

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

BOARD MEETING AGENDA

August 11, 2011

9:00 a.m.

A regular meeting of the Board of Directors will be held at 9:00 a.m. on Thursday, August 11, 2011, 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 General Discussion and 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 or via regular mail upon request. 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. Those interested in being on the mailing list for meeting notices (email or regular mail) can do so by providing the District Secretary with the appropriate address.

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. CONSENT CALENDAR

- A. Approval of Minutes of the Meetings of July 13, 2011 (Special), July 14, 2011 (Regular), July 20, 2011 (Special) and July 21, 2011 (Special).* Board requested to authorize.
- B. Fixed Property Tax Rates Fiscal Year 2011-2012 General Obligation Bonds.* Board requested to authorize.
- C. Award of Contract No. 15QK-110, Repaint Outdoor Substations and Gap Breakers – Phase VI.* Board requested to authorize.
- D. Award of Contract No. 15QK-120, Repaint Outdoor Substations and Gap Breakers – Phase VII.* Board requested to authorize.
- E. Award of Invitation for Bid No. 8890, A/B/C1 Car Hydraulic Hose Kit.* Board requested to authorize.
- F. Reject All Bids for Contract No. 15PJ-110, Earthquake Safety Program Station Structures A-Line.* Board requested to reject.
- G. Reject All Bids for Invitation for Bid No. 8882, Escalator Handrail.* Board requested to reject.

3. ADMINISTRATION ITEMS

Director Blalock, Chairperson

- A. Resolution of Compliance and Authorization for the 10-year Master Agreement with the California Department of Transportation (Caltrans).* Board requested to adopt.
- B. Northern California Power Agency (NCPA) Solar Photovoltaic (PV) Projects.*
 - a. Approval of NCPA Solar PV Gridley Project. Board requested to authorize.
 - b. BART PV Project Power Purchase Agreements. Board requested to authorize.
 - c. Update on PV Projects at Lafayette and Orinda Stations. For information.

4. ENGINEERING AND OPERATIONS ITEMS

Director Fang, Chairperson

- A. Award of Contract No. 15PU-120, Earthquake Safety Program 34.5KV Cable System Upgrade MTW and KTE Substations Tie-In.* Board requested to authorize.
- B. Agreements with FMG Architects (No. 6M8047) and Kwan Henmi Architecture/Planning, Inc. (No. 6M8050) for Sustaining Transit Architectural Services for BART Projects.* Board requested to authorize.
- C. Agreements with Anil Verma Associates, Inc. (No. 6M8043); PGH Wong Engineering, Inc. (No. 6M8045); and Kal Krishnan Consulting Services, Inc. (No. 6M8046) for General Engineering Services for BART Projects.* Board requested to authorize.
- D. Rail Car Fleet of the Future: Preliminary Renderings.* For information.
- E. Quarterly Performance Report, Fourth Quarter Fiscal Year 2011 - Service Performance Review.* For information.

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

Director Murray, Chairperson

- A. Report on the Planning, Public Affairs, Access, and Legislation Committee Meeting of August 4, 2011.* For information.

6. GENERAL MANAGER'S REPORT

NO REPORT.

7. BOARD MATTERS

- A. Report on the Board of Directors Workshop - Business Advisory Committee of July 26, 2011. For information.
- B. Board Member Reports. For information.
- C. 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.)

8. GENERAL DISCUSSION AND PUBLIC COMMENT

9. PUBLIC COMMENT ON ITEMS 10-A, 10-B, and 10-C ONLY

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

- A. **THREAT TO PUBLIC SERVICES OR FACILITIES:**
 - Consultation with: Chief of Police; Acting Manager, Rail Security Programs; and Assistant General Manager - Operations
 - Government Code Section: 54957(a)

B. PUBLIC EMPLOYEE EMPLOYMENT

Title: General Manager

Government Code Section: 54957(b)(1)

C. CONFERENCE WITH NEGOTIATORS

Designated Representatives: Elaine Kurtz, Acting Assistant General Manager – Administration; and Gregg A. Moser, Krauthamer & Associates, Inc.

Title: General Manager

Government Code Section: 54957.6

D. CONFERENCE WITH LABOR NEGOTIATORS - PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Title: Independent Police Auditor

Government Code Section: 54957(b)(1)

11. OPEN SESSION



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>Marisa del Valle</i>		GENERAL MANAGER ACTION REQ'D:		
DATE: c 8/2/11		BOARD INITIATED ITEM: No		
Originator/Prepared by: Michaela Morales Dept: CONTROLLER-TREASURER'S DEPARTMENT X6075	General Counsel	Controller/Treasurer	District Secretary	BARC
Signature/Date: TITLE:	<i>MB</i> []	<i>[Signature]</i> []	[]	<i>Carla New</i> 8-2-11 []

FIXED PROPERTY TAX RATES FY 2011-12 - GENERAL OBLIGATION BONDS

NARRATIVE:

PURPOSE:

Fixing the rate of property taxes for BART in San Francisco, Alameda and Contra Costa Counties for Fiscal Year 2012 as required by Public Utilities Code Section 29126 to pay for the debt service on the District's General Obligation Bonds.

DISCUSSION:

The debt service required on the District's General Obligation Bonds for Fiscal Year 2012 is \$21,916,622.50 as determined by a Financial Consultant.

The debt service tax rate required by the District for Fiscal Year 2012 is .0041 which equates to \$4.10 per one hundred thousand dollars of assessed valuation for the three counties within the District as determined by their Auditor-Controller's Offices.

FISCAL IMPACT:

Revenues collected on the basis of the above tax rate will be sufficient for the debt service requirements for the General Obligation Bonds for Fiscal Year 2012.

ALTERNATIVES:

None.

RECOMMENDATION:

It is recommended that the tax rate fixed for Fiscal Year 2012 be approved.

MOTION:

Adopt attached Resolution.

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

In The Matter of Fixing The Rate of Taxes
For San Francisco Bay Area Rapid Transit
District for Fiscal Year 2011/12

Resolution No. _____

WHEREAS, this Board desires to fix the rate of taxes for the District, for the fiscal year July 1, 2011, to June 30, 2012, and make valid assessments of property and valid levies of taxes in accordance with Public Utilities Code Section 29126; and

WHEREAS, Section 93(c) of the Revenue and Taxation Code authorizes the District to levy an ad valorem property tax in order to produce revenues in an amount equal to the amount needed to make annual payments of principal and interest on the General Obligation Bonds which were approved by over two-thirds vote of the District's voters on November 2, 2004; and

WHEREAS, this Board has determined the tax rate for the District taxes for the counties in the District for the fiscal year 2011/12 from the budget of the District for the fiscal year 2011/12 and from the values of property transmitted to this Board by County Auditors;

NOW, THEREFORE, BE IT RESOLVED that the rate of taxes of the San Francisco Bay Area Rapid Transit District, for the fiscal year July 1, 2011 to June 30, 2012, is hereby fixed at .0041, which equates to \$4.10 per one hundred thousand dollars of assessed value of property, AND BE IT FURTHER RESOLVED that the Secretary shall immediately after the effective date of this resolution transmit to the County Auditor of the Counties in which the District is situated a statement of such tax rate. The effective date of this resolution is August ____, 2011.

Adopted _____



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>Marcus DeLaughter</i>		GENERAL MANAGER ACTION REQ'D: Approve and Forward to the Board		
DATE: 8/4/11		BOARD INITIATED ITEM: No		
Originator/Prepared by: Ersten Y Imaoka Dept: M & E <i>Ersten Imaoka</i>	General Counsel <i>[Signature]</i>	Controller/Treasurer <i>[Signature]</i>	District Secretary <i>[Signature]</i>	BARC <i>[Signature]</i>
Signature/Date: 8/3/11				

TITLE:

Award Contract No. 15QK-110, Repaint Outdoor Substations and Gap Breakers - Phase VI

NARRATIVE:

PURPOSE: To obtain Board authorization for the General Manager to award Contract No. 15QK-110, Repaint Outdoor Substations and Gap Breakers - Phase VI, to Jeffco Painting & Coating, Inc.

DISCUSSION: The Work in general consists of providing all labor, materials and equipment necessary to install a preformed metal roof and repair metal ducts at Bay Tube East Substation (KTE) located in Oakland, Alameda County; and repaint the exterior surfaces of metal enclosures at 12 BART Traction Power Substations and Gap Breaker Stations.

Advance Notice to Bidders was mailed on June 10, 2011, to 39 prospective Bidders. Contract Books were mailed to 23 plan rooms and minority assistance organizations. The Contract was advertised on June 14, 2011. Ten firms purchased the Contract Book. A pre-bid meeting and site tour were conducted on June 28, 2011, with 11 prospective Bidders attending the meeting and three prospective Bidders attending the site tour. The following two Bids were received on July 19, 2011:

BIDDER	LOCATION	TOTAL BID
Jeffco Painting & Coating, Inc	Vallejo	\$310,265.00
Jerry Thompson & Sons Painting, Inc	San Rafael	\$380,000.00
Engineer's Estimate		\$316,715.00

After review by District staff, the Bid submitted by Jeffco Painting & Coating, Inc has been deemed to be responsive. Furthermore, a review of this Bidder's license, business experience, and financial capabilities has resulted in a determination that the Bidder is responsible. Staff has also determined that its Bid of \$310,265, which is approximately 2% below the Engineer's Estimate, is fair and reasonable.

District staff has determined that there will be no significant impact on the environment due to the replacement of roofing at one location and repainting at all locations, and that such Work is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Existing Facilities.

Pursuant to the District's Non-Discrimination in Subcontracting Program, the availability percentages for this contract are 23% for MBEs and 12% for WBEs. The Bidder did not commit to subcontract any percentage of the subcontracted amount to MBEs or to WBEs. Therefore, the Bidder was requested to provide the District with information to determine if it had discriminated. Based on the review of the information submitted by the Bidder, the Office of Civil Rights found no evidence of discrimination.

FISCAL IMPACT: Funding of \$310,265 for award of Contract No. 15QK-110 is included in the total project budget for Project 15QK000, Repaint Substations/GAP Breaker Stations. The Office of the Controller/Treasurer certifies that funds are currently available to meet this obligation.

As of July 27, 2011, \$1,645,000 is available for commitment for this project from Fund 851W. BART has expended \$41,751 and encumbered \$55,481 to date. There is a pre-encumbrance of \$889,735 in BART's financial management system. This action will encumber an additional \$310,265 leaving an available fund balance of \$347,768.

There is no fiscal impact on available unprogrammed District Reserves.

ALTERNATIVE: The alternative is to reject all Bids which will result in deferral of painting necessary to protect these facilities from corrosion. Prolonged rusting of the exterior surfaces could allow rainwater into these structures, resulting in costly damage to equipment and possible interruption of revenue service.

RECOMMENDATION: Adoption of the following motion.

MOTION: The General Manager is authorized to award Contract No. 15QK-110, Repaint Outdoor Substations and Gap Breakers - Phase VI, to Jeffco Painting & Coating, Inc for the Bid price of \$310,265, pursuant to notification to be issued by the General Manager and subject to the District's protest procedures.



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>Wanda Johnson</i>		GENERAL MANAGER ACTION REQ'D: Approve and Forward to the Board		
DATE: c 8/3/11		BOARD INITIATED ITEM: No		
Originator/Prepared by: Ersten Y Imaoka Dept: M & E <i>Ersten Y Imaoka</i> Signature/Date: 8/3/11	General Counsel <i>Angela...</i> 8/3/11	Controller/Treasurer <i>[Signature]</i> 8/3/11	District Secretary []	BARC <i>Paul...</i> 8/3/11

TITLE:
Award Contract No. 15QK-120, Repaint Outdoor Substations and Gap Breakers - Phase VII

NARRATIVE:

PURPOSE: To obtain Board authorization for the General Manager to award Contract No. 15QK-120, Repaint Outdoor Substations and Gap Breakers - Phase VII, to Jeffco Painting & Coating, Inc.

DISCUSSION: The Work, in general, consists of providing all labor, materials and equipment necessary to repaint the exterior surfaces of metal enclosures at twelve (12) BART Traction Power Substations and Gap Breaker Stations.

The District provided advance notice to 39 prospective Bidders on June 21, 2011, and Contract Books were mailed to 23 plan rooms and minority assistance organizations. The Contract was advertised on June 23, 2011. Three (3) firms purchased the Contract Book. A pre-bid meeting was conducted on July 7, 2011. Three (3) prospective Bidders attended the meeting. The following two (2) Bids were received on July 26, 2011:

BIDDER	LOCATION	TOTAL BID
Jerry Thompson & Sons Painting, Inc.	San Rafael	\$299,795.00
Jeffco Painting & Coating, Inc.	Vallejo	\$314,991.00
Engineer's Estimate		\$314,970.00

The apparent low Bidder, Jerry Thompson & Sons Painting, Inc., failed to acknowledge receipt of Addendum No. 1 which contained changes to the Contract Specifications, rendering the Bid non-responsive. Staff has determined that the apparent second low Bidder, Jeffco Painting & Coating, Inc., submitted a responsive Bid. Staff has also determined upon review of the Bidder's license, business experience, and financial capabilities that the Bidder is responsible, and that its Bid of \$314,991, which is less than 1% above the Engineer's Estimate, is fair and reasonable.

District staff has determined that there will be no significant impact on the environment due to the repainting at these locations, and that such Work is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Existing Facilities.

Pursuant to the District's Non-Discrimination in Subcontracting Program, the availability percentages for this Contract are 23% for MBEs and 12% for WBEs. The Bidder will not be subcontracting any work and will do all of the Work with its own forces. Therefore, the District's Non-Discrimination in Subcontracting Program does not apply.

FISCAL IMPACT: Funding of \$314,991 for award of Contract No. 15QK-120 is included in the total project budget for Project 15QK000, Repaint Substations/GAP Breaker Stations. The Office of the Controller/Treasurer certifies that funds are currently available to meet this obligation.

As of 7/27/11, \$1,645,000 is available for commitment for this project from Fund 851W. BART has expended \$41,751 and encumbered \$55,481 to date. There is a pre-encumbrance of \$885,009 in BART's financial management system. This action will encumber an additional \$314,991, leaving an available fund balance of \$347,768.

There is no fiscal impact on available unprogrammed District Reserves.

ALTERNATIVE: The alternative is to reject all Bids which will result in deferral of painting necessary to protect these facilities from corrosion. Prolonged rusting of the exterior surfaces could allow rainwater into these structures, resulting in costly damage to equipment and possible interruption of revenue service.

RECOMMENDATION: On the basis of analysis and evaluation by District staff, it is recommended that the Board adopt the following motion:

MOTION: The General Manager is authorized to award Contract No. 15QK-120, Repaint Outdoor Substations and Gap Breakers - Phase VII, to Jeffco Painting & Coating, Inc for the Bid price of \$314,991, pursuant to notification to be issued by the General Manager and subject to compliance with the District's protest procedures.



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>Margie DeWang</i>		GENERAL MANAGER ACTION REQ'D:		
DATE: 8/4/11		BOARD INITIATED ITEM: No		
Originator/Prepared by: Kirtland Smith Dept: RS&S <i>John McComit</i> Signature/Date: 7/28/2011	General Counsel <i>Andrew...</i> 8/1/11	Controller/Treasurer <i>[Signature]</i> 8/2/11	District Secretary <i>[Signature]</i>	BARC <i>Paul...</i> 8/3/11
Status: Approved		Date Created: 06/16/2011		

TITLE:

Invitation for Bid #8890 A/B/C-1 CAR HYDRAULIC HOSE KIT

NARRATIVE:

PURPOSE: To request Board Authorization for the General Manager to award Invitation For Bid (IFB) No. 8890 to Hose & Fittings, Etc. of West Sacramento, CA.

DISCUSSION: Each of the District's 669 rail cars utilizes its own independent Hydraulic Braking System. The hydraulic fluid used in the system mechanically applies the brakes through pressure transfer. The fluid is channeled through a network of rigid piping and flexible hydraulic hoses. As the pressure is applied and released, the hoses flex and distort. Vehicle Systems Engineering has determined that these hoses are approaching the end of their design life and should now be replaced as part of our scheduled maintenance program. Hoses under this procurement are purchased and installed as full car's Hose Kits. Each car has between 21 and 25 hoses. The result will be renewed condition and extended life for the hydraulic system components.

This is a twenty-four (24) month estimated quantity Contract. During the term of the Contract, the District is required to purchase from the Supplier a minimum amount of 50 percent of the total dollar value of the Contract. Upon Board Authorization to Award this Contract, the General Manager will also have the authority to purchase up to 150 percent of the total dollar value of the Contract, subject to availability of funding.

A Notice Requesting Bids was published on April 29, 2011 and Bid Requests were mailed to thirteen (13) prospective Bidders. Bids were opened on May 17, 2011 and five (5) Bids were received.

<u>Bidder</u>	<u>Item (1) Unit Price 270 Kits</u>	<u>Item (2) Unit Price 60 Kits</u>	<u>Grand Total including 9.75% Sales Tax</u>
Hose & Fittings Etc. W. Sacramento, CA 95691	\$ 873.68	\$ 584.55	\$ 270,966.60
Hydraulic Hose Co. Oakland, CA 94608	\$ 1,396.00	\$ 888.00	\$ 428,857.00
Hydraulic Controls, Inc. Emeryville, CA 94608	\$ 1,694.28	\$ 479.16	\$ 486,204.97

Hydraulic Controls, Inc. Emeryville, CA 94608	\$ 1,932.79	\$ 915.13	\$ 576,761.10
Hose Unlimited, Inc. San Leandro, CA 94577	\$ 784.29	\$ 522.51	\$ 243,108.90

Independent cost estimate by BART staff: \$ 570,000.00.

The apparent lowest Bidder, Hoses Unlimited, Inc. failed to submit, with the Bid, the required documentation showing the equality of Bidder's proposed alternatives to the brand name items specified in the IFB, General Provisions Article 2.3. While Hoses Unlimited submitted some documentation, it did not submit all of the required documents listed in Article 2.3 to demonstrate that the proposed alternatives provided the performance, reliability, physical and operational characteristics specified in the IFB. For this reason, the Bid was determined to be non responsive.

Staff has determined that the apparent second lowest Bidder, Hose & Fittings, Etc., submitted a responsive Bid. Staff has also determined that the bid pricing is fair and reasonable based on an independent cost estimate by BART staff. The independent cost estimate was considerably higher than the successful Bid because this purchase represents the first time that BART has procured hydraulic hoses in large quantities. The lower Bid prices reflect high-volume production efficiencies.

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.

FISCAL IMPACT: The purchase of the Hose Kits are scheduled to be procured over the Contract's twenty-four (24) month period term at the following estimated annual costs:

FY2012	\$135,483.30
FY2013	\$135,483.30
Total	<u>\$270,966.60</u>

Funding for the FY2012 expenditures of \$135,483.30 are currently available in the General Fund, Materials & Supplies Inventory build up account. Any additional orders of Hose Kits over and above the currently available funds of \$135,483.30 will only be placed with Hose & Fittings Etc. upon certification by the Controller-Treasurer that funds are available.

ALTERNATIVE: The alternative is to reject all Bids and readvertise the IFB.

RECOMMENDATION:
Adopt the following motion:

MOTION:

The Board authorizes the General Manager to award IFB No. 8890, an estimated quantity Contract for A/B/C-1 Car Hydraulic Hose Kit, to Hose & Fittings, Etc., for the Bid price of \$270,966.60 (including sales tax), pursuant to notification to be issued by the General Manager and subject to compliance with the District's Protest Procedures.



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>Walter DeLuca</i>		GENERAL MANAGER ACTION REQ'D: Approve and forward to Board of Directors		
DATE: c 8/3/11		BOARD INITIATED ITEM No		
Originator/Prepared by: Shirley J Ng Dept: TSD	General Counsel <i>MB</i>	Controller/Treasurer <i>[Signature]</i>	District Secretary []	BART <i>[Signature]</i> 8/1/11
Signature/Date: <i>[Signature]</i> 7/28/11				

TITLE:

Reject All Bids For Contract No. 15PJ-110, Earthquake Safety Program, Station Structures - A Line

NARRATIVE:

PURPOSE:

To reject all Bids for Contract No. 15PJ-110, Earthquake Safety Program, Station Structures - A Line.

DISCUSSION:

Contract No. 15PJ-110 will provide for life safety retrofits of A Line stations as part of BART's Earthquake Safety Program. The base contract work includes San Leandro, Hayward, South Hayward and Fremont Stations, with options to be exercised within one year for Fruitvale, Coliseum and Bay Fair Stations. The work consists of the structural retrofit of pile caps, columns, and bent caps and the associated architectural and mechanical/electrical components impacted by the retrofits.

An Advance Notice to Bidders was mailed on December 10, 2010 to 265 firms. The Contract was advertised on December 15, 2010 and Contract Books were sent to 21 plan rooms. A total of 53 firms purchased copies of the Bid Documents. A Pre-Bid meeting and site tour were conducted on January 5, 2011 with a total of 12 potential Bidders in attendance. A total of eight Addenda were issued during the bid period. Five Bids were received and publicly opened on June 28, 2011. As discussed further below, due in part to the fact that four out of five Bidders were non-responsive, staff is recommending rejection of all Bids to allow a readvertisement of the Contract.

Listed below is a tabulation of the Bids. It should be noted that the Bid submitted by S. J. Amoroso Construction, Inc. (Amoroso), was determined to have arithmetical errors in the Bid Item totals and/or in the total Bid Price. Paragraph 13.B, Evaluation, of the Instructions to Bidders in the Contract provides that item totals are provided by the Bidder for the convenience of the District, and that the District will independently calculate such prices based on the unit or lump sum prices bid. In the event of a discrepancy, the District's calculations shall govern. Accordingly, the tabulation below reflects the District's calculation of Amoroso's Bid.

Tabulation of the corrected Bids, including the Engineer's Estimate, is as follows:

<u>BIDDER</u>	<u>LOCATION</u>	<u>TOTAL AMOUNT</u>
1. Proven Management, Inc.	San Francisco, CA	\$23,997,777.00
2. S. J. Amoroso Construction, Inc.	Redwood Shores, CA	\$25,127,000.00
2. West Bay Builders, Inc.	Novato, CA	\$27,670,285.00
4. Reyes Construction, Inc.	Pomona, CA	\$28,480,445.00
5. Best Contracting Services, Inc.	Hayward, CA	\$33,372,725.00
<u>Engineer's Estimate</u>		\$26,000,000.00

After review by staff, it was determined that four out of the five Bids received were non-responsive due to the failure to comply with requirements for a Certificate of Status as Certified Qualified Conveyance Company. The Bids submitted by Proven Management, Inc., S. J. Amoroso Construction, Inc., Reyes Construction, Inc. and Best Contracting Services, Inc. were determined to be non-responsive as they failed to complete the required form. The remaining Bid from West Bay Builders, Inc. exceeds the Engineer's Estimate and is for \$3,672,508 above the low Bidder's price. Staff believes it is in the District's best interest to reject all Bids and readvertise this Contract. Among other things, revisions in the Contract terms clarifying the conveyance certification requirements as well as correcting other issues identified in several Addenda is expected to provide more competitive Bids with a readvertisement.

FISCAL IMPACT:

There is no fiscal impact by this action.

ALTERNATIVE:

Award the Contract to the sole responsive Bidder, West Bay Builders, Inc. which will involve expenditures beyond the Engineer's Estimate. Such an award would be subject to the District's protest procedures.

RECOMMENDATION:

It is recommended that the Board adopt the following motion:

MOTION:

All Bids for Contract No. 15PJ-110, Earthquake Safety Program, Station Structures - A Line are rejected and the General Manager is authorized to readvertise the Contract.



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL <i>Marcia DeBevoise</i>		GENERAL MANAGER ACTION REQ'D:	
DATE: 8/3/11		BOARD INITIATED ITEM: No	
Originator/Prepared by: Robert Cotton Dept: Power & Mechanical Maintenance <i>Robert Cotton</i> Signature/Date: 7-19-2011	General Counsel <i>Andrew Rupp</i> 7/29/11	Controller/Treasurer <i>[Signature]</i> 7/29/11	District Secretary <i>[Signature]</i> 7/13/11
Status: Routed		Date Created: 06/29/2011	

TITLE:

Escalator Handrail IFB #8882

NARRATIVE:

PURPOSE:

To reject all bids for IFB No. 8882 for the Procurement of Escalator Handrail.

DISCUSSION:

On December 31, 2010, IFB No. 8882 for the Procurement of Escalator Handrail (the "IFB") was advertised. This was a three year, estimated quantity procurement that would provide handrails, as needed, on 180 District escalators. Bid requests were mailed to nineteen (19) prospective bidders. The following six (6) bids were received and opened on January 18, 2011:

<u>Bidder</u>	<u>Unit Price</u>	<u>Grand Total including 8.75% Sales Tax</u>
Schindler Elevator Co.	\$246,963.20	\$271,042.11
Kone Spares Inc.	\$248,625.00	\$272,865.94
Unitec Parts Company	\$254,537.00	\$279,354.38
Porta-Flex MFG.	\$368,022.50	\$403,536.67
ECH Canada, Inc.	\$392,002.00	\$430,222.20

Independent cost estimate by BART staff: \$ 450,000.00

The apparent low bidder, Schindler Elevator Co., added annotations to it's Bid Form that indicated that it's bid prices did not include required splicing of the handrail as required in the

IFB documents. Although the apparent second low bidder Kone Spares Inc. took no exceptions on the bid form, its representative advised staff that they did not factor splicing into their price. The bid of the apparent third low bidder, is comparable to the per item pricing of the first and second bidder, suggesting that it also failed to price splicing.

Under the circumstances, the District may either award to the apparent low bidder, Kone Spares Inc. and risk claims and associated delay in the replacement of the escalator handrails, or reject all bids and revise the bid documents to minimize the likelihood of such an error by the bidders. It is staff's opinion that it would be in the District's best interest to reject all bids and revise the IFB documents to emphasize to bidders that the per item bid prices must include the costs of all required splicing. This should have the effect of increasing the number of viable bids. Staff intends to promptly reissue this IFB for bids following the revision.

FISCAL IMPACT:

There is no fiscal impact resulting from rejection of all Bids.

ALTERNATIVES:

The alternative is to award this Contract to the apparent low Bidder, Kone Spares Inc.

RECOMMENDATION:

On the analysis and evaluation by staff, it is recommended that the Board adopt the following Motion.

MOTION:

All bids for IFB No. 8882 for the Procurement of Escalator Handrail are rejected and the General Manager is authorized to re-advertise the work.



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>Marcey DeLaugen</i>		GENERAL MANAGER ACTION REQ'D: Approve and place on Board meeting agenda		
DATE: <i>8/3/11</i>		BOARD INITIATED ITEM: No		
Originator/Prepared by: Todd Morgan Dept: Capital Development <i>Todd Morgan</i> Signature/Date: <i>8.3.2011</i>	General Counsel: <i>[Signature]</i> 8/3/11	Controller/Treasurer: <i>[Signature]</i> []	District Secretary: []	BARC: <i>[Signature]</i> 8-3-11 []
Status: Routed		Date Created: 07/08/2011		

TITLE:

Approval of a Resolution of Compliance and Authorization for the Caltrans Master Agreement

NARRATIVE:

PURPOSE:

To request that the Board of Directors adopt the attached Resolution (the Master Agreement Resolution) authorizing the execution of a Master Agreement and Program Supplements for State Funded Projects with California Department of Transportation (Caltrans), Division of Mass Transportation (DMT).

DISCUSSION:

The Master Agreement (MA) for State Funded Transit Projects is a contract between the DMT and the local agency (Recipient) who will receive state funds for transit projects from the following funding sources:

- a. Passenger Rail and Clean Air Bond Act of 1990 (Prop. 108);
- b. Clean Air and Transportation Improvement Act of 1990 (Prop. 116);
- c. Public Transportation Account Funds;
- d. State Highway Account;
- e. Traffic Congestion Relief Fund (TCR), GC 14556.40;
- f. General Fund; *and*
- g. Other State Funding Sources

The MA contains all of the legal, contract-related language specific to the individual Recipient. It must be executed prior to, or concurrent with, approval by the California Transportation Commission's (CTC) of a transit project application. The MA covers all transit-related applications throughout the term of the MA, which in most cases is ten years. DMT and/or the local Recipient have the option of modifying the term of the MA based on the specific needs of each individual recipient; however, the term of the MA may not exceed ten years. Specific technical information regarding each individual transit project (including a detailed Cost, Scope and Schedule, etc.) will be contained in the Program Supplement agreement (PS) for each project. The PS covers project specific rules and regulations, which are called special covenants and are signed by the Caltrans District Office (the District). The MA together with the PS have replaced the previous Fund Transfer Agreement (FTA). While Caltrans Headquarters must

sign-off on all MAs, the District will execute the PSs and be the point of contact for each Recipient. The Districts will oversee the implementation process and ensure that each Recipient has a MA in place prior to, or concurrent with, the submittal of a state funded transit project application to the CTC for approval.

Topics addressed in this MA include but are not limited to:

- Project Overrun
- Allowable Costs and Progress Payment Vouchers
- Expedited Payments
- Advance Expenditure of Local Funds
- Travel Reimbursement
- Final Invoice
- Local Match Funds
- Funding Contingencies
- Funds Movement
- Cost Principles
- Record Retention
- Quarterly Review
- Termination
- Third Party Contracting
- Change in Terms/Amendments
- Project Ownership
- Disputes
- Hold Harmless and Indemnification
- Labor Code Compliance
- Non-Discrimination
- State Fire Marshal Building Standards
- Americans with Disabilities Act
- Access for Persons with Disabilities
- Disabled Veterans Program Requirements
- Environmental Process
- General Bond Provisions

FISCAL IMPACT:

Approval of the Master Agreement Resolution is a requirement for BART to receive state funds from DMT. This action will have no fiscal impact on unprogrammed BART District Reserves.

ALTERNATIVES:

Do not approve the Master Agreement Resolution. This will preclude BART from accessing state grant funds, including FY 2012 STIP funds and impede delivery of the several large capital projects.

RECOMMENDATION:

That the Board adopt the attached Master Agreement Resolution authorizing the General Manager to enter into a Master Agreement and Program Supplements with DMT.

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

**RESOLUTION RELATING TO A
MASTER AGREEMENT AND PROGRAM
SUPPLEMENTS WITH THE CALIFORNIA
DEPARTMENT OF TRANSPORTATION
(DIVISION OF MASS TRANSPORTATION) FOR
STATE FUNDED TRANSIT PROJECTS**

RESOLUTION NO. _____

WHEREAS, the San Francisco Bay Area Rapid Transit District (BART) may receive state funding from the California Department of Transportation, Division of Mass Transportation (DMT) now or sometime in the future for transit projects; and

WHEREAS, substantial revisions were made to the programming and funding process for the transportation projects programmed in the State Transportation Improvement Program, by Chapter 622 (SB 45) of the Statutes of 1997; and

WHEREAS, the Traffic Congestion Relief Act of 2000 (the Act) was established by Chapters 91 (AB 2928) and 92 (SB 496), as amended by SB 1662, of the statutes of 2000, creating the Traffic Congestion Relief Program (TCRP); and

WHEREAS, the statutes related to state-funded transit projects require a local or regional implementing agency to execute an agreement with the DMT before it can be reimbursed for project expenditures; and

WHEREAS, the DMT utilizes Master Agreements for state-funded transit projects, along with associated Program Supplements, for the purpose of administering and reimbursing state transit funds to local agencies; and

WHEREAS, BART wishes to delegate authorization to execute the Master Agreement, associated Program Supplements, and any amendments thereto to the General Manager or his/her designee; and

NOW, THEREFORE, BE IT RESOLVED by the BART Board of Directors that BART agrees to comply with all conditions and requirements set forth in Master Agreement, associated Program Supplements, and any amendments thereto, as well as applicable statutes, regulations and guidelines for all state-funded transit projects.

NOW THEREFORE, BE IT FURTHER RESOLVED that the General Manager or his/her designee be authorized to execute the Master Agreement for state-funded transit projects and all associated Program Supplements and any amendments thereto with the DMT.

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EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>Marcia DelBunga</i>		GENERAL MANAGER ACTION REQ'D: Approve and Place on July 28, 2011 Administration Committee Meeting Agenda		
DATE: c <i>8/4/11</i>		BOARD INITIATED ITEM: No		
Originator/Prepared by: Frank Schultz Dept: Operating Budgets and Analysis <i>RS</i> Signature/Date: <i>8/3/11 SCHULTZ</i>	General Counsel <i>MB</i>	Controller/Treasurer <i>[Signature]</i>	District Secretary []	BARC <i>[Signature]</i> 8-3-11 []

TITLE:
Northern California Power Agency (NCPA) Solar Photovoltaic (PV) Gridley Project Approval

NARRATIVE:
PURPOSE

To authorize the General Manager to execute two agreements that will provide for the purchase of power supplied from the NCPA Solar PV Gridley project (BART PV Project) and adopt a motion authorizing BART's representative on the NCPA Commission to vote to approve the power purchase agreement when it is brought for a vote at the NCPA Commission meeting. Staff will also provide an update on the NCPA Solar PV Projects at the Lafayette and Orinda stations.

DISCUSSION

The NCPA Solar PV projects are being developed under the NCPA Green Power Project program using a three phase project development process. As part of Phase I, NCPA made a competitive selection of solar developers after a broad based renewable energy Request For Proposals (RFP) process. NCPA selected the developers based on an assessment of their capabilities, including the ability to obtain project financing, and the proposed cost to provide the renewable power. NCPA selected Light Beam Energy, Inc. which it determined to be a viable developer and provided the lowest price. The BART Board authorized approval of the NCPA Phase II Solar Project Agreement at the May 13, 2010 meeting and provided \$415,000 in funding for this effort. The Phase II Agreement provided for development and analysis of potential solar PV shade structures at the Lafayette and Orinda station parking lots and a ground mounted solar farm in the Livermore area. Over the past year NCPA, District staff and the proposed developer, Light Beam Energy have been performing site analysis, engineering and other development activities.

The Phase II Agreement allows for substitution of potential project sites as the development process proceeds and more information is learned. Given additional information through the Phase II process, staff recommends pursuing an opportunity to develop a solar farm of two and one-half megawatts (2.5 MW) of capacity in Gridley, CA in place of the Livermore location. Certain areas of the District's Livermore property have protected environmental habitat. While developing the remaining areas of the property as a solar farm remains an option, the

environmental issues will mean that it will take longer to develop the site and the delay will not enable the project to qualify for federal incentive payments that were factored into the project pricing.

The City of Gridley, an NCPA member, is located north of Sacramento. Gridley is currently installing a one megawatt (1 MW) solar farm at the site under the NCPA Solar PV Project program. The Gridley site is large enough to allow for additional PV capacity. The advantage of pursuing the Gridley site is that the PV system would be located behind Gridley's city gate load meter and generation from the system will be eligible for some "behind-the-meter" savings because Gridley will avoid certain payments to the California Independent System Operator (CAISO) for transmission service on this load (a Livermore location would not have such an advantage). Per standard practices among NCPA members, BART would share in the behind-the-meter savings at Gridley, thereby lowering the cost by approximately \$17 a megawatt hour. A memorandum was previously sent to the Board regarding the Gridley project on April 12, 2011.

For the BART PV Project, Light Beam Energy would construct, own, operate and maintain the solar facility. NCPA would enter into a twenty-five year power purchase agreement with Light Beam on BART's behalf and schedule the power to serve the District's electrical power load. The District would enter into two agreements:

(1) An Agreement Between the City of Gridley, the District and NCPA to share the generation benefits and costs relating to the BART PV Project. The behind-the-meter project benefits would be shared equally between Gridley and BART. The Agreement also specifies the mathematical calculations to be used by NCPA to share the benefits.

(2) The NCPA Facilities Agreement. This is a standard NCPA agreement that establishes procedures and obligations for operating generation facilities and scheduling power to NCPA members. It is the scheduling provisions of the Facilities Agreement that would apply to this project.

Provisions of the NCPA Green Pool Agreement require the NCPA Commission to approve the power purchase agreement between NCPA and Light Beam Energy. NCPA is requiring that the BART Board adopt a motion that the District will vote "yes" at the NCPA Commission meeting when the power purchase agreement is brought for approval. The project has undergone CEQA review and qualifies as an exempt project. The Office of General Counsel will approve the agreements as to form.

Lafayette and Orinda Solar PV Update

A 750 kilowatt PV facility is planned for the Lafayette station. Part of the project design includes reviewing the possibility of including electrical vehicle (EV) charging stations. District staff have kept the City of Lafayette informed of the PV project.

At Orinda, the initial proposed system was 750 kilowatts, approximately the same size as at the Lafayette station system. City of Orinda officials have requested that the District defer any further work on this size project until the City completes an update of its General Plan which is expected to take until the end of the year. The District had previously proposed to have SunEdison LLC install a smaller 67 kilowatt solar canopy system at the Orinda station. The City of Orinda supports going forward at this time with the smaller system, and Light Beam Energy has proposed to install the smaller solar system at a cost equivalent to the Lafayette project, resulting in a savings of approximately \$100,000 from the proposed SunEdison installation. Staff recommends that the development work continue on the Lafayette and the smaller Orinda projects with the expectation that a final power purchase agreement will be brought for Board consideration later this year.

Renewable Energy Credits

Evaluation of these projects should take into account recent legislation and regulations that affect the cost of renewable energy. Previously, the state's utilities were required to have 20 percent of their energy supply come from renewable energy sources. Recent state legislation (SB 2X) establishes a new Renewable Portfolio Standard (RPS) that requires utilities to have 33 percent of their energy supply come from renewable sources by 2020. The RPS process has a formal mechanism to assign, on a per megawatt hour basis, a Renewable Energy Credit (REC), commonly called a "green tag," to renewable energy supplies such as solar and wind power. State utilities comply with their RPS obligation by accumulating enough RECs to meet the requirement.

BART is not a utility and is not subject to the standard. However, an important element of this legislation can reduce the cost of renewable energy to BART. State law has now established Tradable Renewable Energy Credits (TRECs) as a means to comply with the 33% RPS and to encourage development of renewable energy projects. This means that an entity such as BART can sell (trade) RECs associated with their renewable energy supply. A purchasing utility or other compliance entity can use the TRECs to meet their RPS obligation. This compliance provision has increased the value of TRECs. Based on NCPA surveys and actual offers to buy TRECs, the initial value of the TRECs is estimated at \$10 to \$40 per megawatt hour. The NCPA Solar PV projects will generate TRECs and BART can sell them to offset the cost of the power supply.

Carbon Allowance Fees

The California Air Resources Board has adopted regulations that will impose a fee, starting in January 2013, on the carbon dioxide and other green house gas emissions generated by conventional energy supplies. It is likely that BART will have to pay the fee as an additional cost to our market power purchases, thus increasing our cost for purchasing market power. NCPA has developed an estimated range for the initial cost of the carbon fee with a mid-point estimate of \$15 per megawatt hour. Renewable power generation, which does not emit any green house gases such as the NCPA Solar PV projects, will not pay the fee. The carbon fees will make renewable power purchases more competitive with market power purchases.

FISCAL IMPACT

There are many variables that must be considered when evaluating the cost of renewable energy vs. market power over a twenty-five year time period. The combination of new state statutory incentives and regulatory fees is likely to substantially reduce the effective cost of renewable energy when compared to conventional market power supply. Projecting the precise value of these factors is somewhat difficult, due to the newness of the legislation and the renewable credit markets. However, staff has made what it considers to be conservative long-term estimates, based on current industry thinking and advice from NCPA. In addition, the behind-the-meter benefits will avoid part or all of the CAISO/PG&E transmission and distribution costs yielding further savings. Market supply, in contrast, pays the full cost of these delivery services.

Taking these factors into consideration staff estimates that the Gridley project will cost less than the conventional power supply. Specifically, it is estimated that the project will cost the District from \$14.1 to \$17.8 million, saving the District \$1.2 to \$4.8 million versus the estimated market price for the same power over the twenty-five year term of the agreements. The Gridley system is scheduled to start production in the last quarter of FY12 and funds have been included in the FY12 power budget for the cost of the power supply. Funding in the following fiscal years will be included in the District's annual operating budget. The table below displays estimated costs for the Gridley project, as well as preliminary Light Beam pricing for Lafayette and Orinda.

	Cost per MWh		25 yr Total Cost		Cost or (Savings) vs. Market Power	
	(\$/MWh)		(\$M)		(\$M)	
	<u>High</u>	<u>Low</u>	<u>High</u>	<u>Low</u>	<u>High</u>	<u>Low</u>
Gridley	\$166	\$132	\$17.8M	\$14.1M	(\$1.2M)	(\$4.8M)
Lafayette	\$203	\$169	\$6.4M	\$5.4M	\$0.9M	(\$0.2M)
Orinda	\$203	\$169	\$0.4M	\$0.3M	\$0.1M	\$ -

Note: For comparison, over the 25 year term of the agreement, market power is estimated to cost \$175 - \$179/MWh and Lodi Energy Center \$167 - \$171/MWh.

Assumptions:

1. Market power cost is based on forward power agreements through 2016 and increased by the historical rate of increase of 4.5% for the remainder of the forecast period.
2. Initial value of TRECs range from \$10 to \$40 per megawatt hour based on reports from NCPA and increase by 1% annually.
3. Initial value of the carbon fee is the NCPA mid-point estimate of \$15 per megawatt hour and increase by 4.5% annually.
4. Per agreement with Gridley the behind-the-meter savings average \$17 per megawatt hour over the term of the agreement.

Overall, the costs of NCPA Solar PV Projects are below the estimated cost of conventional market supply at the lower and upper cost estimate. The estimated costs for the Lafayette and Orinda projects at the upper range are more than the estimated cost of conventional market

supply, but would be more than offset by the savings from the Gridley Project. Staff notes that these cost estimates do not factor in the intangible benefits that would be realized from these projects being located on District property. They would advance the District's environmental and green energy goals, provide a visual demonstration of the District's commitment to sustainability and the solar canopies will provide protection from the sun to the BART customers parking at the stations.

ALTERNATIVES

To not authorize the agreements for the BART PV Project and stop further development of the Lafayette and Orinda projects. The District's electrical power needs would be served by conventional market supply.

RECOMMENDATION

It is recommended that the Board adopt the following two Motions that would authorize the BART PV Project.

MOTION

That the General Manager is authorized to: (1) execute the Agreement Between the City of Gridley, the San Francisco Bay Area Rapid Transit District and NCPA to Share the Generation Benefits and Costs of the BART PV Project, and the NCPA Facilities Agreement; (2) authorize staff to vote to approve the BART PV Project power purchase agreement when it is brought for a vote at the NCPA Commission meeting.



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>Malca de lauglen</i>		GENERAL MANAGER ACTION REQ'D: Approve and Forward to the Board		
DATE: <i>8/3/11</i>		BOARD INITIATED ITEM: <i>No</i>		
Originator/Prepared by: Richard Pakulski Dept: TSP Systems <i>Richard Pakulski 7/25/11</i>	General Counsel <i>[Signature] 7/25/11</i>	Controller/Treasurer <i>[Signature]</i>	District Secretary <i>[Signature]</i>	BART <i>[Signature] 8/1/11</i>
Status: Approved		Date Created: 07/11/2011		

TITLE:

Award Contract No. 15PU-120 for 34.5kV Cable System Upgrade MTW and KTE Substations Tie-In

NARRATIVE:

Purpose

To obtain Board authorization for the General Manager to award Contract No. 15PU-120, for 34.5kV Cable System Upgrade MTW and KTE Substations Tie-In, to Shimmick Construction Co., Inc.

Discussion:

This Contract is the second of three contracts funded under the BART Earthquake Safety Program to upgrade BART's 34.5kV sub-transmission system which supplies power to the traction power system. Currently, the 34.5kV sub-transmission system is divided into East and West Bay sections and the two sections are not connected to each other. This could have a serious consequence in a large magnitude earthquake, that could cause power disruption to the traction power system. Upon completion of the work in Contract No. 15PU-120, the two sections will be connected to each other via a normally open circuit breaker and new 34.5kV cable in the Transbay Tube. This would allow the District, upon a power failure on any of the two sections, to supply power from the other section, thus allowing revenue service to be restored, at least partially, on BART's Core (operability) system.

Contract 15PU-120 is a Security Sensitive Information (SSI) contract. All prime and sub contractors who participated in the bidding process for this contract signed a Nondisclosure Agreement for Release of Security Sensitive Information for Bidding Purposes.

Advance Notice to Bidders was mailed on March 11, 2011, to twenty-seven (27) prospective bidders, twenty one (21) plan rooms as well as to Minority Assistance Organizations. The Contract was advertised on March 16, 2011.

A Pre-Bid Meeting was held on Friday, June 3, 2011 and attended by eight (8) prospective bidders. A site tour was held on Saturday June 4, 2011 at 1.00 am and attended by eight (8) firms. A total of ten (10) firms/plan holders purchased copies of the Contract Documents.

A total of four (4) Bids were submitted and publicly opened on July 12, 2011.

The following Bids were received:

Bidder	Location	Total Bid Amount
Rosendin Electric, Inc.	San Jose, CA	\$5,267,388
Blocka Construction, Inc.	Fremont, CA	\$6,648,300
Shimmick Construction Co. Inc.	Oakland, CA	\$8,245,000
Steiny and Company, Inc.	Vallejo, CA	\$8,366,675
Engineer's Estimate		\$8,211,000

After review by District staff, the apparent low Bid submitted by Rosendin Electric, Inc. has been deemed to be not responsive to the solicitation for violation of the Nondisclosure Agreement for Release of Security Sensitive Information for Bidding Purposes.

The second apparent low Bid submitted by Blocka Construction, Inc. has been deemed to be not responsive to the solicitation for not acknowledging Addendum No. 6 to the Contract. Addendum No. 6 contained material changes to "Work in Confined Space" and "Work Hours" when active tracks will be made available to the contractor.

The third apparent low Bid submitted by Shimmick Construction Co., Inc., has been deemed to be responsive to the solicitation. Furthermore, staff's review of the Bidder's business experience and financial capabilities has resulted in a determination that the Bidder is responsible and that the Bid of \$8,245,000 submitted by Shimmick Construction Co., Inc. is fair and reasonable.

Pursuant to the District's Nondiscrimination in Subcontracting Program, the availability percentages for this Contract are 23% for Minority Business Enterprises (MBEs) and 12% for Women Business Enterprises (WBEs). The apparent low bidder, Shimmick Construction Co., Inc. committed to 77.5% MBE and 22.5% WBE. The Office of Civil Rights has determined that the Bidder has exceeded both MBE and WBE availability percentages for this Contract.

FISCAL IMPACT:

Funding for \$8,245,000 for award of Contract No. 15PU-120 is included in the total project budget for 15PU000, ESP 34.5kV Retrofit Work. The Office of the Controller/Treasurer certifies that funds are currently available to meet this obligation.

As of July 18, 2011, \$42,490,000 is available for commitment from the proceeds of the General Obligation Bond for this project, with \$32,490,000 tracked in Fund 801F and \$10,000,000 tracked in 801J. BART has expended \$2,576,687 and encumbered \$196,959 to date. There are pre-encumbrance of \$6,846,914 in BART's financial management system. This action will encumber \$8,245,000 leaving an available fund balance of \$24,624,440.

There is no fiscal impact on available unprogrammed District Reserves.

ALTERNATIVE:

The Board may decline to authorize award of this Contract. If the Contract is not awarded, the upgrading of the 34.5kV sub-transmission system will be delayed, retaining the vulnerability of losing traction power to certain sections of the system after a catastrophic event such as an earthquake. The ability to interconnect the East and West Bay 34.5kV sub-transmission system is essential in restoring some revenue train operations without significant delay after a catastrophic event. The Board may also elect to reject all Bids and direct staff to readvertise. This would result in additional cost and time, but may not guarantee lower bids.

RECOMMENDATIONS:

It is recommended that the Board adopt the following motion.

MOTION:

The General Manager is authorized to award Contract No. 15PU-120, for 34.5kV Cable System Upgrade MTW and KTE Substations Tie-In, to Shimmick Construction Co., Inc., for the Bid amount of \$8,245,000, pursuant to notification issued by the General Manager, and subject to the District's protest procedures.



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>Marcia DeVander</i>		GENERAL MANAGER ACTION REQ'D: Approve and forward to the August 11, 2011 E&O Committee Meeting			
DATE: c <i>8/3/11</i>		BOARD INITIATED ITEM: No			
Originator/Prepared by: Marvin E Snow Dept: Transit System Development <i>Marvin Snow</i> Signature/Date: <i>7/29/11</i>	General Counsel <i>MB</i> Signature/Date: <i>7/30/11</i>	Controller/Treasurer <i>[Signature]</i> Signature/Date: []	District Secretary <i>[Signature]</i> Signature/Date: []	BARC <i>[Signature]</i> Signature/Date: <i>8/1/11</i>	

TITLE:

**PROFESSIONAL SERVICES AGREEMENTS
NO. 6M8047 AND 6M8050
SUSTAINING TRANSIT ARCHITECTURAL SERVICES
FOR BART PROJECTS**

NARRATIVE:

PURPOSE: Request the Board to authorize the General Manager to award Agreement No. 6M8047 to FMG Architects and Agreement No. 6M8050 to Kwan Henmi Architecture/Planning, Inc., to provide Sustaining Transit Architectural Services for BART Projects.

DISCUSSION: A new tier of Professional Services Agreements called "sustaining engineering" has been developed by staff to provide an alternate to the larger general engineering/construction management agreements. The sustaining engineering awards are smaller in both duration and budget authorization and, as a result, will be awarded more frequently. Through this process, a larger pool of firms can participate in District Professional Services Agreements as prime consultants, providing services on both an "on-call" and project-specific basis. Sustaining engineering services are procured pursuant to the issuance of a "Request for Statement of Qualifications" ("RFSOQ"), which is a simplified procurement process for architectural and engineering services, targeting small and disadvantaged firms. Professional services for transit architectural services include a wide range of expertise that is frequently required to support BART's capital projects and improvement initiatives for BART operations.

Advertisements soliciting interest in the RFSOQ were placed in a number of publications including DBE/MBE/WBE publications. A Community Outreach Meeting was held on February 17, 2011 reaching out to parties interested in this RFSOQ, as well as other upcoming District procurements. On May 10, 2011, an Advance Notice to Proposers was sent to 41 prospective proposers and was also posted on BART's website. A Pre-Submittal Meeting for this RFSOQ was held on May 23, 2011, with approximately 43 prospective proposers attending. Thereafter, the RFP was distributed to all interested potential Proposers, totaling 58 firms.

On June 14, 2011, proposals were received from the following eleven firms:

SUSTAINING TRANSIT ARCHITECTURAL SERVICES

1. Anil Verma Associates, Inc., Oakland, CA
2. ED2 International Architects + Planners, San Francisco, CA
3. FMG Architects, Oakland, CA
4. Gerson/Overstreet, Oakland, CA
5. Kwan Henmi Architecture/Planning, San Francisco, CA
6. Lowney Architecture, Oakland, CA
7. RPR Architects, Oakland, CA
8. Roma Design Group, San Francisco, CA
9. Stevens and Associates, San Francisco, CA
10. VBN Architects, Oakland, CA
11. WRNS Studio, San Francisco, CA

The proposals were reviewed by a Selection Committee (Committee) consisting of BART staff from Transit System Development, Maintenance and Engineering, Office of Civil Rights, and Contract Administration. The Proposals were first reviewed to determine if the Proposers were considered to be responsive to the requirements of the RFSOQ. Subsequently, the proposals were evaluated and scored on the basis of the criteria contained in the RFSOQ with respect to qualifications of the project proposing firms and the project team, including key personnel. As a result, the following six firms were selected for oral interviews with the Committee on July 14, 15 and 22, 2011.

1. Anil Verma Associates
2. FMG Architects
3. Kwan Henmi Architecture/Planning, Inc.
4. Roma Design Group
5. VBN Architects
6. ED2 International Architects + Planners

Based on the oral and written evaluations, the Committee determined that the two most qualified firms were FMG Architects and Kwan Henmi Architecture/Planning, Inc.

After making this determination, negotiations were entered into with FMG Architects and Kwan Henmi Architecture/Planning, Inc.. BART Contract Administration, with support from Internal Audit and Transit System Development, evaluated and discussed the rates and mark-ups (for a cost-plus-fixed-fee rate agreement) received from the Proposers. These discussions were concluded on terms favorable to BART and each of the Proposers. Staff determined that the recommended rate structures are fair and reasonable, and that both firms are responsible organizations. Caltrans currently requires a pre-award audit, the results of which will be incorporated into the Agreements, as appropriate, prior to execution.

Accordingly, the Committee recommends two awards under RFSOQ No. 6M8047, each in an amount not to exceed \$3,000,000 for a three year period of performance. Work Plans (WPs) under each agreement will define individual assignments in each case subject to funding availability. Each WP will have its own scope, schedule and budget.

SUSTAINING TRANSIT ARCHITECTURAL SERVICES

1. FMG Architects
2. Kwan Henmi Architecture/Planning, Inc.

Pursuant to the revised District DBE Program, the Office of Civil Rights is utilizing race and gender neutral efforts for professional services agreements. Therefore, no DBE participation goal was set for these Agreements. Although no DBE goal was set, each of the recommended awardees committed to the following DBE participation goals: FMG Architects - 50%; and Kwan Henmi - 5%.

The Office of the General Counsel will approve the Agreements as to form.

FISCAL IMPACT: Each of the two Agreements has a not-to-exceed limit of \$3,000,000. District obligations will be subject to a series of WPs. Each WP will have a defined scope of services, and a separate schedule and budget. Any WP assigned for funding under a State or Federal grant will include State or Federal requirements. Capital Development and Control will certify the eligibility of identified funding sources and the Controller/Treasurer will certify availability of such funding prior to incurring project costs against these Agreements and the execution of each WP.

ALTERNATIVES: The District could reject all proposals and re-solicit new proposals. Re-issuing the RFSOQ would adversely impact the implementation of BART's capital projects and improvement initiatives for BART operations.

RECOMMENDATION: The Board Adoption of the following motion.

MOTION: The General Manager is authorized to award the below listed Agreements to provide Sustaining Transit Architectural Services for BART Projects in an amount not to exceed \$3,000,000 each, subject to satisfaction of the Caltrans pre-award audit requirements, as appropriate and pursuant to notification to be issued by the General Manager. The awards are subject to the District's protest procedures and the FTA's requirements related to protest procedures.

1. Agreement No. 6M8047 to FMG Architects
2. Agreement No. 6M8050 to Kwan Henmi Architecture/Planning, Inc.

SUSTAINING TRANSIT ARCHITECTURAL SERVICES FOR BART PROJECTS

- **Introduction**

The San Francisco Bay Area Rapid Transit District requires a wide range of expertise for transit architectural services that is frequently required to support BART's capital projects and operations improvement initiatives.

Professional services to be provided by the selected Consultants under the two awarded Agreements are designed for performing discrete task(s) with discrete phases(s) of a project rather than assuming overall responsibilities for developing design and contract documents for a project.

Services provided shall comply with the latest edition of all applicable codes, ordinances, criteria, standards, regulations, and other applicable laws.

Request for Statement of Qualifications No. 6M8047 was issued to provide the District with the required services. The RFSOQ:

- Described the detailed, objective selection process to be used;
- Indicated the criteria for making the selection; and
- Stated the District intended to award two Agreements for these services.

- **Scope of Services**

- Place Making
- Transit and Intermodal Facilities
- Sustainability
- Computer Aided Design and Simulations
- Forensic Architectural Engineering

- **Selection Process**

Followed California Government Code and Federal Brooks Act regulations related to the procurement of Architectural & Engineering services in which:

- Proposers are first evaluated on the basis of their qualifications, both written and oral; and
- Upon determining the most qualified proposers, terms and conditions of the Agreement are then negotiated.

Terms and conditions favorable to the District have been successfully negotiated with the most qualified proposers; therefore, staff recommends awarding two Agreements as outlined on the following pages.

RECOMMENDED AWARD

- **Agreement No. 6M8047**
FMG Architects, Oakland, California (DBE) for a three year period for total not to exceed amount of \$3,000,000.

- **15 Subconsultants**

Name and Location

Arup, San Francisco, CA
BMR Construction Management, Carmel, CA
Carter West Engineering, Santa Clara, CA
Community Design + Architecture, Oakland, CA
Kate Keating Associates, San Francisco, CA (DBE)
Leslie Stone, Sausalito, CA
M.A.D. Art Inc., San Pedro, CA
Merrill Morris, San Francisco, CA (DBE)
Mike and Maaik Inc., San Francisco, CA
Noll & Tam, Berkeley, CA
Robin Chiang & Company, San Francisco, CA (DBE)
Royston Hanamoto Alley & Abey, San Francisco, CA (DBE)
Simpson Gumpertz & Heger, San Francisco, CA
Structus, San Francisco, CA (DBE)
YEI Engineers, Oakland, CA (DBE)

Services

Sustainability, Sound
Estimating Scheduling
Industrial Design
Urban Planning
Wayfinding Design
Exhibit Design
Artist
Landscape Architecture
Industrial Design
Architecture, LEED
Architecture
Landscape Architecture, Arborist
Forensic Architecture
Structural
Mechanical, Electrical

RECOMMENDED AWARD

- **Agreement No. 6M8050**
Kwan Henmi Architecture/Planning, Inc., San Francisco, California for a three year period for total not to exceed amount of \$3,000,000.
- **11 Subconsultants**

<u>Name and Location</u>	<u>Services</u>
ASC, Inc., San Francisco, CA (DBE)	Noise & Vibration
Barbara Nadel, Forest Hills, NY	Security
Catherine Wagner, San Francisco, CA	Public Art
Design Works USA, Newbury Park, CA	Industrial Design
HDR Engineering, Inc., San Francisco, CA	Environmental
Interactive Resources, Point Richmond, CA	Forensic Architecture & Waterproofing
Keilani Tom Associates, San Rafael, CA (DBE)	Signage/Wayfinding
Lumenworks, Oakland, CA	Lighting
Meyer + Silberger Land Architects, Berkeley, CA	Landscape
SBCA Tree Consulting, Crockett, CA	Arborist
Sasaki Associates, San Francisco, CA	Urban Planning



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>Marcia de la Fuente</i>		GENERAL MANAGER ACTION REQ'D: Approve and forward to the August 11, 2011 E & O Committee Meeting		
DATE: c 8/3/11		BOARD INITIATED ITEM: No		
Originator/Prepared by: Marvin E Snow Dept: Transit System Development <i>Marvin E Snow</i> Signature/Date: 7/28/11	General Counsel <i>Andrea Rayns</i> 7/28/11 []	Controller/Treasurer <i>[Signature]</i> 7/29/11 []	District Secretary []	BART <i>[Signature]</i> 8/1/11 []

TITLE:

PROFESSIONAL SERVICES AGREEMENTS NO. 6M8043, 6M8045, and 6M8046 GENERAL ENGINEERING SERVICES FOR BART PROJECTS

NARRATIVE:

PURPOSE: Request the Board to authorize the General Manager to award Agreement No. 6M8043 to Anil Verma Associates, Inc.; Agreement No. 6M8045 to PGH Wong Engineering, Inc.; and Agreement No. 6M8046 to Kal Krishnan Consulting Services, Inc., to provide General Engineering Services for BART Projects.

DISCUSSION: On May 14, 2009 the Board authorized the General Manager to execute Agreement No. 6M8026 with PGH Wong Engineering, Inc., Agreement No. 6M8027 with Kal Krishnan Consulting Services, Inc, and Agreement No. 6M8028 with B&C-URS Team to provide General Engineering Services for BART Projects. Each Agreement was for an amount not to exceed \$15 Million and for a term of up to five years. All engineering services available under these Agreements have either been utilized or otherwise scheduled. Therefore, new agreements are now needed to provide the District with these essential engineering services. As a result the District issued Request for Proposal (RFP) No. 6M8043 on April 15, 2011 to provide the District with general engineering services for BART projects.

Advertisements soliciting interest in the RFP were placed in a number of publications including DBE/MBE/WBE publications. A Community Outreach Meeting was held on February 17, 2011 notifying interested parties of this RFP in addition to other upcoming District procurements. On April 13, 2011 an Advance Notice to Proposers was sent to 65 prospective proposers and was also posted on BART's website. A Pre-Proposal Meeting for this RFP was held on April 29, 2011 with approximately 160 prospective proposers attending. The RFP was distributed to all interested potential Proposers totaling 191 firms.

On May 24, 2011, timely proposals were received from the following six firms:

1. Anil Verma Associates, Inc., Oakland, CA (Anil Verma)
2. Creegan + D'Angelo Infrastructure Engineers, San Francisco, CA
3. Kal Krishnan Consulting Services, Inc., Oakland, CA (KKCS)
4. PGH Wong Engineering, Inc., San Francisco, CA (PGH Wong)
5. RTJV, A Joint Venture, Oakland, CA
6. URS Corporation - B&C Transit Inc., A Joint Venture, Oakland, CA

The proposals were reviewed by a Selection Committee (Committee) consisting of BART staff from Transit System Development, Maintenance and Engineering, Office of Civil Rights, and Contract Administration. Proposals were first reviewed to determine if the Proposers were considered responsive to the requirements of the RFP. Subsequently, the proposals were evaluated and scored on the basis of the criteria contained in the RFP with respect to qualifications of the proposing firms and the project team, including key personnel. All proposals were short-listed for oral presentations. The Committee conducted oral interviews on June 27 and 28, 2011.

Based on the oral and written evaluations, the Committee determined that the three most qualified firms were Anil Verma, PGH Wong and KKCS.

After making this determination, negotiations were entered into with Anil Verma, PGH Wong, and KKCS. BART Contract Administration, with support from Internal Audit and Transit System Development, evaluated and discussed the rates and mark-ups (for a cost-plus-fixed-fee rate agreement) received from the Proposers. These discussions were concluded on terms favorable to BART and each of the Proposers. Staff determined that the recommended rate structures are fair and reasonable, and that all three firms are responsible organizations. Caltrans currently requires a pre-award audit, the results of which will be incorporated into the Agreements, as appropriate, prior to execution.

Accordingly, the Committee recommends three awards under RFP No. 6M8043, one to each of the following three firms in an amount not to exceed \$20,000,000 each for a five year period of performance. Work Plans (WPs) under each agreement will define individual assignments in each case subject to funding availability. Each WP will have its own scope, schedule and budget.

1. Anil Verma Associates, Inc.
2. PGH Wong Engineering, Inc.
3. Kal Krishnan Consulting Services, Inc.

Pursuant to the revised DBE Program, the Office of Civil Rights is utilizing race and gender neutral efforts for professional services agreements. Therefore, no DBE participation goal was set for these Agreements. Although no DBE goal was set, each of the recommended awardees committed to the following DBE participation goals: Anil Verma - 62%; PGH Wong - 23.5%; KKCS - 65%.

The Office of the General Counsel will approve the Agreements as to form.

FISCAL IMPACT: Each of the three Agreements has a not-to-exceed limit of \$20,000,000. District obligations will be subject to a series of WPs. Each WP will have a defined scope of services, and a separate schedule and budget. Any WP assigned for funding under a State or Federal grant will include State or Federal requirements. Capital Development and Control will certify the eligibility of identified funding sources and the Controller/Treasurer will

certify availability of such funding prior to incurring project costs against these Agreements and the execution of each WP.

ALTERNATIVES: The District could reject all proposals and re-solicit new proposals. Re-issuing the RFP would adversely impact the implementation of BART's Capital Program.

RECOMMENDATION: It is recommended that the Board adopt the following motion:

MOTION: The General Manager is authorized to award the below listed Agreements to provide General Engineering Services for BART Projects in an amount not to exceed \$20,000,000 each, subject to satisfaction of the Caltrans pre-award audit requirements, as appropriate and pursuant to notification to be issued by the General Manager. The awards are subject to the District's protest procedures and the FTA's requirements related to protest procedures.

1. Agreement No. 6M8043 to Anil Verma Associates, Inc.
2. Agreement No. 6M8045 to PGH Wong Engineering, Inc.
3. Agreement No. 6M8046 to Kal Krishnan Consulting Services, Inc.

GENERAL ENGINEERING SERVICES FOR BART PROJECTS

- **Introduction**

The San Francisco Bay Area Rapid Transit District requires a full range of engineering services over the next five years to support its Capital Improvement Program and other BART Projects.

Professional services to be provided by the selected Consultants under the three awarded Agreements include engineering, design and procurement activities and other related work associated with BART Projects. Consultants shall manage and work in conjunction with BART staff and other consultant team members, as appropriate, to support BART Projects. Services provided shall comply with the latest edition of all applicable codes, ordinances, criteria, standards, regulations, and other applicable laws.

Request for Proposal No. 6M8043 was issued to provide the District with the required services. The RFP:

- Described the detailed, objective selection process to be used;
- Indicated the criteria for making the selection; and
- Stated the District intended to award three Agreements for these services.

- **Scope of Services**

- Facilities (Stations and Buildings)
- Facilities (Yards and Shops)
- Train Control Systems
- Transit Power Systems
- Controls and Communications
- Mainline and Yard Infrastructure
- Automatic Fare Collection
- Parking and Intermodal Access
- Computer Hardware and Software
- Rail Vehicle Support - Standard BART and eBART/DMU Equipment

- **Selection Process**

Followed California Government Code and Federal Brooks Act regulations related to the procurement of Architectural & Engineering services in which:

- Proposers are first evaluated on the basis of their qualifications, both written and oral; and
- Upon determining the most qualified proposers, terms and conditions of the Agreement are then negotiated.

Terms and conditions favorable to the District have been successfully negotiated with the most qualified proposers; therefore, staff recommends awarding three Agreements as outlined on the following pages.

RECOMMENDED AWARD

- **Agreement No. 6M8043**

Anil Verma Associates, Inc., San Francisco, California (DBE) for a five year period for total not to exceed amount of \$20,000,000.

- **28 Subconsultants**

Name and Location

Acumen Building Enterprise, Inc., Oakland, CA (DBE)
Arup North America Ltd., San Francisco, CA
Aura Management Consulting, LLC, Orinda, CA (DBE)
Biggs Cardosa Associates, Inc., San Francisco, CA
Booz-Allen and Hamilton Inc., San Francisco, CA
Community Design + Architecture, Inc., Oakland, CA
Daniel Railroad Engineering, Fair Oaks, CA
DKS Associates, Oakland, CA
Elcon Associates, Inc., Portland, Or
Exponent Engineering & Scientific Consulting, Menlo Park, CA
Horsten Lees Brogden, San Francisco, CA (DBE)
Kate Keating Associates, Inc., San Francisco, CA (DBE)
Larkin & Associates, San Francisco, CA
Lea + Elliott, San Francisco, CA
Lerch Bates Inc., Pleasanton, CA
LTK Engineering Services, Ambler, PA
Merrill Morris Partners, San Francisco, CA (DBE)
NBA Engineering, Inc., San Francisco, CA (DBE)
Parikh Consultants, Inc., Oakland, CA (DBE)
Parsons, San Francisco, CA
QuEST Rail LLC, Wellington, MO
RBF Consulting, Walnut Creek, CA
Simon & Associates, San Francisco, CA
Structus, Inc., San Francisco, CA (DBE)
Transportation Infrastructure Group, Pleasanton, CA
V&A Engineering, Oakland, CA
Wilson Ihrig & Associates, Inc., Oakland, CA
W-Trans, Santa Rosa, CA (DBE)

Services

Automatic Fare Collection
Facilities, Rail Vehicle Support, Transit Power Systems, Rail Vehicle
Train Control Systems, Automatic Train Control
Structural Engineering for Facilities & Infrastructure
Controls and Communications/Computer Hardware and Software
Architecture, Urban Design, and Landscape Architecture and Design
Mainline and Yard Infrastructure, Track
Mainline and Yard Infrastructure
Transit Power Systems, Essential Power
Emergency Response Task, Train Control Systems, Technology Development
Controls and Communication-Emergency Controls and Communications
Facilities-Lighting, Parking and Intermodal Access-Lighting, Vertical
Transportation
Facilities-Signage
Design Coordination, Transit Power Systems, Mainline and Yard Infrastructure
Train Control Systems, Rail Vehicle Support-Standard BART and eBART/DMU
Equipment, Controls and Communications
Facilities-Vertical Transportation
Facilities Stations, Shop & Yard, Train Control Systems, Transit Power Systems,
Control & Communications, Automatic Fare Collection Services
Facilities-Parking and Intermodal Access-Landscape
Facilities-Fire Protection
Geotechnical Engineering and Materials Testing
Train Control Systems and Transit Power Systems
Train Control Systems, Yard Control and Tracking Support
Survey, Civil Engineering, Traffic Engineering, Facilities Support
Facilities-Sustainability, Parking and Intermodal Access-Sustainability
Facilities (Stations and Buildings)
Facilities (Stations and Buildings)
Corrosion Control Engineering, Cathodic Protection, Structural Coating, Stray
Current Analysis
Facilities-Noise & Vibration
Facilities-Traffic, Parking and Intermodal Access-Traffic

RECOMMENDED AWARD

- **Agreement No. 6M8045**

PGH Wong Engineering, Inc., San Francisco, California for a five year period for total not to exceed amount of \$20,000,000.

- **21 Subconsultants**

Name and Location

Acumen Building Enterprise, Inc., Oakland, CA (DBE)
AMC Consulting Engineers, Inc., San Francisco, CA (DBE)
Arup North America Ltd., San Francisco, CA

Bob Murphy Consulting, Orinda, CA

Cornerstone Transportation Consulting, San Francisco, CA (DBE)
Corpro, San Leandro, CA
Delcan Corporation, Vienna, CA

F.W. Associates, Inc., San Francisco, CA (DBE)
Kenneth W. Heilig Consultant, Oakland, CA
Macro Corporation, Chalfont, PA

Moffatt & Nichol, Oakland, CA

Parikh Consultants, Inc., Oakland, CA (DBE)
Robin Chiang and Company, San Francisco, CA (DBE)

Shiralian Management Group, Berkeley, CA
Structus, Inc., San Francisco, CA (DBE)
STV Incorporated, Rancho Cucamonga, CA

Towill, Inc., Concord, CA

Transportation Decision Systems, Inc., Los Altos, CA
Wilbur Smith Associates, Inc., San Francisco, CA
Wilson Ilrig & Associates, Emeryville, CA
W.J. Robinson & Associates, Inc., San Francisco, CA (DBE)

Services

Fare Collection Support; Computer Hardware & Software Engineering
Structural Engineering Support Services
Mechanical Engineering & Fire Protection Modifications; Facilities, Parking
and Intermodal Support
Controls and Communications; Security Systems; Communications/Emergency
Controls and Audio/Video/Touch Systems
Scheduling; Estimating; Design Support Services
Cathodic Protection, Structural Coatings
Automatic Train Control Implementation and Renovation, Technology Development,
Yard Control and Car Tracking; Central Control Facilities Modifications
Electrical Support; Transit Power, Essential Power, and Station Power
Mainline and Yard Infrastructure; Track and Yard Design and Construction
Central Control Facilities Modifications; Computer Hardware and Software
Engineering
Underground Structures; Overhead Structures; Additional Storage Facilities;
Garage and Parking Lot
Geotechnical Engineering
Architecture; Passenger Stations; ADA and Title 24 Access; Intermodal
Facilities; Transit Oriented Development; Sustainability
Scheduling and Claims Support
Structural Engineering
Maintenance Shop Facilities and Additional Storage Facilities; Industrial Engineering;
Rail Vehicle Support; Elevators and Escalators
Survey Support Services
Technology Development; Prototype Development; Software and Hardware Engineering
Traffic Engineering; Planning Support Services
Noise & Vibration
Cost Estimating

RECOMMENDED AWARD

- **Agreement No. 6M8046**
 Kal Krishnan Consulting Services, Inc., Oakland, California (DBE) for a five year period for total not to exceed amount of \$20,000,000.
- **27 Subconsultants**

<u>Name and Location</u>	<u>Services</u>
AE3 Partners, Inc., Oakland, CA (DBE)	Architecture and Engineering
AECOM Technical Services, Inc., Oakland, CA	Design Services
AMC Consulting Engineers, Inc., San Francisco, CA (DBE)	Structural Engineering
AMEC Geometrix, Inc., Oakland, CA	Geotechnical, Environmental, Materials Testing and Construction Inspection
Biggs Cardosa Associates, Inc., San Jose, CA	Structural Engineering
Booz-Allen and Hamilton Inc., San Francisco, CA	Automatic Fare Collection, Smart Card Systems, and Credit/Debit Systems
CIT COM, Inc., Temecula, CA	Law Enforcement Technology and Security/Surveillance Technology
D&D Surveying, Inc., Dublin, CA (DBE)	Survey
FMG Architects, Oakland, CA (DBE)	Architectural Engineering
Gateway Science & Engineering, Inc., San Francisco, CA	Network Engineering
HDR Engineering, Inc., Walnut Creek, CA	Design Services
Hill International, Inc., San Ramon, CA	Project Control Services, Claims Support
HNTB Corporation, Oakland, CA	Architectural and Civil Design
Intneur Consulting, Inc., San Ramon, CA (DBE)	Business Enterprise Systems, BAP, Computer Software and Hardware
Jacobs Engineering Group, Inc., Oakland, CA	Design Services and Constructability Reviews
Kwan Henmi Architecture/Planning, Inc., San Francisco, CA (DBE)	Architectural Engineering and TOD
LTK Engineering Services, Ambler, PA	DMU and Vehicles
M. Lee Corporation, Walnut Creek, CA (DBE)	Cost Estimating
Mark Thomas & Company, Inc., San Jose, CA	Utilities Coordination
Parikh Consultants, Inc., Oakland, CA (DBE)	Geotechnical, Environmental, Materials Testing and Construction Inspection
PB Americas, Inc., San Francisco, CA	Structural, Seismic and Marine Engineering
People and Processes, Inc., Yulee, FL	M&O Best Practices, Strategic Maintenance and LEAN
QuEST Rail LLC, Wellington, MO	Specialty Train Control, Fabrication and Systems
Stantec Consulting Services Inc., San Francisco, CA	Sustainability Design, Alternative Energy and Systems Engineering
Stevens + Associates, San Francisco, CA (DBE)	Landscape Architecture
Systems Micro Technologies, Inc., Berkeley, CA	Security Systems and Surveillance
William M. Hadaya, Oakland, CA (DBE)	Risk Management, Value Engineering


SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

Memorandum

TO: Board of Directors
DATE: August 5, 2011
FROM: Interim General Manager
SUBJECT: E&O Agenda Item 4.D: Rail Car Fleet of the Future Preliminary Renderings

At the Board of Directors Meeting on August 11, 2011, staff will present the subject item which will include a recap of the need for new train cars to replace the aging fleet, preliminary interior and exterior designs for the new train cars, and an outline of public outreach to obtain public input on the preliminary concepts that is planned during the month of August. The presentation will also include a concept video that shows how new train cars might look.

A public outreach display will be set up outside the Board room so the designs can be viewed in more detail. The preliminary design concepts that will be shared at the Board meeting will be posted on the BART website early next week at www.bart.gov/fleetofthefuture. If you have questions, please contact Jennifer Barton, Executive Manager, Office of External Affairs at (510) 464-6425.



Sherwood G. Wakeman

cc: Board Appointed Officers
Deputy General Manager
Executive Staff