit 1) for the development of 50 to 60 housing units. The ground lease would yield a continued revenue stream to BART. Key topics to be addressed during the developer solicitation process will include:

- Provision of Housing – predominantly, but not exclusively, affordable units
- Relationship to Street – Project to contain ground level uses that assist in activating the street (e.g., retail)
- BART Access – developer to work with BART and City to address access improvements

The Transit-Oriented Development (TOD) Policy adopted by the BART Board of Directors in July 2005 stipulates, in part, that the one-for-one replacement parking objective in development projects can be adjusted by employing the refined access methodology that examines transit access. The new access methodology would be applied once a developer has been identified, and could result in no replacement parking spaces. BART’s development objectives would be consistent with the City’s Draft Glen Park Community Summary. The planned development would be congruous with the City’s plan to accommodate pedestrian circulation by the bus/BART intermodal design of key sidewalk and bus bulbs adjacent to the Glen Park BART

EDD: Solicitation for Private Development at Glen Park BART Station

Station that will facilitate passenger loading and unloading and safe pedestrian routes from surrounding blocks to these intermodal facilities.

Any developer identified through a competitive process would be brought back to the BART Board of Directors for authorization to begin exclusive negotiations. BART's Office of the General Counsel will approve the solicitation as to form.

FISCAL IMPACT: The only fiscal impact from the proposed action would be staff time involved in preparing the solicitation and conducting evaluations and interviews to determine a preferred developer to begin negotiations.

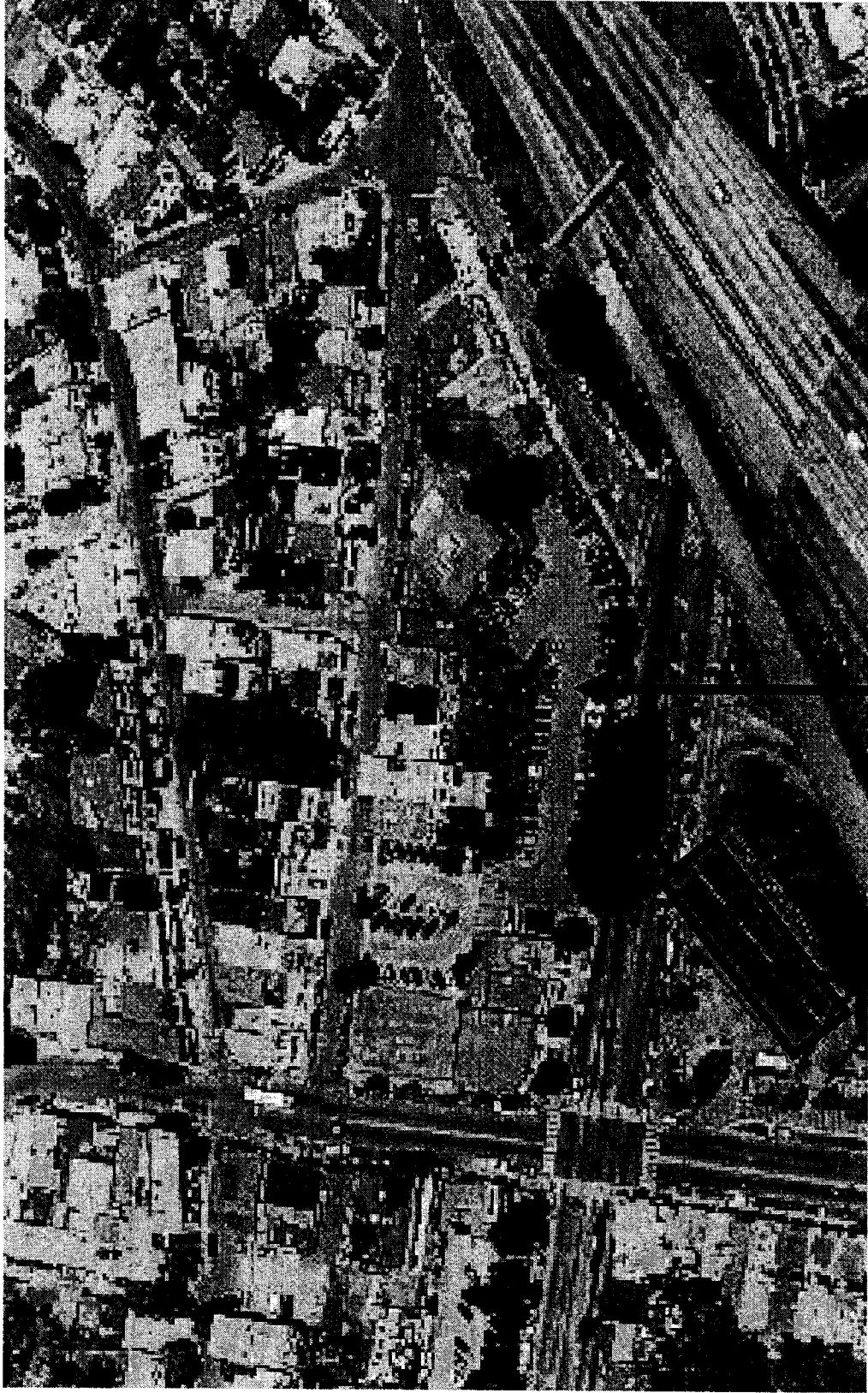
ALTERNATIVES: Do not pursue private development at the Glen Park BART Station at this time. This would result in a missed opportunity to take advantage of private development interest in the station area property and BART would continue to have maintenance responsibility and liability for the parcel.

RECOMMENDATION: Adoption of the following motion:

MOTION: The Board hereby authorizes release of a private development solicitation for the Glen Park BART Station property.

Exhibit 1

Glen Park BART Station



BART Station

BART Parking Lot



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>[Signature]</i>		GENERAL MANAGER ACTION REQ'D: Forward to PAAL		
DATE: 4/20/07		BOARD INITIATED ITEM: No		
Originator/Prepared by: Julie A Yim Dept. Customer Services Ext. 6106	General Counsel <i>[Signature]</i> 4/20/07	Controller/Treasurer <i>[Signature]</i> 4/20/07	District Secretary []	BARC []
Signature Date: <i>[Signature]</i> 4/20/07	[]	[]	[]	[]

NARRATIVE:

Authority to Execute the Option to Extend Agreement No. 6G4435, Operation of Booths For The Sale of Transit Tickets

Purpose: To authorize the General Manager to execute a Change Order to exercise the option to extend Agreement No. 6G4435 for a five year period to provide ticket sales and services through April 2012. The contractor CDSNet, LLC will sell, exchange and consolidate tickets in the stations, sell tickets over the internet, and sell a limited selection of BART logo items on the internet and at its sales locations.

Discussion: High-value discounted tickets, red and green tickets are generally available through a network of 300 retail establishments. Ticket sales kiosks were established in certain San Francisco downtown stations by MTC in the 1980's. BART took over the management of the kiosks in 1997, located at the Embarcadero and Montgomery Stations, and has since added kiosks at Civic Center, Powell Street, Bay Fair, and Coliseum Stations. CDSNet, Inc. was selected through a competitive RFP process to provide in-station ticket services in 1999. In July 2000, mounting pressure from our customers to provide a convenient way to consolidate residual value tickets led the District to amend its agreement with CDSNet, Inc. to add ticket exchange services to their in-station service menu. In December 2000, their service agreement was modified to add internet ticket sales after a demonstration project determined that our customers would purchase tickets on-line. The original 1999 Agreement was for two years with a one year extension. By Change Order, the Agreement was extended by five years to April 15, 2007. The Change Order also included two five year options that could be executed by the District at its sole discretion.

The contractor has performed extremely well over the life of the Agreement. In FY2006, the contractor sold a monthly average of \$1.86 million in tickets, resulting in total annual ticket sales of \$22.3 million. CDSNet, LLC earns a 3% commission for ticket sales and a \$.75 fee for each exchange transaction. In FY 2006, CDSNet, LLC earned \$814,950 in commissions and fees.

With the introduction of the E-Z Rider Card and the eventual roll out of the Translink Card and the limited use Smart Cards, the need for ticket sales will decline significantly or disappear completely over the next several years. Thus, as ticket sales decline, so will commission and fee income. Eventually it may not be commercially viable to continue the operation. Extending the existing Agreement is prudent, rather than going out with an RFP for a new contractor since, at this time, we can not predict how long these ticket services may be necessary.

EDD: Authority to Execute Option for 6G4435

Fiscal Impact:

Commissions and fees paid to the contractor as compensation for services provided is treated as an offset to ticket sales revenue and therefore does not constitute an operating budget expense. All expenses associated with providing the services required under this Agreement are paid solely by the contractor.

Alternatives:

Not execute the option and eliminate services.

Not execute the option and issue an RFP for a new service Agreement.

Recommendation:

That the Board adopt the following motion:

Motion:

The General Manager is authorized to execute a Change Order to exercise the first option to extend Agreement No.6G4435, Operation of Booths for the Sale of Transit Tickets with CDSNet,LLC for an additional five years.

SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

MEMORANDUM

TO: Board of Directors DATE: April 6, 2007

FROM: Director Thomas M. Blalock, Chair
District Organizational Review Ad Hoc Committee

SUBJECT: For Action - Ad Hoc Committee Proposed Action/Funding Plan

Enclosed is a revised list of recommendations from the *Organizational Audit and Review of the Bay Area Rapid Transit District – Final Report*. The enclosed document is an update of the Action Item that was included as part of the March 22, 2007 Board of Directors Meeting Agenda and continued to the April 12th Board Meeting. The District Organizational Review Ad Hoc Committee (Committee) met on March 29th to consider additional recommendations in the Doolittle Report. The Committee also held a meeting on April 2nd to receive input from union leadership.

Based on issues discussed at the two Committee meetings referenced above, a number of additions and revisions were incorporated into the document originally prepared for the March 22nd Board Meeting. The recommendations added to the document include number 43 under Controller-Treasurer Recommendations and numbers 44-56 under the Procurement, Right-of-Way, and Transit System Development Recommendations.

Union leaders were concerned about the overall tone of the proposed action/funding plan document. The Committee chose not to change language listed under the “Doolittle Final Report Recommendations” column because it is simply abbreviated language from the Doolittle Report. The Committee did modify a few items in the columns titled “Org Review Ad Hoc Committee Proposed Actions” (#27) and “Remarks” (#24 & #38).

The unions also felt there were issues raised in the Doolittle Report that were not reflected in the attached document. We clarified that this document only reflects the first set of recommendations the Committee has considered so far (see paragraph 2 above) and that additional recommendations will be coming to the full Board at a later meeting. The unions have agreed to provide the Committee with additional recommendations that they find incorporated within the text of the report. Any additional recommendations identified by the unions, which the Committee concurs are from the Doolittle Report or Supplemental Memorandum, will be added to the future set(s) of recommendations the Committee brings forward to the full Board.

Please feel free to contact me if you have questions or need additional information.

Enclosures

MOTION:

The Board of Directors concurs with the first set of actions proposed by the District Organizational Review Ad Hoc Committee, dated April 6, 2007, regarding the recommendations contained in the *Organizational Audit and Review of the Bay Area Rapid Transit District – Final Report* prepared by the Doolittle & Associates Team.

P1	Doolittle Final Report Recommendations	Org Review Ad Hoc Committee Proposed Actions	Funding Plan*	Remarks
	<p>Group Interviews Page 7</p> <p>1 Develop program of quarterly meetings with changing groups of employees.</p> <p>2 Provide more feedback to employees who are passed over for promotions.</p> <p>3 Provide adequate cleaning supplies and spare equipment.</p> <p>4 Alert Transportation employees of efforts to improve radio system.</p> <p>5 Investigate if additional portable batteries should be provided to train operators.</p> <p>6 Re-introduce low cost incentive programs.</p> <p>7 Communicate existing training opportunities to employees more broadly.</p>	<p>Communication program to be launched in FY08.</p> <p>Human Resources has started an improvement process that will continue into FY08.</p> <p>Employees should bring any concerns of this nature to their supervisor or union rep.</p> <p>Continue communication on this issue until the radio re-banding project is complete.</p> <p>Currently exploring additional avenues for train operators to charge their batteries including terminal zones, yards and reporting locations.</p> <p>A manager advisory committee is currently researching options for an incentive program.</p> <p>Part of the FY08 work plan.</p>	<p>Utilize existing resources.</p> <p>Utilize existing resources.</p> <p>Utilize existing resources.</p> <p>Utilize existing resources.</p> <p>Utilize existing resources.</p> <p>Proposed FY08 Budget (Tier I)</p> <p>Utilize existing resources.</p>	<p><i>A written response will go to each participant.</i> May include some combination of surveys, focus groups and random meetings.</p> <p>Two articles have been placed in Ops in a Flash and future articles are planned. Direct communication with radio users is planned as the District gets closer to the change over to new radio band.</p> <p>By FY08, charging stations will be made available at these locations.</p> <p>This recommendation refers to an employee recognition program.</p>

*Tier I includes initiatives proposed by staff in the FY08 Preliminary Budget for which funding has been identified.
Tier II includes initiatives proposed for FY08 for which funding has not been identified.

P2	Doolittle Final Report Recommendations	Org Review Ad Hoc Committee Proposed Actions	Funding Plan*	Remarks
8	Streamline current suggestion program.	Program will be re-vamped in FY08.	Utilize existing resources.	Updated program will have defined award limits and program parameters.
9	Communications training for management staff.	Part of the management development curriculum being implemented by Human Resources.	Proposed FY08 Budget (Tier I)	See Human Resources item #24.
10	Identify consultants working at BART for long periods and assess if hiring BART staff would better serve the District.	See attachment.	NA	The District uses secuded employees on a very limited, project specific basis. Secuded employees receive direction and have their work managed by BART staff.
11	Review and improve info provided to passengers related to fare changes.	Extensive communication and outreach to passengers regarding fare/schedule changes will continue.	Utilize existing resources.	More information regarding why fares/schedules are changing will be included in future flyers and printed material.
<p style="text-align: center;">Transportation Recommendations Page 13</p>				
12	Maintain current number of Foreworkers in terminals and towers	Agree	NA	
13	Redefine Foreworkers' classification to exclude Foreworkers' classification to exclude Line Foreworkers positions.	Meet and confer with unions in FY08.	To be determined (tbd).	Recommendations 13-19 might be accomplished by negotiating new side letters with the unions; however, these may need to become part of the collective bargaining agreement negotiation process in FY09.
14	Reallocate Line Foreworkers' positions to a new classification composed of line Foreworkers, Transportation Supervisors and Line Technicians	Meet and confer with unions in FY08.	tbd	" "
15	Split up Foreworkers into Tower Operator, Terminal Foreworker and Line Foreworkers.	Meet and confer with unions in FY08.	tbd	" "

*Tier I includes initiatives proposed by staff in the FY08 Preliminary Budget for which funding has been identified.
 Tier II includes initiatives proposed for FY08 for which funding has not been identified.

P3	Doolittle Final Report Recommendations	Org Review Ad Hoc Committee Proposed Actions	Funding Plan*	Remarks
16	Combine Line Foreworker position with Line Tech and Transportation Supervisors for a single new multi-functional position.	Meet and confer with unions in FY08.	tbd	" "
17	Train/qualify Tower Operators and Terminal Foreworkers on one location at a time.	Meet and confer with unions in FY08.	tbd	" "
Rolling Stock & Shops Recommendation Page 16				
18	Combine classifications of Main Line Tech, Line Foreworker and Transportation Supervisor to create a single class.	Meet and confer with unions in FY08.	tbd	" "
M&E Recommendations Page 16				
19	Strive to negotiate changes in work rules to allow mgmt to increase people working on weekends.	Meet and confer with unions in FY08.	tbd	" "
20	BART should follow the model of its elevator/escalator training program in other technical disciplines.	Management has and will continue to work with union leadership in an effort to model other programs after its elevator/escalator program.	tbd	
Ops Training & Support and Ops Planning Page 17				
21	Operations should consider combining three analytical groups.	<i>Not recommended for implementation under current circumstances.</i>	NA	

*Tier I includes initiatives proposed by staff in the FY08 Preliminary Budget for which funding has been identified.
 Tier II includes initiatives proposed for FY08 for which funding has not been identified.

P4	Doolittle Final Report Recommendations	Org Review Ad Hoc Committee Proposed Actions	Funding Plan*	Remarks
22	Migrate to a suite of computerized tools to schedule trains and operators, assign runs, develop public timetables and feed on-trip planning system.	Phase I, currently underway, will be implemented during FY07/FY08. Phase II will be implemented in FY09.	Will be a FY09 Budget proposal.	Phase I is being implemented with new software. Phase II will require acquisition and development of additional software to perform some or all of the automated scheduling and assignment functions and to produce products compatible with BAP.
<p>Human Resources Recommendations Page 36</p>				
23	BART should support the Human Resources Manager in implementing improvements including, upgrading the skills of HR staff and making the department's services more effective.	Propose additional resources in FY08 to help attract and retain excellent employees and to offer better efficient and effective services to District employees.	Proposed FY08 Budget (Tier 1)	Three additional positions are proposed as part of the FY08 budget to support Departmental improvements identified in #23, 24, 27 and 28.
24	HR should take the lead in a "Grow Your Own" management & technical development program designed to assure development & career advancement at all levels.	Develop and implement a proactive agenda of career development and management learning programs.	Proposed FY08 Budget (Tier 1)	Plans include an internship initiative for future managers and selected developmental experiences for front line employees. Will seek union input as a necessary step in the implementation of an effective program.
25	Postpone elimination of the personnel analyst as recommended by BAP Organizational Impact Assessment.	Agree	NA	
26	Do not eliminate 2 positions in Classification as recommended by BAP.	Agree	NA	
27	Create performance measures that are tabulated and tracked that measure work days lost to workers' comp, FMLA, AB109, disability and other non-sick days leaves. Identify goals and programs to achieve reductions.	Develop District program to track and measure lost work days. Identify actions to achieve improvement.	Proposed FY08 Budget (Tier 1)	

*Tier I includes initiatives proposed by staff in the FY08 Preliminary Budget for which funding has been identified.
 Tier II includes initiatives proposed for FY08 for which funding has not been identified.

P5	Doolittle Final Report Recommendations	Org Review Ad Hoc Committee Proposed Actions	Funding Plan*	Remarks
28	Establish criteria for use of temp and contract employees, and maintain list of all such employees, justification for their use, and their cost.	Develop criteria in FY08 and monitor, as indicated.	Utilize existing resources.	On-going.
Labor Relations Recommendations Page 28				
29	Adapt internal operations to reflect new Grievance Tracking System under BAP.	Data will be input into the BAP system in FY08.	Utilize existing resources.	On-going.
30	Fill Department's vacant positions.	Currently in process now that the new manager is on-board.	Utilize existing resources.	Two positions will be filled in FY07 and a third position will be filled in FY08.
31	Move TSSD Operations Supervisor from Operations to Labor Relations.	FY08 is a transition year with both departments sharing the Operations Supervisor half-time.	Utilize existing resources.	
32	Keep current Labor Relations reporting relationship.	Current reporting relationship will continue.	NA	
33	Develop and promulgate policies and procedures and related roles and responsibilities.	These are job responsibilities of the new Labor Relations Manager.	Utilize existing resources.	Currently underway.
34	Define standard for responding to operating units' requests. Track how fast how well Labor Relations staff are responding.	These are job responsibilities of the new Labor Relations Manager.	Utilize existing resources.	Currently underway.
35	Create a Manager's Guide for ATU and Police.	Planned for FY08.	Proposed FY08 Budget (Tier I)	SEIU Manager's Guide may be complete by the end of FY07.
36	Purchase Grievance Guide and make it required reading by staff involved in discipline or contract interpretation.	Copies are being purchased and reviewed in FY07, prior to wider distribution.	Utilize existing resources.	

*Tier I includes initiatives proposed by staff in the FY08 Preliminary Budget for which funding has been identified.

Tier II includes initiatives proposed for FY08 for which funding has not been identified.

P6	Doolittle Final Report Recommendations	Org Review Ad Hoc Committee Proposed Action	Funding Plan*	Remarks
37	Modify Beneficial Practices provision to identify only those practices recognized by both labor and mgmt.	Begin compiling a list of known beneficial past practices and their estimated dollar value in FY08.	tbd	Will meet and confer in FY08. Will pursue as a collective bargaining issue in FY09.
38	Modify SEIU contract provision related to union review of job descriptions so BART can reorganize by meeting & conferring.	Meet and confer with union in FY08.	tbd	Based on current contract language, there has been some progress in making changes to job descriptions.
39	Conduct thorough analysis before proceeding with arbitrations.	Review methods of current practices and implement improvements, as indicated.	Utilize existing resources.	Currently underway. On-going.
40	Train management staff and provide more comprehensive reference info for daily use than included in Guideline #21 (positive discipline).	Labor Relations and Human Resources will implement this recommendation as part of the comprehensive management training program being developed by Human Resources.	Proposed FY08 Budget (Tier I)	
<p>Partial List: Controller-Treasurer Recommendations Pages 63-64</p>				
41	Consider outsourcing station collection functions, outsourcing cash room operations.	<i>Not recommended for implementation under current circumstances.</i>	NA	
42	Shift oversight of Money Purchase Plan assets from Human Resources to the Controller Division, or include the Controller on the oversight committee.	<i>Not recommended for implementation under current circumstances.</i>	NA	

*Tier I includes initiatives proposed by staff in the FY08 Preliminary Budget for which funding has been identified.
 Tier II includes initiatives proposed for FY08 for which funding has not been identified.

P7	Doolittle Final Report Recommendations	Org Review Ad Hoc Committee Proposed Actions	Funding Plan*	Remarks
43	<p>Comply with provision of the statute that assigns responsibility for financial management of District by having Controller report to General Manager.</p> <p>Procurement Recommendations Page 38</p>	<p><i>Not recommended for implementation under current circumstances.</i></p>	<p>NA</p>	<p>The transfer of specific functions from the Controller-Treasurer to the General Manager and vice versa may be considered in light of the effects of BAP Phase II. No changes are planned during FY08.</p>
44	<p>Maintain responsibility of Board Secretary (DSO) for receiving and opening bids and maintaining records for public works contracts.</p>	<p>Agree</p>	<p>NA</p>	
45	<p>Re-evaluate remaining procurement related duties of the DSO and consider consolidating these functions/staff in Procurement.</p> <p>Right-of-Way Management Recommendations Page 39</p>	<p>This issue has been reviewed and was found to be handled efficiently under the current arrangement.</p>	<p>NA</p>	<p>This work does not amount to a FTE position that could be transferred from DSO to Procurement.</p>
46	<p>Retain outside on-call surveying firms to eliminate the backlog and get BART land files it needs to manage assets.</p>	<p>Two licensed land surveyors were added in FY07 Budget process.</p>	<p>Utilize existing resources.</p>	<p>This will ultimately allow ROW to eliminate the backlog and keep files up-to-date. New State law requires the District to identify all underground facilities and develop a program to respond to any excavator working on or near BART property. Additional resources are proposed in the FY08 Preliminary Budget.</p>
47	<p>Assure that an accurate record of land owned by BART and that all access points are properly secured and protected.</p>	<p>Resources were added in FY07 and additional resources are proposed in FY08 that will allow the District secure & protect property access points.</p>	<p>Proposed FY08 Budget (Tier II)</p>	

*Tier I includes initiatives proposed by staff in the FY08 Preliminary Budget for which funding has been identified.
 Tier II includes initiatives proposed for FY08 for which funding has not been identified.

P8	Doolittle Final Report Recommendations	Org Review Ad Hoc Committee Proposed Actions	Funding Plan*	Remarks
48	Identify places where BART owned land has been encroached and assure proper action.	Resources were added in FY07 and additional resources are proposed in FY08 that will allow the District to identify and resolve encroachment problems.	Proposed FY08 Budget (Tier II)	
49	Re-write the ROW job descriptions and minimum qualifications for those positions subject to bid & bump.	The Senior Real Estate Officer job description has been changed to Senior ROW Officer. A Principal ROW Officer job description was also developed.	NA	The ROW Technician position (SEIU) has undergone a number of bid and bumps over the past few years. While a change in the minimum qualifications would be desirable, it is not currently a high priority when considered against more pressing Departmental needs.
50	Revisit the separation of ROW Management and the Property Development Department.	The separation was done after careful evaluation in FY07.	NA	The current organizational separation works well with Property Development residing in the Office of Planning and Budget where a nexus exists with TOD and station area planning. Both groups continue to interact on a regular basis.
TSD Recommendations Page 51				
51	Maintain core staff of project engineers and adjust consultant resources to meet ebb and flow of work year-to-year.	Agree	NA	
52	Develop an ongoing formal program that identifies priorities and reports annually on the status of capital infrastructure.	Agree. A comprehensive report will be produced every other year with updates during intervening years.	Utilize existing resources.	
53	Revise the Capital Program Mgmt System to include the end of final design as a working cost compliance milestone.	Agree	Utilize existing resources.	Final design cost estimates are used to track project budgets and evaluate bids.

*Tier I includes initiatives proposed by staff in the FY08 Preliminary Budget for which funding has been identified.
 Tier II includes initiatives proposed for FY08 for which funding has not been identified.

P9	Doolittle Final Report Recommendations	Org Review Ad Hoc Committee Proposed Actions	Funding Plan*	Remarks
54	Annually report the performance of TSD to BART Board on the measures "Capital Delivery Efficiency" and "Construction Mgmt Efficiency." Report on measures for projects completed in last 5 years and the last 10 years.	Staff agrees to report on the "Capital Delivery Efficiency" measure that would look at entire projects/programs, as appropriate, from budget approval to completion.	Utilize existing resources.	Staff does not believe the "Construction Management Efficiency" measure as defined in the Doolittle Report (which relies on final design estimates and doesn't account for design problems that may surface during project delivery) to be an accurate measure of construction management efficiency.
55	Continue to maintain separate M&E and TSD groups. Refine document on M&E and TSD responsibilities and differences for use in Board discussions.	Agree	NA	Update the attached chart outlining M&E and TSD Distinguishing Characteristics, as appropriate.
56	Maintain the Silicon Valley Extension Project as a separate entity reporting to the GM.	Agree	NA	

*Tier I includes initiatives proposed by staff in the FY08 Preliminary Budget for which funding has been identified.
 Tier II includes initiatives proposed for FY08 for which funding has not been identified.

Name	Position	Current Project	TSD Group	Approximate Continuous Service (months)	Prime Consultant	Remarks	Potential Union Affiliation	Est. Current Assignment Completion
Nelson, Patricia	Scheduling Engineer	AFC/OAC / WSX	AFC	60	BAH	Secuded	AFSCME	2007
Mason, Bobby	Site Prep Engineer	AFC	AFC	36	BAH	Secuded	None	2007
Forte, Mike	Engineer	OAC	AFC	36	Earth Tech	Secuded	None	2010
Cartwright, Elaine	OAC Consultant Lead	OAC	AFC	36	Lea Elliott			2008
Lin, Jonathan	Site Prep Engineer	AFC	AFC	36	BAH	Secuded	None	2007
Ong, Ray	Site Prep Engineer	AFC	AFC	36	BAH	Secuded	None	2007
Hilliard, Ed	Site Prep Engineer	AFC	AFC	36	BAH	Secuded	None	2007
Anderson, John	Project Scheduler	ESP	ESP	18	Bechtel			
Bell, Felicia	Contracts Specialist	ESP	ESP	18	Bechtel			
Bhandari, Balram	Engineering Manager	ESP	ESP	20	Bechtel			
Chen, John	Engineer	ESP	ESP	20	Bechtel	Secuded (6mos)	None	2007
Claassen, Clay	Construction Manager	ESP	ESP	36	Bechtel			
Crawford, Ian	Engineer	ESP	ESP	12	Bechtel			
Ho, Kenneth	Estimator	ESP	ESP	18	Bechtel			
Horning, Hanne	Tech. Document Mgr	ESP	ESP	21	Bechtel			
Leung, Michael	Structural Engineer	ESP	ESP	15	Bechtel			
Mark, Kenneth	Program Manager	ESP	ESP	36	Bechtel			
Mathur, Dinesh	Contracts Manager	ESP	ESP	40	Bechtel			
Schindler, Walt	Project Controls Mgr	ESP	ESP	21	Bechtel			
Villanova, Julie	Tech Document Spec.	ESP	ESP	21	Bechtel			
Zita, Don	Contracts Specialist	ESP	ESP	18	Bechtel			
Bernardo, Chuck	Structural Engineer	ESP	ESP	24	Bechtel	HNTB		
Fletcher, Tom	Section Design Mgr	ESP	ESP	12	Bechtel	HNTB		
Hernandez, Bernardo	Utilities Coord/Engr	ESP	ESP	24	Bechtel	HNTB		
Lee, Julia	Structural Engineer	ESP	ESP	12	Bechtel	HNTB		
Mallare, Chip	Structural Mgr-Aerials	ESP	ESP	36	Bechtel	HNTB		
Quiray, Jun	Section Design Mgr	ESP	ESP	12	Bechtel	HNTB		
Salmon, Mark	Structural Lead	ESP	ESP	24	Bechtel	MG		
Smith, Ruby	DBE Specialist	ESP	ESP	12	Bechtel	Allen Group		

Note: Chart only includes contract employees who work full-time and have been with the District for more than 12 months.

*Secuded employees receive direction and have their work managed by BART staff.

Color Key:

Secuded*
Not Secuded

Project Key: WSX=Warm Springs Extension
ESP=Earthquake Safety Program
LMA=Lake Merritt Admin Building Dismantle
AATC=Advanced Automatic Train Control
OAC=Oakland Airport Connector

Name	Position	Current Project	TSD Group (Cont'd)	Approximate Continuous Service (months)	Prime Consultant	Remarks	Potential Union Affiliation	Est. Current Assignment Completion
Westphall, Catherine	Community Outreach	ESP	ESP	36	The Allen Group			
Charles, Angela	Community Outreach	WSX, ESP & LMA	ESP	24	The Allen Group			
Horton, Sean	CM Inspector	Multiple	Stations	12	Earth Tech	Secunded	None	2010
Smith, Phil	Project Mgr	eBART	Stations	12	PGH Wong			
Hurley, Jeff	System Engineer	eBART	Stations	12	PGH Wong			
Chiang, Willie	Resident Engineer	Multiple	Stations	12	PGH Wong	Secunded	None	2010
Kennan, Scott	Engineer	eBART	Stations	12	PGH Wong			
Ng, Amy	eBART Project Admin	eBART	Stations	12	PGH Wong			
Sornichsen, Walt	Architect	Union City Intermodal	Stations	48	Jacobs Civil	Secunded	None	2012
Dana, Mark	CM Project Manager	Multiple	Stations/WSX	36	Earth Tech	Secunded	None	2010
Saelee, Seng	Project Assistant	AATC & Other	Systems	48	Jacobs Civil	Secunded	SEIU	2012
Saelee, Mey	Office Engineer	AATC & Other	Systems	48	Jacobs Civil	Secunded	None	2012
Kuo, Eileen	WSX Project Admin	WSX/LMA Dismantle	WSX	12	WK	Secunded	SEIU	2012
Name	Position	Current Project	M&E	Approximate Continuous Service (months)	Prime Consultant	Remarks	Potential Union Affiliation	Est. Current Assignment Completion
Victor Setty	Traction Pwr Engr	Traction Power	M&E	52	PGH Wong	Secunded	None	2010
Po Tong	Traction Pwr Engr	Crossover & Others	M&E	36	Jacobs Civil	Secunded	None	2009
Hilda Cienfuegos	Crossover Project Admin.	Crossover & Others	M&E	36	Jacobs Construction	Secunded	SEIU	2010
Dirk Peters	Construction Supervisor	Telecom Rev Gen Prog	M&E	36	Jacobs Construction	Secunded	None	2007
Ellen Yu	Systems Engineering	Station Mux	M&E	12	Jacobs Civil	Secunded	None	2007
Neil Quackenbush	Systems Engineering	Station Mux	M&E	18	Jacobs Civil	Secunded	None	2007
David Coury	Systems Maintenance	PM Procedures	M&E	18	B&C Transit Consultants	Secunded	None	2007

Note: Chart only includes contract employees who work full-time and have been with the District for more than 12 months.

Color Key:

Secunded*
Not Secunded

*Secunded employees receive direction and have their work managed by BART staff.

M&E and TSD Distinguishing Characteristics

TSD: Longer term projects including engineering management, construction management, and overall capital project management.

M&E: Shorter term projects including maintenance engineering and immediate service delivery related activities.

Typical Project Focus

TSD	M&E	Remarks
Long Term	Short Term	
Contractor Forces	BART Forces	
Real Estate Related	Not Applicable	
Environmental Clearance Required	Not Applicable	
Partner with Other Public Agency	Not Applicable	
Transit Oriented Development	Not Applicable	
Public/Private Joint Development	Not Applicable	
Not Applicable	Central Control Related	
Not Applicable	Train Control Related	
Not Applicable	Communications Related	