

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

BOARD MEETING AGENDA

May 28, 2015

5:00 p.m.

A regular meeting of the Board of Directors will be held at **5:00 p.m.** on Thursday, May 28, 2015, 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 regarding any matter on this agenda. 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 Public Comment.

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

Items placed under “consent calendar” 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 and individuals who are limited English proficient who wish to address BART Board matters. A request must be made within one and five days in advance of Board meetings, depending on the service requested. Please contact the Office of the District Secretary at 510-464-6083 for information.

Rules governing the participation of the public at meetings of the Board of Directors and Standing Committees are available for review on the District's website (<http://www.bart.gov/about/bod>), in the BART Board Room, and upon request, in person or via mail.

Meeting notices and agendas are available for review on the District's website (<http://www.bart.gov/about/bod/meetings.aspx>), and via email (https://public.govdelivery.com/accounts/CATRANBART/subscriber/new?topic_id=CATRANBART_1904) or via regular mail upon request submitted to the District Secretary. Complete agenda packets (in PDF format) are available for review on the District's website no later than 48 hours in advance of the meeting.

Please submit your requests to the District Secretary via email to BoardofDirectors@bart.gov; in person or U.S. mail at 300 Lakeside Drive, 23rd Floor, Oakland, CA 94612; fax 510-464-6011; or telephone 510-464-6083.

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. PUBLIC HEARING
 - A. Fiscal Year 2016 Annual Budget.*

3. CONSENT CALENDAR
 - A. Approval of Minutes of the Meeting of May 14, 2015.* Board requested to authorize.
 - B. Fiscal Year 2016 Proposition 4 Appropriations Limit.* Board requested to adopt.
 - C. Resolution Authorizing the Manager of the Real Estate and Property Development Department to Sign Right-of-Way Certifications for Projects.* Board requested to adopt.
 - D. Award of Invitation for Bid No. 8957, Stainless Capped Aluminum Contact Rail.* Board requested to authorize.
 - E. Award of Invitation for Bid No. 8961, Sump Pumps.* Board requested to authorize.
 - F. Award of Invitation for Bid No. 8965, Loader, Heavy Duty, Wheel.* Board requested to authorize.

4. PUBLIC COMMENT – 15 Minutes

(An opportunity for members of the public to address the Board of Directors on matters under their jurisdiction and not on the agenda. An additional period for Public Comment is provided at the end of the Meeting.)

5. ADMINISTRATION ITEMS

Director Keller, Chairperson

 - A. Title VI Process for Major Service and Fare Changes.* For information.
 - B. Late Night Bus Pilot Project Extension.* For information.
 - C. Fiscal Year 2016 Annual Budget. For information.

6. ENGINEERING AND OPERATIONS ITEMS

Director McPartland, Chairperson

- A. Award of Contract No. 15EK-125, Traction Power Substation Replacement RRY Installation.* Board requested to authorize.
- B. Earthquake Safety Program: Berkeley Hills Tunnel Alternatives.* For information.

7. PLANNING, PUBLIC AFFAIRS, ACCESS, AND LEGISLATION ITEMS

Director Raburn, Chairperson

NO ITEMS.

8. GENERAL MANAGER'S REPORT

- A. Report of Activities, including Update of Roll Call for Introductions Items.

9. BOARD MATTERS

- A. Board Member Reports.
(Board member reports as required by Government Code Section 53232.3(d) are available through the Office of the District Secretary. An opportunity for Board members to report on their District activities and observations since last Board Meeting.)
- B. Roll Call for Introductions.
(An opportunity for Board members to introduce a matter for consideration at a future Committee or Board Meeting or to request District staff to prepare items or reports.)
- C. In Memoriam.
(An opportunity for Board members to introduce individuals to be commemorated.)

10. PUBLIC COMMENT

(An opportunity for members of the public to address the Board of Directors on matters under their jurisdiction and not on the agenda.)

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

Board of Directors
Minutes of the 1,734th Meeting
May 14, 2015

A regular meeting of the Board of Directors was held May 14, 2015, convening at 9:05 a.m. in the Board Room, 344 20th Street, Oakland, California. President Blalock presided; Kenneth A. Duron, District Secretary.

Directors present: Directors Josefowitz, Keller, Mallett, McPartland, Murray, Raburn, Radulovich, Saltzman, and Blalock.

Absent: None.

President Blalock announced that the order of agenda items would be changed.

Consent Calendar items brought before the Board were:

1. Approval of Minutes of the Meeting of April 23, 2015.
2. Resolution Authorizing the Application for Funding from the Affordable Housing and Sustainable Communities Program for Affordable Housing and Related Access Improvements at or near BART Stations.
3. Award of Contract No. 15QH-170, Site Improvement at San Leandro Station.
4. Award of Invitation for Bid No. 8953, Procurement of Traction Power Cable.
5. Resolution of Project Compliance and Initial Report for Regional Measure 2 Bridge Toll Funds for the BART West Oakland Bike Locker Plaza Project #20.65 – Phase I.
6. Revision to Standing Committee and Special Appointment: Asset Management Ad Hoc Committee.

Consent calendar report brought before the Board was:

1. Fiscal Year 2015 Third Quarter Financial Report.

Director Keller requested that Item 2-B, Resolution Authorizing the Application for Funding from the Affordable Housing and Sustainable Communities Program for Affordable Housing and Related Access Improvements at or near BART Stations, be removed from Consent Calendar.

Director Raburn made the following motions as a unit. Director Murray seconded the motions, which carried by unanimous electronic vote. Ayes - 9: Directors Josefowitz, Keller, Mallett, McPartland, Murray, Raburn, Radulovich, Saltzman, and Blalock. Noes - 0.

1. That the Minutes of the Meeting of April 23, 2015, be approved.
2. That the General Manager be authorized to award Contract No. 15QH-170, Site Improvement at San Leandro Station, to Golden Bay Construction, Inc., for the Bid price of \$248,150.00, pursuant to notification to be issued by the General Manager and subject to compliance with the District's protest procedures.
3. That the General Manager be authorized to award Invitation for Bid No. 8953, an estimated quantity contract for Traction Power Cable, to Draka Cableteq USA, for the Bid price of \$682,267.52, including all taxes, pursuant to notification to be issued by the General Manager, subject to compliance with the District's protest procedures and Federal Transit Administration's requirements related to protests.

(The foregoing motion was made on the basis of analysis by the staff and certification by the Controller/Treasurer that funds are available for this purpose.)

4. Adoption of Resolution No. 5292, In the Matter of Supporting a Resolution of Project Compliance for Regional Measure 2 Bridge Toll Funds for the BART West Oakland Bike Locker Plaza Project.
5. That the appointment of Directors Josefowitz, Keller, Murray, and Raburn to the Asset Management Ad Hoc Committee be ratified.

President Blalock brought the matter of Resolution Authorizing the Application for Funding from the Affordable Housing and Sustainable Communities Program for Affordable Housing and Related Access Improvements at or near BART Stations before the Board. Ms. Deidre Heitman, Principal Planner, presented the item. The item was discussed. Director Keller moved adoption of Resolution No. 5293, In the Matter of Authorizing the Application for Funding from the Affordable Housing and Sustainable Communities Program. Director Saltzman seconded the motion, which carried by unanimous electronic vote. Ayes - 9: Directors Josefowitz, Keller, Mallett, McPartland, Murray, Raburn, Radulovich, Saltzman, and Blalock. Noes - 0.

Director Mallett requested a moment of silence for the many on-going issues in the world, including the two earthquakes in Nepal, the train derailment in Philadelphia, and unrest involving officer-involved shootings throughout the country.

President Blalock announced that the Board would enter into closed session under Item 9-A (Public Employment) of the Regular Meeting agenda, and that the Board would reconvene in open session upon the conclusion of the closed session.

The Board Meeting recessed at 9:25 a.m.

The Board Meeting reconvened in closed session at 9:27 a.m.

Directors present: Directors Josefowitz, Keller, Mallett, McPartland, Murray, Raburn, Radulovich, Saltzman, and Blalock.

Absent: None.

The Board Meeting recessed at 10:25 a.m.

The Board Meeting reconvened in open session at 10:26 a.m.

Directors present: Directors Josefowitz, Keller, Mallett, McPartland, Murray, Raburn, Radulovich, Saltzman, and Blalock.

Absent: None.

President Blalock announced that the Board had concluded its closed session under Item 9-A of the Regular Meeting agenda, and that there were no further announcements to be made.

Director Keller, Chairperson of the Administration Committee, announced that Employee Recruitment for the Position of Controller-Treasurer would be continued to a future Meeting.

Director Keller brought the matter of Warm Springs Extension: Proposed Service Plan Options & Title VI Equity Analysis and Public Participation Report; and Title VI Equity Analysis and Public Participation Report, before the Board. Ms. Sharon Moore, Program Manager, Workforce and Policy Compliance; and Mr. Thomas Tumola, Program Manager, presented the item. The item was discussed.

Jerry Grace addressed the Board.

President Blalock moved that the Board approve the Warm Springs Extension Title VI Equity Analysis and Public Participation Report. Director Mallett seconded the motion, which carried by electronic vote. Ayes - 7: Directors Josefowitz, Keller, Mallett, McPartland, Murray, Saltzman, and Blalock. Noes - 2: Directors Raburn and Radulovich.

Director Keller brought the matter of Independent Auditor's Report on Audit of Federal Awards under the Single Audit Act and Office of Management and Budget Circular A-133 for the Fiscal Year Ended June 30, 2014, before the Board. Ms. Rose Poblete, Assistant Treasurer, presented the item.

Director Keller brought the matter of Fiscal Year 2016 Preliminary Budget Sources, Uses and Service Plan, before the Board. Mr. Carter Mau, Assistant General Manager, Administration and Budgets; Mr. Paul Oversier, Assistant General Manager, Operations; Mr. Robert Umbreit, Department Manager, Operating Budget and Analysis; and Mr. Dennis Markham, Acting Manager, Operating Budgets, presented the item. The item was discussed.

The following individuals addressed the Board.

Chris Finn
Jerry Grace

Director Keller exited the Meeting.

Director McPartland, Chairperson of the Engineering and Operations Committee, brought the matter of Award of Contract No. 15PE-120, Earthquake Safety Program R Line P-377 to P380 Structure Upgrade, before the Board. Mr. Thomas Horton, Group Manager, Earthquake Safety Program, presented the item. Director Raburn moved that the General Manager be authorized to award Contract No. 15PE-120, R Line P-377 to P-380 Structure Upgrade, to Zovich & Sons, Inc., for the Bid amount of \$1,554,739.00, pursuant to notification to be issued by the General Manager and subject to the District's protest procedures. Director Saltzman seconded the motion, which carried by unanimous electronic vote. Ayes - 8: Directors Josefowitz, Mallett, McPartland, Murray, Raburn, Radulovich, Saltzman, and Blalock. Noes - 0. Absent - 1: Director Keller.

Director McPartland brought the matter of Award of Contract No. 15PJ-140, Earthquake Safety Program Bay Fair Station and Ashland Avenue Underpass, before the Board. Mr. Horton presented the item. Director Saltzman moved that the General Manager be authorized to award Contract No. 15PJ-140, Earthquake Safety Program Bay Fair Station and Ashland Avenue Underpass, to ProVen Management, Inc., for the Bid amount of \$5,323,777.00, pursuant to notification to be issued by the General Manager and subject to the District's protest procedures. Director Raburn seconded the motion, which carried by unanimous electronic vote. Ayes - 8: Directors Josefowitz, Mallett, McPartland, Murray, Raburn, Radulovich, Saltzman, and Blalock. Noes - 0. Absent - 1: Director Keller.

Director McPartland brought the matter of Agreement with Parsons Transportation Group Inc., to Provide General Engineering Services for Train Control Modernization Program (Agreement No. 6M8092), before the Board. Mr. Robert Powers, Assistant General Manager, Planning and Development, presented the item.

The following individuals addressed the Board.

Lester Yoshida
Lori Colangelo
Jerry Grace
Chris Finn

Director Saltzman moved that the General Manager be authorized to award Agreement No. 6M8092, General Engineering Services for BART Train Control Modernization Program, to Parsons Transportation Group Inc., in an amount not to exceed \$25,000,000.00, pursuant to notification to be issued by the General Manager and subject to the District's protest procedures and the Federal Transit Administration's requirements related to protests. Director Raburn seconded the motion. The item was discussed.

Director Raburn exited the Meeting.

The motion carried by unanimous electronic vote. Ayes - 7: Directors Josefowitz, Mallett, McPartland, Murray, Radulovich, Saltzman, and Blalock. Noes - 0. Absent - 2: Directors Keller and Raburn.

Director Raburn re-entered the Meeting.

Director McPartland brought the matter of Quarterly Performance Report, Third Quarter Fiscal Year 2015 - Service Performance Review, before the Board.

Director Keller re-entered the Meeting.

Mr. Oversier; Mr. Jeff Lau, Chief Safety Officer; and Mr. Jeff Jennings, Deputy Chief of Police, presented the item. The item was discussed.

Jerry Grace addressed the Board.

Director Mallett exited the Meeting.

Director Raburn, Chairperson of the Planning, Public Affairs, Access, and Legislation Committee, brought the matter of Downtown Berkeley Bike Station One-Year Lease Extension with HSR Berkeley Investments, LLC, before the Board. Mr. Steve Beroldo, Manager of Access Programs, presented the item. The item was discussed. Director Murray moved that the General Manager or her designee be authorized to execute an amendment for a one-year extension to the existing lease with HSR Berkeley Investments, LLC, for 4,000 square feet of commercial space at 2208 Shattuck Avenue, Berkeley, for the Downtown Berkeley Bike Station, commencing July 1, 2015. Director Saltzman seconded the motion, which carried by unanimous electronic vote. Ayes - 8: Directors Josefowitz, Keller, McPartland, Murray, Raburn, Radulovich, Saltzman, and Blalock. Noes - 0. Absent - 1: Director Mallett.

President Blalock called for the General Manager's Report. General Manager Grace Crunican informed the Board she would submit her report via memorandum.

Director Radulovich, Chairperson of the Wayside Safety Ad Hoc Committee, gave a brief report on the recent activities of the ad hoc committee.

President Blalock called for Board Member Reports, Roll Call for Introductions, and In Memoriam.

President Blalock reported he and Director Josefowitz had given a Build a Better BART presentation at the Daly City Shops.

Director Keller shared an email he had received from a passenger regarding homeless people in stations.

Director McPartland reported on the efforts of disaster medical assistance teams to assist the island of Guam in the face of an impending typhoon.

Director Murray requested the Meeting be adjourned in honor of Ms. Doras Briggs, and District Architect Tian Feng's father, Rangxian Feng.

President Blalock called for Public Comment. Jerry Grace addressed the Board.

President Blalock announced that the Board would enter into closed session under Item 9-B (Conference with Legal Counsel) of the Regular Meeting agenda, and that the Board would reconvene in open session upon the conclusion of the closed session.

The Board Meeting recessed at 2:51 p.m.

The Board Meeting reconvened in closed session at 2:58 p.m.

Directors present: Directors Josefowitz, Keller, McPartland, Murray, Raburn, Radulovich, Saltzman, and Blalock.

Absent: Director Mallett.

The Board Meeting recessed at 3:26 p.m.

The Board Meeting reconvened in open session at 3:30 p.m.

Directors present: President Blalock.

Absent: Directors Josefowitz, Keller, Mallett, McPartland, Murray, Raburn, Radulovich, and Saltzman.

President Blalock announced that the Board had concluded its closed session under Item 9-B of the Regular Meeting agenda, and that there were no further announcements to be made.

The Board Meeting was adjourned at 3:30 p.m. in memory of Doras Briggs and Rangxian Feng.

Kenneth A. Duron
District Secretary



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>Nancy DeBevoise</i>		GENERAL MANAGER ACTION REQ'D:		
DATE: 5/20/15		BOARD INITIATED ITEM: No		
Originator/Prepared by: Mei Wan Dept:	General Counsel <i>Audrey Powell</i> 5/14/15 []	Controller/Treasurer <i>Annita</i> 5/14/15 []	District Secretary []	BARC <i>Mei Wan</i> 5-14-15 []
Signature/Date: <i>Mei Wan</i> 5/13/2015				
Status: Routed		Date Created: 05/07/2015		

TITLE:

FY16 Proposition 4 Appropriations Limit

NARRATIVE:

Purpose: To approve the District's Fiscal Year 2016 Appropriations Limit, as required by State law pursuant to the Gann Initiative (Proposition 4, passed by the voters in 1979).

Discussion: The Gann Initiative (Proposition 4) provides for limits on appropriations by State and local government entities. California Government Code Section 7910 requires local jurisdictions to annually adopt an appropriations limit by resolution and establishes a 45 day statute of limitations for commencement of any judicial action to challenge the appropriations limit.

Section 7910 requires the Board of Directors to establish by resolution BART's annual appropriations limit "at a regularly scheduled meeting or noticed special meeting." Further, it requires that fifteen days prior to such meeting, documentation used in the determination of the appropriations limit shall be made available to the public. On May 13, 2015 the documentation was made available to the public.

Attachment 1 summarizes the FY16 appropriations limit calculation in accordance with the uniform *Guidelines for Implementation of the Gann Initiative* prepared by the League of California Cities and the information furnished by the State Department of Finance.

Attachment 2 is the calculation for the margin as it relates to the Proposition 4 limit. The margin is the difference between the appropriations limit and the expenditures subject to the limit. Based on the calculations, the District will be below the limit of \$547,685,850.

Fiscal Impact: No fiscal impact. The FY16 appropriations limit is \$547,685,850. Operating and Capital expenditures subject to the appropriations limit total \$318,819,168. As such, the District is \$228,866,682 below the subject FY16 appropriations limit.

Alternatives: None.

Recommendation: Approval of the following motion.

Motion: That the Board adopt the attached resolution which sets the District's FY16 appropriations limit at \$547,685,850.

BEFORE THE BOARD OF DIRECTORS OF THE SAN FRANCISCO
BAY AREA RAPID TRANSIT DISTRICT

In the Matter of the Establishment
Of the Fiscal Year 2016
Appropriations Limit

Resolution No. _____

WHEREAS, Article XIII B of the California Constitution limits the District's appropriations for Fiscal Year 1981, and subsequent years; and

WHEREAS, Government Code Section 7910 requires the District to establish, by resolution, its appropriations limit pursuant to Article XIII B; and

WHEREAS, documentation used in the determination of the Fiscal Year 2016 appropriations limit has been available to the public for at least fifteen days prior to the date of this resolution;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the San Francisco Bay Area Rapid Transit District that the District's appropriations limit for Fiscal Year 2016 shall be \$547,685,850.

Attachment 1

Fiscal Year 2016 Appropriations Limit: Calculation

Based on the provisions in Article XIII B of the California Constitution as approved by the voters in November 1979, the appropriations limit for each succeeding year through 1987 is determined by the District's 1979 appropriations base times a cumulative composite factor. The base year was later revised to 1987. The cumulative composite factor consists of the product of:

- 1) The lesser of the relative year change in the all urban consumer price index (SF/Oakland/SJ CPI-U) or the California per capita personal income, and
- 2) At the District's discretion, the relative year-to-year change in District wide population, or the population for the District's county that has the highest assessed valuation. Election of the higher of the two growth factors results in a higher appropriations limit.

The District's appropriations limit for Fiscal Year 2016 is calculated on the basis of the urban consumer price index (CPI-U SF/Oakland/SJ) and Alameda County population gains. Steps in the calculations are as follows:

Relevant data, percent change:

- CPI-U SF/Oakland/SJ, 2.5320% (applies this year per option 1 above)
- Population Change, Alameda County, 1.2748% (applies this year per option 2 above)

District Population

	<u>As of 1/1/14</u>	<u>As of 1/1/15</u>	<u>% Change</u>
Alameda	1,574,497	1,594,569	1.2748%
Contra Costa	1,089,219	1,102,871	1.2534%
<u>San Francisco</u>	<u>834,903</u>	<u>845,602</u>	<u>1.2815%</u>
Total	3,498,619	3,543,042	1.2697%

FY16 Cumulative Adjustment Factor:

CPI-U SF/Oakland/SJ	x	Population Factor	=	Current Adjustment Factor
(1 + 2.532%)	x	(1 + 1.2748%)	=	1.0384
Current Adjustment Factor	x	Prior Year Adjustment	=	Cumulative Adjustment Factor
1.0384	x	2.9049	=	3.0164

FY16 Appropriations Limit:

FY87 Appropriations Base	x	FY16 Cumulative Adj Fctr	=	FY16 Appropriations Limit
181,568,000	x	3.0164	=	<u>\$547,685,850</u>

ATTACHMENT 2
FY16 PROPOSITION 4 APPROPRIATIONS LIMIT

Whole Dollars, as of 05/01/15

LIMIT		NOTES & COMMENTS
CPI-U	2.5320%	CPI-U for SF/OAK 2/15 vs 2/14
Per Capita Personal Income delta FY14>FY15	3.8200%	State DOF Price & Population Information, 5/1/15
District Population Growth	1.2748%	Districtwide growth is based on Alameda County
Annual Adjustment Factor	1.0384	[1+(CPI -U)*[1+(San Francisco population growth)]]
Cumulative Adjustment Factor	3.0164	(Current year factor)*(prior year cumulative factor)
Appropriations Limit	\$547,685,850	(FY87 base appropriations) x (cumulative factor)
APPROPRIATIONS		
Operating Budget		
Operating Expenses	656,066,249	FY16 Prelim Operating Budget
Operating Subtotal	\$656,066,249	
Operating Allocations		
Allocation to SOG/Rail Car Phase I	\$45,000,000	FY16 Prelim Operating Budget
Rail Car Fund Swap to MTC Reserve	\$52,671,798	FY16 Prelim Operating Budget
Misc. Capital Allocations	\$7,310,676	FY16 Prelim Operating Budget
Other Capital Allocations	\$90,154,394	FY16 Prelim Operating Budget
Operating Allocations Subtotal	\$195,136,868	
Capital Allocation To Operating		
Capital Budget		
Funded	\$664,818,132	FY16 Proposed Capital Budget
Unfunded	\$0	FY16 Proposed Capital Budget
Subtotal	\$664,818,132	
Less Funded Pass Through	(\$299,308,739)	FY16 Proposed Capital Budget
Less Unfunded Pass Through	\$0	FY16 Proposed Capital Budget
Subtotal	(\$299,308,739)	
Net Capital Expense	\$365,509,393	
Debt Service:		
Debt Service	\$50,296,626	FY16 Prelim Operating Budget
GO Seismic Bonds	\$33,835,813	Per GO Bond Series Debt schedule
Debt Service Subtotal	\$84,132,439	
Total Operating & Capital Appropriations	\$1,300,844,948	
EXCLUSIONS		
Allocation from Reserves	\$0	FY16 Prelim Operating Budget
ADA Mandated Service Expense	\$13,580,788	FY16 Prelim Operating Budget
Net Operating Revenue:		
Net Passenger Revenue	\$481,693,467	FY16 Prelim Operating Budget
Other Operating Revenue	\$57,052,641	FY16 Prelim Operating Budget
Subtotal	\$538,746,107	FY16 Prelim Operating Budget
Other Allocations (Access Fund)	\$0	FY16 Prelim Operating Budget
Federal Operating Funds	\$52,671,798	FY16 Prelim Operating Budget
Federal Capital Funds:		
Funded	191,388,039	FY16 Proposed Capital Budget
Unfunded	\$0	FY16 Proposed Capital Budget
Subtotal	\$191,388,039	
Debt Service (GO Seismic Bonds)	\$33,835,813	Per above, GO Bond Series Debt schedule
Capital Budget Funded from GO Bond Proceeds	\$36,425,611	FY16 Proposed Capital Budget
Capital Budget Funded from Sales Tax Proceeds	\$22,154,711	FY16 Proposed Capital Budget
BART Capital Funds	\$93,222,913	FY16 Proposed Capital Budget
Total Exclusions	\$982,025,780	
MARGIN		
Appropriations Limit	\$547,685,850	Per above
Expenditures Subject to Limit	\$318,819,168	Appropriations less exclusions, per above
Margin	\$228,866,682	Appropriations less expenditures subject to limit
RESIDENT POPULATION**		
Alameda		
Population	1,594,569	State DOF Price & Population Information, 5/1/15
Percent Change	1.2748%	
Contra Costa		
Population	1,102,871	State DOF Price & Population Information, 5/1/15
Percent Change	1.2534%	
San Francisco		
Population	845,602	State DOF Price & Population Information, 5/1/15
Percent Change	1.2815%	
District Total		
Population	3,543,042	Sum of population for BART counties
Percent Change	1.2697%	Percent increase

**Population Estimate as of 1/1/15. Population estimate is "total population" and includes military and other temporary residents. Per State Department of Finance, prior year City and County population estimates may be revised.



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>Marca DeLuca</i>		GENERAL MANAGER ACTION REQ'D: Approve and forward to the Board		
DATE: c		BOARD INITIATED ITEM: No		
Originator/Prepared by: Barbara Inaba Dept: Real Estate and Property Development Signature/Date: <i>Barbara Inaba</i> 5/13/15	General Counsel <i>Andrew Kavas</i> 5/19/15	Controller/Treasurer <i>[Signature]</i>	District Secretary []	BARC <i>[Signature]</i> 5-19-15 []

TITLE:

Resolution Authorizing the Manager of the Real Estate and Property Development Department to Sign Right-of-Way Certifications for Projects

NARRATIVE:

Purpose:

To obtain BART Board adoption of the attached Resolution authorizing the Manager of the Real Estate and Property Development Department to execute right-of-way certifications for State and Federally funded projects.

Discussion:

On December 7, 1989, the BART Board adopted the Caltrans Right-of-Way Procedural Handbook for right-of-way acquisition and relocation activities (Resolution No. 4343). Resolution No. 4400, adopted on May 23, 1991, authorized the Executive Manager of Human Relations & Support Services to execute all right-of-way certifications for State and Federally funded projects.

Generally, right-of-way certifications are required for BART construction projects in which (1) Federal and/or State funds will participate in all or a portion of the project; and (2) acquisition of property rights; relocation of a residence, business or other non-profit group or governmental agency; or utility relocation (regardless of funding source) is required. BART is a Level 3 qualified Local Public Agency approved by Caltrans to perform right-of-way functions, including certification of right-of-way.

Before a project can proceed to advertisement, bid opening, contract award and construction, the Real Estate and Property Development Department must prepare and execute the right-of-way certification. The certification documents that any interests necessary for the project have been, or are being secured, and that all physical obstructions including buildings, utilities and railroads have been, or will be removed, relocated or protected as required for construction, operation and maintenance of the proposed project. The certification also documents that right-of-way activities including the relocation of any displacees were conducted in accordance with applicable State and Federal laws, regulations, guidelines and procedures, including, but not limited to, the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 as amended (Uniform Act), 49 CFR part 24, FTA Grant Management Guidelines (FTA Circular 5010.1D), Caltrans Right-of-Way Manual, Caltrans LPA Manual, and BART Resolutions and policies.

Due to organizational changes at BART, the Executive Manager of Human Relations & Support

Services position no longer exists. Caltrans will accept a BART Board Resolution giving the Manager of Real Estate and Property Development Department a blanket authority to execute right-of-way certifications. Staff recommends adoption of the attached resolution, which will supersede Resolution No. 4400.

Fiscal Impact: There is no fiscal impact to adoption of the attached Resolution, other than the continued timely flow of federal and/or state funding for eligible projects requiring certification of right-of-way.

Alternative: Do not adopt the attached Resolution. As the existing authority to sign certifications is for a BART position that no longer exists, failure to adopt the Resolution could result in Caltrans requiring that the Board adopt a separate resolution authorizing execution of right-of-way certification for each eligible project.

Recommendation: Adoption of the attached Resolution.

Motion: The Board of Directors adopts the attached Resolution.

BEFORE THE BOARD OF DIRECTORS OF THE
SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

In the Matter of Authorizing the Manager of the)
Real Estate and Property Development Department)
to Sign Right-of-Way Certifications for Projects)

Resolution No.

WHEREAS, in order to obtain Federal and State assistance in connection with State and Federally funded projects, and for the State of California Department of Transportation ("Caltrans") to review and approve the projects for advertising, it is necessary that the San Francisco Bay Area Rapid Transit District ("BART") certify to Caltrans that the right-of-way necessary for the proper execution of the projects will be or has been acquired; and

WHEREAS, Caltrans, as provided in its then effective Local Programs Manual Volume 1, accepted right-of-way certifications signed by the BART Executive Manager of Human Relations & Support Services after the BART Board of Directors ("Board") adopted Board Resolution No. 4400 on May 23, 1991, which authorized the Executive Manager of Human Relations & Support Services to execute all right-of-way certifications for State and Federally funded projects; and

WHEREAS, due to organizational changes at BART, the Executive Manager of Human Relations & Support Services position no longer exists; and

WHEREAS, Caltrans, under its current Right-of-Way Manual, will accept right-of-way certifications signed by the Manager of the Real Estate and Property Development Department if the Board, by resolution, has authorized her/him to sign said certifications.

NOW, THEREFORE, BE IT RESOLVED that this Board hereby authorizes the Manager of the Real Estate and Property Development Department to execute all right-of-way certifications required for State and Federally funded projects and directs that a copy of this resolution be forwarded to the appropriate office of Caltrans.

This Resolution supersedes Board Resolution No. 4400 in its entirety.

###



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>[Signature]</i>		GENERAL MANAGER ACTION REQ'D: Approve and send to the Board		
DATE: 5/20/15		BOARD INITIATED ITEM: No		
Originator/Prepared by: Bruce King Dept: Mechanical Engineering Signature/Date: <i>[Signature]</i> 5/16/15	General Counsel <i>[Signature]</i> 5/20/15	Controller/Treasurer <i>[Signature]</i>	District Secretary []	BARC <i>[Signature]</i> FOR P.O. []
Status: Approved		Date Created: 05/07/2015		

TITLE:

Award of Invitation For Bid No. 8957 for Stainless Steel Capped Aluminum Contact Rail

NARRATIVE:

PURPOSE: To request Board authorization to award Invitation for Bid No. 8957 to Trans Tech, Piedmont, SC, in the amount of \$591,759.89 (includes all taxes) for the purchase of stainless capped aluminum contact rail.

DISCUSSION: Some of the third rail segments between 12th and MacArthur Stations are in desperate need of replacement. An experimental stainless steel cap, aluminum contact rail was installed approximately in 1990 in this area. This procurement will purchase a new and more robust design of stainless steel capped aluminum contact rail for the K-Line rail sections KE01 and KE02. A short segment of this newer stainless steel cap, aluminum rail has been in service for 2 years and is performing well. BART Power and Mechanical Department staff will be installing the replacement third rail.

A notice requesting bids was published on April 3, 2015, and bid requests were mailed to seven (7) prospective bidders. Bids were opened on April 28, 2015 and two (2) bids were received as follows :

Bidder	Grand Total including 9.75% Sales Tax
1. Conductix, Inc., Omaha, NE	\$446,714.62
2. Trans Tech, Piedmont, SC	\$591,759.89
Engineer's Estimate	\$661,000.00

Conductix, Inc. was disqualified as the apparent low bidder due to technical exceptions taken on BART specifications, rendering its bid non-responsive.

Pursuant to the revised DBE Program, the Office of Civil Rights is utilizing race and gender neutral efforts for Invitation for Bid (IFB) contracts. Therefore, no DBE goal was set for this contract.

Staff has determined that the apparent low bidder, Trans Tech, submitted a responsive bid. Staff has also determined that their bid pricing is fair and reasonable.

FISCAL IMPACT:

Funding of \$591,760 for the award of Invitation for Bid No. 8957 is included in the total project budget for FMS No. 15EM300 – Replace 3rd Rail K-Line. The Office of Controller/Treasurer certifies that funds are currently available to meet this obligation. The following table depicts funding assigned to the referenced project and is included in totality to track funding history against spending authority. Funds needed to meet this request will be expended from a combination of these sources as listed.

As of May 7, 2015, \$2,000,000 is available for this project from the following sources:

Fund Number	Fund Description	Fund Source	Funded Amount
347Z	FTA CA-05-0216-00 FY07 FG MOD	Federal	\$620,000
3603	FY14 Capital Improve SOGR 5337F	Federal	\$980,000
6213	Regional Meas 2 #08382301	Regional	\$155,000
8525	FY13 Capital Allocation	BART	\$245,000
Total			\$2,000,000

BART has expended \$127,737, committed \$374, and reserved \$0 to date for other action. This action will commit \$591,760 leaving an available fund balance of \$1,280,129 in this project.

There is no fiscal impact on available unprogrammed District Reserves.

ALTERNATIVE: If stainless capped rail is not procured, existing stainless capped contact rail at KE01 and KE02 will continue to delaminate, causing extensive train delays by damaging train car collector shoes assemblies of BART revenue vehicles.

RECOMMENDATION: On the basis of analysis by Staff, and certification by the Controller - Treasurer that funds are available for this procurement, it is recommended that the Board adopt the following motion.

MOTION: The General Manager is authorized to award IFB No. 8957 for Stainless Capped Aluminum Contact Rail to Trans Tech for an amount of \$591,759.89, pursuant to notification to be issued by the General Manager, subject to compliance with the District's Protest Procedure and FTA requirements related to Protests.



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>Marcia DelBande</i>		GENERAL MANAGER ACTION REQ'D: Approve and send to the Board			
DATE: 5/20/15		BOARD INITIATED ITEM: No			
Originator/Prepared by: Bruce King Dept: Mechanical Engineering	General Counsel <i>Andrew Reynolds</i> 5/18/15	Controller/Treasurer <i>[Signature]</i>	District Secretary <input type="checkbox"/>	BARC <i>[Signature]</i> P.O. []	<input type="checkbox"/>
Signature/Date: <i>[Signature]</i> 5/16/15		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Status: Routed			Date Created: 02/26/2015		

TITLE:

Invitation For Bid No. 8961 - Procurement of 50 Sump Pumps

NARRATIVE:

PURPOSE : To request Board authorization to award Invitation for Bid No. 8961 to Yeoman's Chicago Corporation, Aurora, IL in the amount of \$405,329.58 (includes all applicable taxes, shipping, and pump testing) for the purchase of sump pumps.

DISCUSSION : Many of BART's system-wide submersible sump pumps have been in operation for over 17 years, and are now approaching the end of their design service life. These pumps are experiencing an increased rate of failure, and are critical to maintain District revenue vehicle operations in underground and below grade areas.

A notice requesting bids was published on April 17, 2015. Bid requests were mailed to four (4) prospective bidders. Bids were opened on May 5, 2015, and one (1) bid was received in the amount of \$405,329.58 from Yeoman's Chicago Corp., Aurora, IL

Independent cost estimate by BART staff was \$414,200.00.

The one bid received is considered fair and reasonable based on previous submersible pump purchases.

Pursuant to the revised DBE Program, the Office of Civil Rights is utilizing race and gender neutral efforts for Invitation for Bid (IFB) contracts. Therefore, no DBE goal was set for this contract.

FISCAL IMPACT:

Funding of \$405,329.58 for PR 9921 will come from project budget 93GG-001 PREVENTIVE MAINT - SUMP. The following table depicts funding assigned to the referenced project since 5/15/2015, and is included in its totality to track funding history against spending authority. Funds needed to meet this request will be expended from a combination of these sources as listed. The Office of the Controller/Treasurer certifies that funds are currently available to meet this obligation. As of May 15, 2015 \$410,000.00 is available for this project from the following fund sources:

Fund	Descr	Amount
8524	FY 2012 Operating Capital Alloc	\$82,000.00
354M	CA-90-Y694 - FY09 CAPI	\$328,000.00
	TOTAL	\$410,000.00

BART has expended \$0 and committed \$0 to date for other actions. This action will commit an additional \$405,329.58 leaving an uncommitted balance of \$4,670.42 in these fund sources.

There is no fiscal impact on available un-programmed District Reserves.

ALTERNATIVES : Reject the bid. Staff has determined that this is not likely to result in lower bids, and will delay replacement pump procurement. BART's existing pumps will experience a rapidly increasing rate of failure as they approach end of design life. District operational reliability will be compromised due to fouling of trackway low points with accumulated liquids.

RECOMMENDATION : On the basis of analysis by Staff, and certification by the Controller-Treasurer that funds are available for this purpose, it is recommended that the Board adopt the following Motion.

MOTION: The General Manager is authorized to award IFB No. 8961 for Sump Pumps to Yeoman's Chicago Corp. for an amount of \$405,329.58, pursuant to notification to be issued by the General Manager.



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>[Signature]</i>		GENERAL MANAGER ACTION REQ'D: <i>Award Invitation for Bid # 8965</i>		
DATE: <i>5/20/15</i>		BOARD INITIATED ITEM: No		
Originator/Prepared by: Tracy Johnson Dept: <i>[Signature]</i>	General Counsel <i>[Signature]</i>	Controller/Treasurer <i>[Signature]</i>	District Secretary []	BARC <i>[Signature]</i> []
Signature/Date: <i>5/13/15</i>	<i>Received 5/20/15</i>			
Status: Routed		Date Created: 05/13/2015		

TITLE: **Award for Invitation for Bid No. 8965: Loader, Heavy Duty, Wheel**

NARRATIVE:
PURPOSE:

To request Board authorization to award Invitation for Bid (IFB) No. 8965 to Sonsray Machinery, San Leandro CA, for the amount of \$237,450.75, including applicable sales tax, for the purchase of a Wheel Loader.

DISCUSSION:

A wheel loader is a rubber-tire heavy duty vehicle with a large bucket attached to the front end of the vehicle capable of hauling four (4) cubic yards of material. It is generally used to scoop, lift and load ballast onto rail mounted bogie wagons. Ballast is gravel, broken stone or slag which is placed between and under railroad track and railroad ties to provide support and stability to the track. The District currently stockpiles ballast at both the Hayward and Concord rail yard facilities. Having the stockpiles geographically separated facilitates ballast deliveries to the northern and southern portions of the system. Ballast is loaded onto the bogie wagons which are then pulled by locomotive and distributed to areas along the system right-of-way.

The District currently owns one wheel loader, which was purchased in 2002 (see attached photo). With the purchase of an additional wheel loader, the intent is to keep one wheel loader at each of the two yards where the ballast is stockpiled. Having a wheel loader available at both ballast stockpiles will avoid the need to contract with a third party for the transport of the District's single wheel loader between Hayward and Concord or the frequent need to rent a wheel loader from a third party vendor.

A notice requesting Bids was published on April 15, 2015 and Bid requests were mailed to three (3) prospective Bidders. Bids were opened on May 5, 2015 and three (3) bids were received.

<u>Bidder</u>	<u>Quantity</u>	<u>Grand Total (Including 9.5% sales tax)</u>
Sonsray Machinery	1	\$237,450.75

San Leandro, CA

Pape Machinery 1 \$281,415.00
Newark, CA

Peterson Tractor Co. 1 \$298,086.37
San Leandro, CA

Independent cost estimate by BART staff: \$281,000.00

Pursuant to the Special Provisions, Bids were evaluated on the basis of the total Bid Price. Staff determined that the apparent low Bidder, Sonsray Machinery, San Leandro, CA, submitted a responsive Bid, based on comparison to the independent cost estimate. Staff also determined that the Bid pricing was fair and reasonable based on Bid competition and on comparison to the independent cost estimate.

The District's Non-Discrimination in Subcontracting Program does not apply to Emergency Contracts, Sole Source Contracts, and Contracts under \$50,000, or any Invitation for Bid. Pursuant to the Program, the Office of Civil Rights did not set availability percentages for this Contract.

Pursuant to the revised DBE Program, the Office of Civil Rights is utilizing race and gender neutral efforts for IFBs. Therefore, no DBE goal was set for this Contract.

FISCAL IMPACT:

Funding of \$237,450.75 is included in the total budget for Project 15TD000 – Procurement Wayside Equipment FY06. The Office of the Controller/Treasurer certifies that funds are currently available to meet this obligation. The following table depicts funding assigned to the referenced project since May 2007, and is included in its totality to track funding history against spending authority. Funds needed to meet this request will be expended from a combination of these sources as listed.

Fund Group	Total Awarded
Various FTA Grants	31,698,914.63
Local Area Bridge tolls including RM2	4,488,919.71
BART Operating allocation to Capital	4,126,297.58
Bart Sales Tax proceeds	2,211.83
Grand Total	40,316,343.75

As of May 11, 2015, \$40,316,343.75 is the total budget for this project. BART has expended \$10,766,069.02, has committed \$3,109,592.77 and has reserved \$22,895,163.00 to date for other actions. This action will commit \$237,450.75 leaving an available balance of \$3,308,068.21

fund resources remaining for this project.

There is no fiscal impact on available un-programmed District Reserves.

ALTERNATIVE:

Reject all Bids and re-advertise the Contract. This, however, is not likely to lead to increased competition or lower prices and will result in continued long term costs associated with wheel loader rentals or costs pertaining to the transport of the District's existing wheel loader.

RECOMMENDATION:

On the basis of analysis by Staff and certification by the Controller-Treasurer that the funds are available for this purpose, it is recommended that the Board adopt the following motion.

MOTION:

The General Manager is authorized to award Invitation for Bid No. 8965 for the procurement of a Loader, Wheel, Heavy Duty, to Sonsray Machinery, San Leandro, CA for the bid price of \$237,450.75, including all taxes, pursuant to notification to be issued by the General Manager, subject to compliance with the District's Protest Procedure and FTA requirements related to protests.



SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

MEMORANDUM

TO: Board of Directors

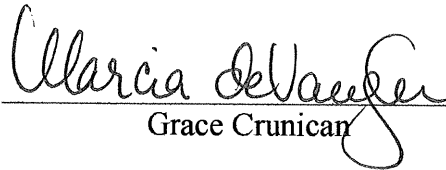
DATE: May 21, 2015

FROM: General Manager

SUBJECT: Administration Agenda Item #5.A: Title VI Process for Major Service and Fare Changes – For Information

At the May 14, 2015 Board of Directors meeting, staff was asked to calendar a discussion of the Title VI process of major service and fare changes in two weeks. Attached is a brief presentation that includes the current process and a proposed process change, which will be discussed at the May 28th Board meeting.

If you have any questions, please contact Wayne Wong at (510) 464-6134.


Grace Crunican

Attachment

cc: Board Appointed Officers
Deputy General Manager
Executive Staff

SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

Memorandum

TO: Board of Directors

DATE: May 21, 2015

FROM: General Manager

SUBJECT: Administrative Agenda Item #5.B: Late Night Bus Pilot Project Extension – For Information

At the May 28, 2015 Board meeting, staff will present the information outlined in this memorandum, which includes options for the continuation of the service and will serve as the basis for discussion.

BACKGROUND

Bus service under the Pilot Project was initiated on December 7, 2014. To recap, the service enhancements are as follows:

- More frequent service between San Francisco and Richmond (Route 800) between 12:30 am and 2:30 am
- More frequent service between downtown Oakland and Fremont (Route 801) between 12:30 am and 2:30 am
- New service connecting San Francisco to points along the Pittsburg/Bay Point line (New Route 822)
- San Francisco lines extended from Market/Van Ness to 16th and 24th St/Mission

Enhanced bus services are in effect late Friday and Saturday nights. Currently, AC Transit operates this service. The annual budget is \$838,000, including marketing. It is funded by BART (\$200,000 plus cost overruns, if any), Lifeline grants from Alameda and Contra Costa counties (\$496,000), and fare box revenues (estimated \$100,000).

Table 1 (attached) summarizes the ridership data from 12:30 am to 2:30 am on an average weekend and the costs associated with that service to date.

The investment BART has made in Routes 800 and 801 supports a relatively high number of riders, as compared to the investment made in the new Route 822. Additionally, most passengers that use transbay buses offboard in Oakland, regardless of the route's ultimate destination.

On April 22, 2015, I sent a memorandum to the Board that provides additional information, including ridership data.

FALL SERVICE CHANGE REQUEST

Regarding the current service, AC Transit has requested permission to modify the service provision as follows:

- Return Route 801 (to Fremont) headways to 60-minute, as in the original service.
- Improve Route 800 headways to 20-minute all night (instead of just 12:30 am to 2:30 am).
- Improve Route 801 (to Bay Fair) headways to 20-minute all night.

This modification would move resources from segments with lower ridership to segments with higher ridership, and would have the following benefits:

- Enables AC Transit to more efficiently schedule the owl bus service because it removes the unique 40-minute headway from the schedule, as it disrupts timed meets after the enhanced service ends at 2:30 am.
- Provides more owl service to the customers in the inner East Bay.
- Simplifies the twice annual Daylight Savings time change scheduling.

BART staff has reviewed the request and has no objections to the change.

ADDITIONAL MARKETING

Aside from the service plan options, some Directors have been interested in the marketing for this service. To encourage people to **BART In and Bus Out** on the weekend, BART and AC Transit have already undertaken advertisements and communications through many of the less expensive initiatives: press conference, bart.gov postings, social media, outreach through Community Based Organizations, DSS, sandwich boards at stations (now expanded to include 16th St. and 24th St. Mission BART stations), BART station and bus ads, banners, paid Facebook ads, and distribution of flyers and postcards - a 24 point marketing plan in all. Additionally, during Memorial Day weekend, BART staff and hired "Street Teams" will distribute post cards to late night BART riders and patrons of bars, restaurants and other late night spots in the Mission District from 9 pm to 1 am Friday and Saturday nights. The complete updated list of marketing activities is attached to this memo.

To expand the effort beyond the current plan would require additional resources. Marketing can easily be scaled up or down to accommodate any budget. In order to increase the promotion of the late night bus service, BART could buy more media to target late night travelers and expand street teams to hand out more postcards at late night venues. If BART pursued these initiatives one week per month for six months, the cost could be up to \$30,000 per month, or up to \$180,000 for a 6-month period.

YEAR 2 OPTIONS

Based on ridership data, BART and AC Transit staff have developed a list of options for the continuation of the service and their respective budgets. We start with Options 1 and 2 as points of reference and for comparison.

1. Original Service: Revert to the original service. Route 800 would return to 30-minute headways (currently 20 minutes); Route 801 would return to 30- and 60-minute headways to Bay Fair and Fremont respectively (currently 20- and 40-minutes); and Route 822 would be discontinued. **Annual Cost: \$0**

2. Current Enhanced Service: Extend the current pilot program for another year (see BACKGROUND above for details). **Annual Cost: \$752,400**

3. Mission Extension: Revert to the original service, but keep the Mission extensions to 16th Street and 24th Street. **Annual Cost: \$83,600**

4. Mission Extension and Transbay Shuttle: Revert to the original service (Option 1), but keep the Mission Street stops and add a Transbay Shuttle. The Transbay Shuttle would service all San Francisco stops and downtown Oakland, but not West Oakland BART, at 30-minute headways. This, combined with other AC Transit service, would provide for a 15-minute eastbound Transbay headway, which would serve the majority of the riders on the 800 and 822. West Oakland would still be accessible via the 800 Route eastbound. **Annual Cost: \$334,400**

5. More Core Service: Improve Routes 800 and 801 to 20-minute headways all night, not just for the current pilot's two-hour period. Route 801 to Fremont returns to 60-minute headways all night. Discontinue the Route 822. **Annual Cost: \$501,600**

All options except for 1 and 2 would require a public hearing by AC Transit. Options are being presented to the Board for consideration in advance of any formal analysis that would be conducted. All options except for Option 1 would require a Title VI analysis and CEQA review, which would be performed by AC Transit, with assistance from BART. The Title VI analysis determines if the potential new service has a disparate impact on minority populations or a disproportionate burden on low-income populations.

Table 2 - Summary of Year 2 Options and Costs

Service Option	Additional Buses			Total Buses	Total Hours	Cost per Hour	Annual Cost
	800	801	822				
Option 1 - Original	0	0	0	0	0	\$ 95	\$ 0
Option 2 - Current Enhanced	3	3	3	9	72	\$ 95	\$ 752,400
Option 3 - Mission Extension	1	0	0	1	8	\$ 95	\$ 83,600
Option 4 - Mission and Transbay	4	0	0	4	32	\$ 95	\$ 334,400
Option 5 – More Core	4	2	0	6	48	\$ 95	\$ 501,600

FUNDING FOR CONTINUED SERVICE

AC Transit has offered as a contribution to reduce their cost from \$130 to \$95 per hour to operate this service, which is a 27% reduction in costs. This reduced price is reflected in the table above.

The original pilot project was funded with Lifeline grants from Alameda and Contra Costa Counties. BART had to compete for these funds and it was extremely difficult. Staff is not confident that it can convince Contra Costa County to fund this service again unless we show overwhelming ridership. In addition, BART just committed funds to the Cycle 4 Program and it will be at least two years before another cycle of funding is available.

We have contacted Alameda County Transportation Commission (ACTC) and many of the grants under ACTC purview are not good matches for this type of service, as they are awarded based on criteria related to incremental increase in ridership or GhG reduction or other criteria that this type of project doesn't score well when rated.

BART staff has sought funding from the Metropolitan Transportation Commission and San Francisco County Transportation Authority but was told that no funds are currently available.

To date, BART has been unable to identify any other external funding sources for Year 2 Late Night Bus Service. Staff will continue to explore additional sources of funding, including funds from the next cycle of the Lifeline Transportation Program, but there are no guarantees that any other external funding sources will be available for this purpose. The BART Board would have to allocate all funding required in the upcoming Fiscal Year 2016 budget in order to guarantee that the Late Night Bus Pilot will continue.

TIMELINE

In order for AC Transit to implement any option other than Option 1 starting December 6, 2015, which would ensure continuity of service, the following deadlines and dates must be met:

06/10/15 – BART / AC Transit Interagency Liaison Committee Meeting

06/11/15 – BART Board scheduled to pass Fiscal Year 2016 Budget

06/23/15 – AC Transit Staff Report needs to be written with Staff's recommendation

07/22/15 – AC Transit needs to Set the Public Hearing Date for service change and CEQA report

08/01/15 – Post CEQA report

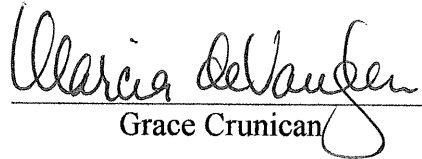
09/02/15 – Public Hearing at AC Transit

10/14/15 – AC Transit Board Meeting to approve the service change

12/06/15 – Implementation Date

In short, BART and AC Transit have to make a decision regarding the Year 2 service provision by mid-June, 2015.

If you have any questions, please call Carter Mau at (510) 464-6194.


Grace Crunican

Attachments

cc: Board Appointed Officers
Deputy General Manager
Executive Staff
Director of Service Development, AC Transit

Table 1 - Ridership Data for Late Friday/Saturday (early Saturday/Sunday), 12:30 to 2:30 am only

Route	Avg Weekend Ridership 2014	Avg Weekend Ridership 2015	Ridership %	Change in Ridership	Change in Ridership with Route 822 Transbay Trips Added to Route 800	Change in Ridership % (based on previous column)	Cost of Enhancements**	Cost per new trip
800	688	705	55.50%	17	52	7.56%	\$279,333	\$103.30
801	438	490	38.50%	52	52	11.87%	\$279,333	\$103.30
822	N/A	76*	6.00%	76*	41	N/A	\$279,333	\$131.02
Total	1,126	1,271	100.00%	145	145		\$838,000	\$111.14

* Of which 35 offboard at 14th St/Broadway, so can use either Route 800 or Route 822

** Including marketing costs

Marketing Plan

Budget: \$72,000

Tactics that are underway:		Dept	Dec. 2014	Jan. 2015	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
1	Press conference	Comm	DONE												
2	Press release	Comm	DONE												
3	bart.gov posting	Comm	DONE	DONE	DONE	DONE	DONE	DONE							
4	Social media/Facebook	Comm	DONE	DONE	DONE	DONE	DONE	DONE							END
5	Notice to Community Based Organizations	GCR	DONE			DONE*									
6	DSS at all stations served	Mktng	DONE	DONE		DONE		DONE							
6a	DSS postings at balance of stations on 822 route	Mktng	DONE	DONE		DONE		DONE							
7	Sandwichboards at Rt. 822 stations & 16th, 24th St.*	Mktg			DONE	DONE	DONE	DONE*							
8	2-sheet posters at route 822 stations	Mktg			DONE	DONE	DONE								
9	Flag message on late night bart.gov trip plans	Comm	DONE	DONE	DONE	DONE	DONE	DONE							
10	"BARTable this month" newsletter articles	Mktng	DONE	DONE	DONE	DONE		DONE							
11	AC Transit bus cards - posted above seating	Mktng&AC	DONE	DONE											
12	AC Transit car cards - located behind driver	Mktng&AC	DONE	DONE	DONE										
13	Banners in BART stations	Mktng	DONE	DONE	DONE	DONE	DONE	DONE							
14	Facebook ads	Mktng	DONE	DONE		DONE									
15	Survey late night bus riders	Mktng							*						
16	Flags at bus stops	AC	DONE	DONE	DONE	DONE	DONE	DONE							
17	Provide signage at top of stairs to SF stations	AC&Access	DONE	DONE	DONE	DONE	DONE	DONE							
18	Ridership Reporting	AC				DONE									
19	Survey SF Late Night Service Committee members to generate additional marketing ideas	Mktng		DONE											
20	Design flyer and translate	Mktng		DONE											
21	Design postcard (initial printing of 50,000)	Mktng		DONE											
22	Distribute flyers and postcards via SF Late Night Service Committee member organizations and others.	Mktng			DONE			DONE*	DONE						
23	BART and AC to meet monthly and reassess plan	Mktng	DONE	DONE	DONE	DONE	DONE	DONE							
24	Street teams distributing post cards to late night BART riders/late night venue customers	Mktng						DONE*							

Notes and additional tactics currently being considered:

- * **Item 7: Adding sandwich boards at 16th and 24th WEEK OF MAY 18.**
 - Friday/Saturday night seat drop on BART trains if feasible (revisit in July if BART EOL cleaning crews are available)
- * **Items 5 & 22: 1,000 post cards distributed at Blue Sky Festival plus electronically through CMAC, SOMA nightclub owners group and SF CITI.**
 - Free ride offer on route 822 (AC Transit currently checking on viability--waiting on ridership #s before reconsidering)
 - Radio and web ads promoting the new service (subject to budget availability)
- * **Item 15: Field work tentatively scheduled for June 19 and 20.**
 - Redesign of actransit.org/allnighter page (DONE)
 - Deliver photo, .pdf of postcard and designed Facebook ad to Access, G&CR and BOD (DONE)
- * **Item 24: Distribution in and around 16 St. Mission, 24th St. Mission and Valencia St. 9 p.m.-1 a.m. Fri. May 22 and Sat. May 23.**



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>Marica de la Cruz</i>		GENERAL MANAGER ACTION REQ'D: Approve and forward to the Board		
DATE: c <i>5/20/15</i>		BOARD INITIATED ITEM: No		
Originator/Prepared by: Victor Austria Dept. M & E Traction Power <i>[Signature]</i> Signature/Date: <i>5/10/15</i>	General Counsel <i>[Signature]</i> Signature/Date: <i>5/19/15</i>	Controller/Treasurer <i>[Signature]</i> Signature/Date: <i>5/20/15</i>	District Secretary []	BARC <i>[Signature]</i> Signature/Date: <i>for P.O.</i>

TITLE:

Award of Contract No. 15EK-125-Traction Power Substation Replacement RRY Installation

NARRATIVE:

PURPOSE:

To obtain the Board's authorization for the General Manager to award Contract No. 15EK-125, Traction Power Substation Replacement RRY Installation, to Blocka Construction, Inc. in the amount of \$2,478,000.00

DISCUSSION:

On July 28, 2013 a DC switchgear fire in the DC house of Richmond Yard Traction Power Substation RRY seriously damaged the DC switchgear and bus work, to an extent that replacement of the DC equipment house was deemed necessary. The Richmond Yard tracks are presently fed and protected by only one DC circuit breaker rather than the normal nine (9) circuit breakers with sectionalized circuit protection. This arrangement causes vulnerabilities to multiple yard track power outages which will affect train switching in the event of an electrical fault trip from this one main breaker.

On July 2014 the Board approved Change Order No. 8 to Contract No. 15EK-210, Procurement of Traction Power Substations Phase 1, to Powell Electrical Systems, Inc. to add all equipment and materials necessary for RRY Substation restoration.

The scope of work of Contract No. 15EK-125 includes:

1. Replacing the major electrical equipment at the RRY Substation (located in the BART Richmond Yard in the City of Richmond) with District Furnished Equipment procured under Contract No. 15EK-125. This equipment includes a rectifier and DC circuit breakers and the switchgear building.
2. Replacement and testing of DC feeder cables to the main yard tracks.
3. Minor site improvements at the RRY Substation.

Contract No. 15EK-125 was advertised on March 12, 2015 in local publications and Contract Books were sent to twenty-three (23) plans rooms. A total of twelve (12) firms purchased copies of the Bid Documents. An Advanced Notice to Bidders was sent on March 13, 2015 to 123 prospective contracting firms. A total of two (2) Addenda were issued.

A pre-Bid meeting and site tour was held on Friday, March 27, 2015 and twelve (12) prospective Bidders attended the pre-Bid meeting and seven (7) attended the site visit. A Matchmaking session was held on April 2, 2015. Nine (9) DBE certified firms attended the Matchmaking session, and four (4) prime Bidders attended.

Four (4) Bids were received and publicly opened on April 28, 2015. A tabulation of the Bids, including the Engineer's Estimate, is as follows:

<u>No.</u>	<u>Bidder</u>	<u>Location</u>	<u>Total Bid</u>
1.	Blocka Construction, Inc.	Fremont, CA	\$2,478,000.00
2.	Cal Electro, Inc.	Redding, CA	\$2,780,000.00
3.	Shimmick Construction Co., Inc.	Oakland, CA	\$2,980,000.00
4.	Aldridge Electric, Inc.	Libertyville, IL,	\$3,150,600.00
	<u>Engineer's Estimate</u>		<u>\$2,334,000.00</u>

Pursuant to the District's Disadvantaged Business Program ("DBE") Program requirements. The Office of Civil Rights reviewed the scope of work for this Contract and determined that there were subcontracting opportunities and a DBE participation goal of 10% was set for this Contract. The low bidder, Blocka Construction, Inc., committed to 13.5% DBE participation.

After the review by District staff, Blocka's Bid was determined to be the lowest Bid that was responsive to the solicitation. Examination of the Blocka's business experience and financial capabilities has resulted in a determination that this Bidder is responsible.

FISCAL IMPACT:

Funding of \$2,478,000 for the award of Contract No.15EK-125 is included in the total project budget for FMS #15EK400 – Replace Substation RRY DC House. The Office of Controller/Treasurer certifies that funds are currently available to meet this obligation. The following table depicts funding assigned to the referenced project and is included in totality to track funding history against spending authority. Funds needed to meet this request will be expended from a combination of these sources as listed.

As of May 6, 2015, \$7,398,475 is available for this project from the following sources:

Fund Number	Fund Description	Fund Source	Funded Amount
226I	1999 S/T Revenue Debt Service	BART	\$54,695
347W	FTA Grant No CA-03-0729	Federal	\$33,987
347Z	FTA CA-05-0216-00 FY07 FG MOD	Federal	\$55,046
352X	CA-90-Y339 FY05 Capital Assistance	Federal	\$218,780
353K	CA-05-0236 FG MOD-FY09	Federal	\$1,000,000
353M	CA-05-0248 FG MOD-FY10 CAPITAL	Federal	\$2,200,000
3603	FY14 Capital Improve SOGR 5337F	Federal	\$1,000,000
6303	MTC AB664 FY13-14 \$2.48 Match	Regional	\$250,000
801E	Installment Receivable	BART	\$8,497
850X	Capital Allocation - Seismic-Non	BART	\$27,221
851W	FY07-11 Capital Allocation	BART	\$32,783
8523	Capital Surcharge-Station to Station	BART	\$739,997
8525	FY13 Captial Allocation	BART	\$1,777,470
Total			\$7,398,475

BART has expended \$697,659, committed \$264,533, and reserved \$0 to-date for other action. This

action will commit \$2,478,000 leaving an available fund balance of \$3,958,283 in this project.

There is no fiscal impact on available unprogrammed District Reserves.

ALTERNATIVE:

The Board may reject all Bids and re-advertise the work or reject all Bids and decline to re-advertise the work. There is no assurance that a rebid would yield lower prices. Failure to proceed with the Contract will result in the RRY Substation continuing to operate in a restricted configuration providing no flexibility in sectionalizing yard power and preventing maintenance activities in the yard area. By proceeding with the award the District would reduce its operational risk since the RRY Substation needs to be restored as soon as possible.

RECOMMENDATION:

It is recommended that the Board adopt the following motion:

MOTION:

The General Manager is authorized to award Contract No. 15EK-125, Traction Power Substation Replacement RRY Installation to Blocka Construction Inc., for the amount of \$2,478,000.00, pursuant to notification to be issued by the General Manager and subject to compliance with the District's Protest Procedure and FTA's requirements related to protest procedures.

SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

MEMORANDUM

TO: Board of Directors

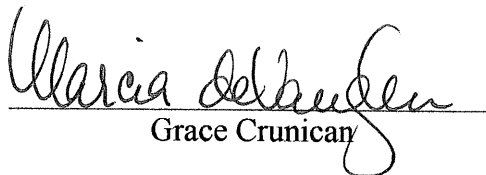
DATE: May 21, 2015

FROM: General Manager

SUBJECT: E&O Agenda Item 6.B: Earthquake Safety Program: Berkeley Hills Tunnel Alternatives – For Information

At the May 28th Board of Director's meeting, staff will present the second part of its engineering feasibility study for seismically retrofitting the Berkeley Hills Tunnel where it crosses the Hayward Fault. The presentation will describe a number of proposed alternatives and their evaluation against several criteria. Staff will be seeking Board input on the desired level of retrofit to pursue for funding and engineering.

If you have any questions about the attached presentation, please contact Robert Powers, AGM, Planning and Development at (510) 287-7410.


Grace Crunican

Attachment

cc: Board Appointed Officers
Deputy General Manager
Executive Staff