

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

BOARD MEETING AGENDA

September 11, 2014

9:00 a.m.

A regular meeting of the Board of Directors will be held at 9:00 a.m. on Thursday, September 11, 2014, 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 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 Meeting of August 28, 2014.* Board requested to authorize.
- B. Resolution Accepting Caltrans Transportation Planning Grant Funds for the Design Guidelines for Multimodal BART Stations Planning Study.* Board requested to adopt.
- C. Revision to 2014 Standing Committee and Special Appointments.* Board requested to authorize. (President Keller's request.)

3. BOARD MATTERS

- A. Training Session: Training in General Ethics Principles and Ethics Laws Relevant to Public Service, in Accordance with California Government Code Section 53235.* For information. (**2 hours**)
- B. Report of the Citizen Review Board Chairperson. For information. (President Keller's request.)
- C. Service Disruption on August 26, 2014: Review of Rail Car Wheel Incident and Corrective Actions.* For information. (President Keller's request.)
- D. Labor Negotiations Review Ad Hoc Committee: Bay Area Rapid Transit Collective Bargaining Report and Recommendations.* For information.

4. ADMINISTRATION ITEMS

Director Saltzman, Chairperson

- A. Late Night Bus Service with Alameda Contra Costa Transit District and Central Contra Costa County Transit Authority.* For information.

5. ENGINEERING AND OPERATIONS ITEMS

Director McPartland, Chairperson

- A. Award of Contract No. 79HZ-110, MacArthur Station Site Hardening.*
Board requested to authorize.

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

Director Raburn, Chairperson

NO ITEMS.

7. GENERAL MANAGER'S REPORT

- A. Review of the Draft Agenda for the Capitol Corridor Joint Powers Board Meeting of September 17, 2014.* For information.
- B. Report of Activities, including Update of Roll Call for Introductions Items.

8. 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.)

9. 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 1,715th Meeting
August 28, 2014

A regular meeting of the Board of Directors was held August 28, 2014, convening at 5:01 p.m. in the Board Room, 344 20th Street, Oakland, California; and Regal International East Asia Hotel No. 516 Hengshan Road, Shanghai 2000300, China. President Keller presided; Kenneth A. Duron, District Secretary.

Directors present in Oakland: Directors Blalock, Mallett, McPartland, Murray, Raburn, Saltzman, and Keller.

Absent: None. Directors Fang and Radulovich entered the Meeting later.

Consent Calendar items brought before the Board were:

1. Approval of Minutes of the Meeting of August 14, 2014.
2. Award of Contract No. 01RQ-130, Construction of Hayward Maintenance Complex Project Sandoval Way Access Road.
3. Award of Contract No. 01RQ-140, Construction of Hayward Maintenance Complex Project Building Four Demolition.
4. Reject All Bids for Invitation for Bid No. 8939, Purchase of Hi-Rail Switcher.

Director Raburn requested that Item 2-B (Award of Contract No. 01RQ-130), and Item 2-C (Award of Contract No. 01RQ-140) be removed from the Consent Calendar.

Director Raburn made the following motions as a unit. Director Saltzman seconded the motions, which carried by unanimous acclamation. Ayes - 7: Directors Blalock, Mallett, McPartland, Murray, Raburn, Saltzman, and Keller. Noes - 0. Absent - 2: Directors Fang and Radulovich.

1. That the Minutes of the Meeting of August 14, 2014, be approved.
2. That the sole bid tendered for Invitation for Bid No. 8939, for the purchase of Hi-Rail Switcher, be rejected.

President Keller brought the matters of Award of Contract No. 01RQ-130 and Award of Contract No. 01RQ-140 before the Board. Mr. Wayne Wong, Department Manager, Office of Civil Rights, briefly discussed the item. Director Raburn made the following motions as a unit. Director Saltzman seconded the motions, which carried by unanimous acclamation. Ayes - 7: Directors Blalock, Mallett, McPartland, Murray, Raburn, Saltzman, and Keller. Noes - 0. Absent - 2: Directors Fang and Radulovich.

1. That the General Manager or her designee be authorized to award Contract No. 01RQ-130, for Construction of Hayward Maintenance Complex Project Sandoval Way Access Road, to Sustainable Group, Inc., for the total Bid price of \$353,018.00, pursuant to notification to be issued by the General Manager, subject to the District's protest procedures and Federal Transit Administration's requirements related to protest procedures.
2. That the General Manager or her designee be authorized to award Contract No. 01RQ-140, for Construction of Hayward Maintenance Complex Project Building Four Demolition, to Dominguez and Sons Trucking, Inc., for the total Bid price of \$770,000.00, pursuant to notification to be issued by the General Manager, subject to the District's protest procedures and Federal Transit Administration's requirements related to protest procedures.

President Keller called for Public Comment. No comments were received.

Director McPartland, Chairperson of the Engineering and Operations Committee, brought the matter of Earthquake Safety Program Citizens' Oversight Committee Report before the Board. Ms. Molly McArthur, Division Manager, Government and Community Relations, Capital Projects, and Mr. Matthew Wrona, Chairperson of the Citizens' Oversight Committee, presented the item.

Director Radulovich entered the Meeting in Oakland.

The item was discussed.

Director McPartland brought the matter of Award of Contract No. 6M7220, Emergency Restoration Work of the Commercial Fiber Optic and Wireless Network, before the Board. Mr. Ravi Misra, Chief Information Officer, presented the item. The item was discussed.

Director Fang entered the Meeting in Shanghai.

Discussion continued.

President Keller moved that the General Manager be authorized to award Contract No. 6M7220, for the Emergency Restoration, Preventative Maintenance, Non-Emergency Repair and Seismic Relocation Work of the Commercial Fiber Optic and Wireless Network, for the Base Bid amount of \$854,210.00, to Phase 3 Communications, Inc., pursuant to notification to be issued by the General Manager; and that the authority to exercise the Option Year 1 Bid amount of \$854,210.00 and Option Year 2 Bid amount of \$854,210.00 is contingent upon staff returning to the Board with a report on the feasibility of performing the work with District employees and the Board authorizing exercise of Option Years 1 and 2; for a total Bid Price of \$2,562,630.00. Director Blalock seconded the motion, which carried by roll call vote. Ayes - 8: Directors Blalock, Fang, Mallett, McPartland, Murray, Raburn, Saltzman, and Keller. Noes - 1: Director Radulovich.

Director McPartland brought the matter of Warm Springs Extension Project: Semi-Annual Project Update before the Board. Mr. Paul Medved, Project Manager, Warm Springs Extension Program, presented the item.

Director McPartland introduced and welcomed former Director Robert S. Allen.

The following individuals addressed the Board.

Mr. Randall Glock

Mr. Jerry Grace

The item was discussed.

Director Raburn, Chairperson of the Planning, Public Affairs, Access, and Legislation Committee, brought the matter of Station Profile Survey Funding Agreement before the Board. Mr. Aaron Weinstein, Department Manager, Marketing and Research, and Ms. Maureen Wetter, Principal Research Projects Analyst, presented the item.

Mr. Jerry Grace addressed the Board.

The item was discussed. Director McPartland moved that the General Manager or her designee be authorized to execute a Funding Agreement with the Metropolitan Transportation Commission for a joint BART Station Profile Survey, with BART to contribute an amount not to exceed \$427,892.00. Directors Murray and Saltzman seconded the motion, which carried by unanimous roll call vote. Ayes - 9: Directors Blalock, Fang, Mallett, McPartland, Murray, Raburn, Radulovich, Saltzman, and Keller. Noes - 0.

Director Raburn brought the matter of Increased Spending Authority for Contract No. 91CW-226, Furnishing Bicycle Lockers with Electronic Controllers, before the Board. Mr. Steve Beroldo, Manager of Access Programs, presented the item. The item was discussed. Director Saltzman moved that the General Manager be authorized to increase the spending authority of Contract No. 91CW-226 from the original amount of \$2,334,384.00 to \$3,134,382.00, subject to funding availability. Director Blalock seconded the motion, which carried by unanimous roll call vote. Ayes - 9: Directors Blalock, Fang, Mallett, McPartland, Murray, Raburn, Radulovich, Saltzman, and Keller. Noes - 0.

Director Saltzman, Chairperson of the Administration Committee, brought the matter of Review of Draft Fiscal Year 2015 to Fiscal Year 2024 Short Range Transit Plan/Capital Improvement Program before the Board. Mr. Dennis Markham, Acting Manager, Operating Budgets, and Ms. Priya Mathur, Financial Planning, presented the item.

The following individuals addressed the Board.

Mr. Joel Ramos

Mr. Robert S. Allen

The item was discussed.

President Keller called for the General Manager's Report. Ms. Grace Crunican, General Manager, reported on steps she had taken and activities and meetings she had participated in, reminded the Board of upcoming events, and gave a report on the progress of outstanding Roll Call for Introductions items. A brief video was shown highlighting the new "BART Watch" mobile application for reporting incidents, crimes and security concerns to the BART Police Department.

President Keller brought the matter of Termination of Free Transportation Privileges upon Leaving Office for Current, Newly Elected, and Newly Appointed Board Members and their Dependents before the Board. Director Raburn presented the item, and moved that free transportation privileges upon leaving office for current, newly elected and newly appointed Board members and their dependents will no longer be provided. Director Murray seconded the motion.

Mr. Robert Allen addressed the Board.

The item was discussed.

Director Fang exited the Meeting.

Mr. Jerry Grace addressed the Board.

Discussion continued. The motion carried by roll call vote. Ayes - 6: Directors Blalock, Mallett, Murray, Raburn, Saltzman, and Keller. Noes – 2: Directors McPartland and Radulovich. Absent – 1: Director Fang.

President Keller called for Board Member Reports and Roll Call for Introductions.

Director Mallett requested a future Board presentation/discussion on diagnosis of poor customer communications during major service disruptions and efforts to improve such communications. Director Murray seconded the request.

Director Raburn reiterated his earlier request for real time announcements to indicate system delays.

Director Murray reported she had attended a Summer Youth tour.

President Keller called for Public Comment. The following individuals addressed the Board.

Mr. Jerry Grace

Mr. Randall Glock

The Board Meeting was adjourned at 8:19 p.m. in memory of Mr. Robin Williams.

Kenneth A. Duron
District Secretary



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>[Signature]</i>		GENERAL MANAGER ACTION REQ'D:		
DATE: 9/3/14		BOARD INITIATED ITEM: No		
Originator/Prepared by: Deidre Heitman Dept: <i>[Signature]</i> Signature/Date: 9-2-14	General Counsel <i>[Signature]</i> 9-2-14 []	Controller/Treasurer <i>[Signature]</i> []	District Secretary []	BARC <i>[Signature]</i> 9-2-14 []
Status: Routed		Date Created: 07/31/2014		

TITLE:
Adoption of A Resolution Accepting Caltrans Transit Planning for Sustainable Communities Grant Funds for the Design Guidelines for Multimodal BART Stations Planning Study

NARRATIVE:

Purpose:

To obtain Board approval of a Resolution accepting Caltrans Transit Planning for Sustainable Communities Grant funds for the purpose of implementing a study to develop multimodal design guidelines for BART stations (the "Project").

Discussion:

BART has been awarded a grant from Caltrans for \$300,000 in FY 2014-2015 Federal Transit Administration Section 5304 funds for its planning project, entitled "Design Guidelines for Multimodal BART Stations." These grant funds are administered by Caltrans through its Transit Planning for Sustainable Communities program. This planning project will develop detailed design and implementation guidelines to enhance pedestrian and intermodal transit access at stations throughout the BART System.

In 2003, BART completed its Station Access Guidelines to help facilitate improved movements of riders to and from BART stations. The guidelines map out how BART can optimize access to stations by all modes and established a new "Access Hierarchy" to help BART and its partners increase the share of riders who are connecting to the stations on foot, by bus, bicycle or carpooling. The Station Access Guidelines have provided a framework for the staff of BART and its partners (transit agencies, development partners and local jurisdictions) in planning for changes to its stations. However, there have been many instances where the guidelines have not offered enough guidance when stations undergo major transitions, such as significant increases in bus service at an intermodal station, increased development in the immediate station area, or the transformation of station property with transit-oriented development. The new Design Guidelines will assist BART and its partners in anticipating, planning for and implementing major station changes that also enhance the ability of BART riders to walk, take transit and bike to stations.

Building on both the 2003 Station Access Guidelines and BART's 2010 Bicycle Plan, this Project will assess pedestrian and transit accessibility using data, public and stakeholder outreach, and

field surveys. Demonstration pilot plans will be completed for El Cerrito del Norte and Fremont Stations to address key issues and reality-test the new proposed Design Guidelines. The objective is to offer the detail needed to facilitate changes resulting from station enhancements, transit center expansion or transit-oriented development, and to prioritize stations with significant access needs.

In order to receive this grant, Caltrans requires that BART adopt a Resolution of Local Support which authorizes the General Manager to execute the funding agreement with Caltrans for the \$300,000 in grant funds. Staff requests that the Board adopt the Resolution of Local Support.

Fiscal Impact:

By adopting this Resolution of Local Support, BART will receive a Caltrans Transit Planning for Sustainable Communities Grant of \$300,000 in Federal Transit Administration Section 5304 funds for the selected Project. The local match of \$150,000 will be provided by BART, and is included in the FY 15 operating allocation to capital budget. The total Project cost is \$450,000.

This action will have no fiscal impact on unprogrammed District Reserves.

Alternative:

Do not approve the Resolution of Local Support. BART would risk the loss of \$300,000 in Caltrans Transit Planning for Sustainable Communities grant funding.

Recommendation:

Adoption of the following motion.

Motion:

The BART Board of Directors approves the attached Resolution of Local Support for the Caltrans Transit Planning for Sustainable Communities Grant in the amount of \$300,000 for the Design Guidelines for Multimodal BART Station planning project.

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

**In the Matter Accepting Transit Planning
for Sustainable Communities Grant Funds
From the California Department of Transportation
(Caltrans) for Fiscal Year 2014-2015** /

Resolution No. _____

WHEREAS, the California Department of Transportation (Caltrans), Division of Transportation Planning, requested qualified applicants to submit project applications for Fiscal Year 2014-2015 Transit Planning for Sustainable Communities planning grants;

WHEREAS, the San Francisco Bay Area Rapid Transit District (BART) submitted a grant application for a planning project entitled "Design Guidelines for Multimodal BART Stations" for the enhancement of pedestrian and intermodal access at stations throughout the BART system;

WHEREAS, BART has been notified by Caltrans that its application was approved in the amount of \$300,000;

WHEREAS, the planning project must be completed by February 28, 2017;

NOW THEREFORE BE IT RESOLVED, that the BART Board accepts the FY 2014-2015 Transit Planning for Sustainable Communities Grant from the Caltrans Division of Transportation Planning; and

BE IT FURTHER RESOLVED that the BART Board authorizes the General Manager or her designee to execute all contract and agreements and any amendments thereto with Caltrans in connection with the planning project described herein; and

BE IT FURTHER RESOLVED, that a copy of this Resolution shall be transmitted to Caltrans, the grant provider.

Certification

I, Kenneth A. Duron, District Secretary, do hereby certify that the above is a true and correct copy of a resolution passed and approved by the Board of Directors of the San Francisco Bay Area Rapid Transit District on the _____ day of _____, 2014.

Kenneth A. Duron, District Secretary

Date: _____

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SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

MEMORANDUM

TO: Board of Directors

DATE: September 5, 2014

FROM: District Secretary

SUBJECT: Appointments to Reserve Fund/Risk Management Ad Hoc Committee

At the conclusion of the Board's deliberation of the Amended Reserve Fund Policy and new Risk Management Policy at the August 14 Board Meeting, President Keller suggested the establishment of an ad hoc committee to continue discussion of the proposed policies with staff and returning the topic(s) to the Board for consideration at a future date.

Board Rule 3-3.2 requires the ratification by a majority vote of all members of the Board any appointment of any Committee member by the Board President. The Rule includes a provision that such appointments shall be submitted directly to the Board.

In accordance with Board Rule 3-3.2, President Keller is bringing the matter of appointing members to the newly established Reserve Fund/Risk Management Ad Hoc Committee.

President Keller proposes that Directors Murray, Saltzman and he be appointed to the Ad Hoc Committee.

MOTION:

That the Board of Directors ratifies the appointment of the following Directors to the Reserve Fund/Risk Management Ad Hoc Committee:

Director Keller
Director Murray
Director Saltzman

Please contact President Keller or me if you have any questions. Thank you.



Kenneth A. Duron

cc: Board Appointed Officers
Deputy General Manager
Executive Staff

SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

MEMORANDUM

TO: Board of Directors

DATE: September 3, 2014

FROM: District Secretary

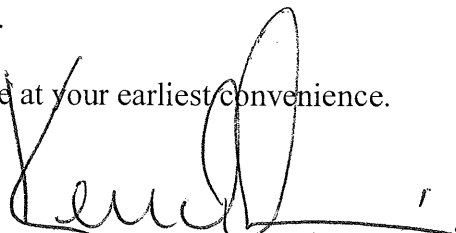
SUBJECT: State Mandated Ethics Training (AB1234) September 11, 2014

Assembly Bill 1234 was passed by the State legislature and signed by the Governor in late 2005. The statute requires that all local agencies provide no less than two hours of training in general ethics principles and ethics laws to local agency officials by January 1, 2007 and every two years thereafter. Our 2014 training session is scheduled for September 11.

As in previous years, the law firm of Liebert Cassidy Whitmore has been retained to provide the training. Liebert Cassidy Whitmore was involved in the development of the training program with the California Special Districts Association (CSDA), and in compliance with the requirements of the statute, has consulted the Fair Political Practices Commission and State Attorney General regarding the sufficiency of the course content. Liebert Cassidy Whitmore has conducted training for municipalities and local agencies and conducts courses for the CSDA and its members. The District has successfully utilized the legal services of Liebert Cassidy Whitmore in the past.

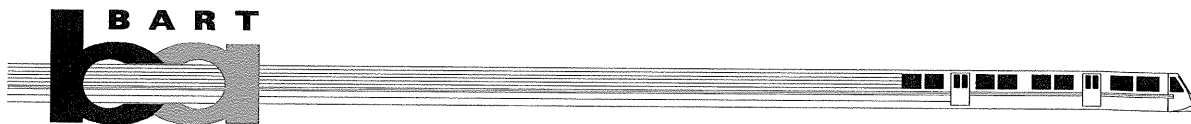
Copies of the Conflict of Interest, Ethics and Open Government Workbook (136 pages) will be available at the Board Meeting. If you would like a copy in advance, please advise. A copy of the Liebert Cassidy Whitmore presentation with space for your notes will be transmitted in advance of the Board Meeting for your reference.

Should you have any questions, please contact me at your earliest convenience.



Kenneth A. Duron

cc: Board Appointed Officers
Deputy General Manager
Executive Staff
Associate General Counsel



INTER-OFFICE MEMORANDUM

To: Board of Directors

From: Grace Crunican

Date: September 5, 2014

Subject: Pleasant Hill Wheel Incident

Attached is a summary of the serious incident that occurred on August 26th when a nine car train approaching Pleasant Hill Station lost a tire from a wheel on the trailing axle of the third car. We will provide a further update at the September 11, 2014 Board meeting.

SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

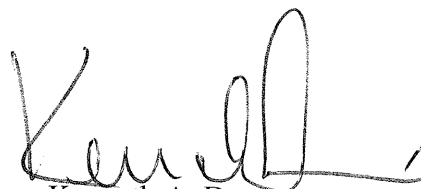
MEMORANDUM

TO: Board of Directors **DATE:** September 5, 2014
FROM: District Secretary
SUBJECT: Labor Negotiations Review Ad Hoc Committee: Bay Area Rapid Transit Collective Bargaining Report and Recommendations

The Labor Negotiations Review Ad Hoc Committee is releasing the Collective Bargaining Report and Recommendations. The Report will be presented for information at the September 11 Regular Board Meeting. Ms. Rhonda Hilyer, Agreement Dynamics, Inc., will be present to discuss the Report process and contents.

The Board of Directors engaged the services of a qualified consultant to assist the Labor Negotiations Review Ad Hoc Committee and the Board of Directors in producing recommendations for implementation by the District that will improve the process of future labor negotiations.


Agreement Dynamics, Inc. was selected to provide consulting services for assistance in assessing the processes and procedures during the 2013 collective bargaining between the District and the Unions representing District employees.


Kenneth A. Duron

cc: Board Appointed Officers
Deputy General Manager

SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

INTER-OFFICE COMMUNICATION

TO: Board of Directors **Date:** September 5, 2014
FROM: General Manager 
SUBJECT: Late Night Bus Service Informational Update

At the September 11, 2014 BART Board of Directors meeting, BART staff will provide an informational update on Late Night Bus Service Pilot project during the *Planning, Public Affairs, Access, and Legislation items*. This pilot will offer new express bus service that would travel between San Francisco and limited East Bay BART stations after the last trains stop running on Friday and Saturday nights for up to 2 additional hours.

BART staff will discuss the four options described below at this meeting and seek direction about which approach best serves the District. Staff will bring back specific terms about a recommended approach for the Board's consideration at a following Board meeting. If all the terms between the bus operator(s) and BART can be agreed upon by the September 25, 2014 BART Board meeting, then service could start in mid-December, 2014.

Background:

In 2011, BART explored the option to run trains later on weekend nights. As the longest maintenance windows, when longer critical tasks can only be performed, are on Friday and Saturday nights, it was determined that this option would only work if train service began a corresponding amount of time later the following morning. BART next focused on extending train service on just Friday nights and opening later on Saturday mornings.

BART conducted a survey of its riders to better understand the impacts of the option to extend service by one hour on Friday nights and begin service one hour later on Saturday morning. The surveys revealed that Saturday morning's passengers would be negatively impacted by the change, as a disproportionately higher percentage of riders were low income and minority passengers, and a higher percentage also were riders with Limited English Proficiency. Additionally, the reason passengers were taking BART differed, with more people going to work on early Saturday mornings, versus passengers traveling for social reasons on Friday nights.

Thus, an express bus option that would provide BART-like service by offering direct late night bus runs from San Francisco to East Bay BART stations was proposed, to be managed by BART. BART identified approximately \$800,000 for a pilot project of this late night bus service provision from the following sources:

\$500,000: State Transit Assistance: Welfare to Work / Lifeline grant
Alameda County: \$298,000

	Contra Costa County:	\$202,000
\$200,000:	BART Operating Budget from FY12-13	
\$100,000:	<u>Estimated Farebox revenues (based on an estimate of \$4.20 per trip)</u>	
\$800,000:	Total Pilot Funding	

BART staff presented an informational item at the May 23, 2013 BART Board meeting on Late Night Express Bus service. Several options were discussed, including improved existing bus service and new express service operated by AC Transit and County Connection, and express bus service provided by private coach operators. At that meeting, there was general consensus among Board members to move forward with the proposal to augment the frequency of existing service in Alameda County of AC Transit's 800 (San Francisco to Richmond) and 801 (Downtown Oakland to Fremont) lines and add new express service to Eastern Contra Costa County by County Connection (San Francisco to Pittsburg/Bay Point). This service is described below:

Proposed Service Description from May 23, 2013:

The late night bus service proposal would begin about 20-30 minutes after the last BART train departs San Francisco and operate for about 2 hours. Buses would stop at the following existing AC Transit Line 800 All Nighter San Francisco bus stops and include a 24th Street/Mission stop:

- Van Ness & Market
- McAllister & Market
- Powell & Market
- Kearny & Market
- Sutter & Market
- Beale & Howard

The buses would also serve the following East Bay areas:

“Yellow Line” service would go from San Francisco directly to Rockridge, Walnut Creek, Pleasant Hill and Pittsburg/Bay Point.

“Green Line” service would continue from San Francisco to Lake Merritt, Fruitvale, Bay Fair, Hayward, Union City and Fremont. A transfer would occur in Downtown Oakland.

Changes since May 23, 2013:

Since the presentation to the BART Board on May 23, 2013, a few factors have occurred that have impacted this proposal.

Labor negotiations at AC Transit delayed negotiations on this subject, so no changes to existing routes and schedules could be made until contracts were resolved at the end of 2013.

Cost estimates from the transit agencies increased substantially as details developed and figures were recalculated. The main factors that led to increased costs are as follows:

- Augmenting current AC Transit service disrupted existing timed transfers both between AC Transit routes and between AC Transit and other agencies' routes. Thus, to preserve timed meets of the current late night bus network, even more service had to be added.
- Due to work rules that require bus operators to be paid for 8-hour shifts, the limited scope of the service proposed under the pilot project (augmented service over only two hours/night on two nights per week) makes the service provision very expensive. Schedulers cannot find other work for the drivers, so the drivers end up getting paid for 40 hours/week while the

pilot service provision only requires about 8 hours/week of work. This constraint is especially true with County Connection because of their limited existing service provision.

New Options:

To continue with this pilot project, staff has developed four alternatives for consideration. All service would include stops at 24th Street / Mission and 16th Street / Mission in San Francisco and at 14th Street / Broadway in Oakland.

1. **Original Proposal:** To operate the service as proposed in May 2013, but will require additional funding. Previously, the cost of this service was \$762,000. The exact cost is to be determined, but is in the hundreds of thousands of dollars more than the original cost.
2. **Original Proposal – Shorter Pilot with AC Transit only:** This proposal shortens the length of the original pilot from one year to either 6 or 9 months and, at the suggestion of County Connection, uses AC Transit to operate the entire network. The length of time will be determined by the recalculated cost proposal, which is still pending. There are several advantages of having a single operator run all the service, as listed below:
 - It reduces redundant administration, supervisors, extra boards, and maintenance facility costs.
 - Fare policy coordination is easier.
 - Clipper is accepted on AC Transit, and not currently on County Connection.
 - AC Transit offers more service during these time frames, making it easier to combine shifts with adjacent service runs, which lowers costs.
 - As AC Transit and County Connection operate under different bid cycles, the augmented bus service provision under the pilot would have to start months apart if BART were to use two bus operators. Using a single bus operator allows BART to start and end on service on all routes on the same date.
3. **Limited Express Bus with AC Transit only:** To offer a one year, more limited direct express bus service without transfers, which was the original vision of the bus service option. This option would be in addition to, but independent from, existing late night bus service, so it would not affect timed transfers. Available funding would determine service levels. BART is also awaiting the final bid for this service, which will be presented at Thursday's Board meeting as well.
4. **Private Charter Buses:** To hire a private operator to offer the same service as the Limited Express Bus service, described above. The \$748,000 fee assumes a cost of \$600 per run per night and four runs on each of the three lines.

Additional Service Description for Limited Express Bus Service:

- With the funding available, BART can afford about 8 drivers.
- Each driver makes a single run per night.
- Schedules would be completely independent from the Route 800 and Route 801 schedules.
- Departures from 24th/Mission would be staggered in order to provide frequent headways to downtown Oakland.

Pitt/Bay Point – 3 Drivers	Fremont – 3 Drivers	Richmond - 2 Drivers
EB	EB	EB
24th/Mission	24th/Mission	24th/Mission
16th/Mission	16th/Mission	16th/Mission
Powell St	Powell St	Powell St
14th/Broadway	14th/Broadway	14th/Broadway
MacArthur	Fruitvale	Berkeley DT
Rockridge	Bay Fair	El Cerrito del Norte
Walnut Creek	Hayward	
Pleasant Hill	Fremont	
Pittsburg/Baypoint		
WB	WB	WB
Pittsburg/Baypoint	Fremont	El Cerrito del Norte
14th/Broadway	14th/Broadway	14th/Broadway
Powell St	Powell St	Powell St
24th/Mission	24th/Mission	24th/Mission

These proposals are described further in the table below.

If you have any questions about this item, please feel free to contact Carter Mau at 510-464-6194 (CMAU@bart.gov), Bob Franklin at 510-464-6133 (BFRANKL@bart.gov) or Mariana Parreiras at 510-464-6169 (MPARREI@bart.gov). Thank you.

Option	Cost	Headway	Runs	Advantages	Disadvantages
Original Proposal	TBD (greater than \$762k)	20 min 30 min 20 min 40 min	3 to Rich 4 to P/BP 4 to Bay Fr 2 to Frmnt	More service, part of larger network, more stops. Timed transfers with other operators and routes. Current frequency to Richmond increased from 30 to 20 minute headway until 2:46am. (15 total night runs to Richmond.) Increased frequency to Bay Fair from 30 to 20 minutes and to Fremont from 60 to 40 minutes for 2+ hours. Extra Stops in San Leandro and S. Hayward. Easier to market.	Bay Fair and Fremont lines require a transfer in downtown Oakland. More expensive. Additional allocation needed.
Original Proposal – Shorter Pilot with AC Transit only	TBD, but about \$750k for 6-9 months	20 min 30 min 20 min 40 min	3 to Rich 4 to P/BP 4 to Bay Fr 2 to Frmnt	Same as above Operated by one provider: AC Transit Fare collection and policy is consistent, with Clipper payment option available. Ability to replace 40 foot buses with articulated buses for additional capacity.	Shorter pilot.
Limited Express Buses with AC Transit only	\$760k for one year	30 min	2 to Rich 3 to P/BP 3 to Frmnt	Operated by one provider: AC Transit. Direct service to all locations – no transfers. Faster travel times to the stops served. Fare collection and policy is consistent, with Clipper payment option available. Ability to replace 40 foot buses with articulated buses for additional capacity. Matches currently available budget.	Reduced number of runs. Operates independently of existing late night network (no timed transfers). Makes fewer stops.
Private Charter Buses	\$748k for one year	30 min	4 to Rich 4 to P/BP 4 to Frmnt	Direct service – no transfers. Faster travel times to the stops served. Flexible - easy to change service. Free fares.	Less recognizable buses. Buses less accessible and less capacity. More marketing needed. More logistics to obtain/identify stops. Longer procurement. Involves non-public agency partners.



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>Marcia DeLauder</i>		GENERAL MANAGER ACTION REQ'D:		
DATE: c <i>9/3/14</i>		BOARD INITIATED ITEM: <i>NO</i>		
Originator/Prepared by: Anthony Seung Dept: Communications Engineering	General Counsel	Controller/Treasurer	District Secretary	BARC
<i>Anthony Seung</i> Signature/Date: <i>8/14/14</i>	<i>Robert...</i> Signature/Date: <i>8/15/14</i>	<i>[Signature]</i> Signature/Date: <i>[]</i>	<i>[]</i> Signature/Date: <i>[]</i>	<i>Paul...</i> Signature/Date: <i>9/2/14</i>

TITLE:

Award of Contract No. 79HZ-110 MacArthur Station Site Hardening

NARRATIVE:

PURPOSE:

To request Board authorization to award Contract No. 79HZ-110 - MacArthur Station Site Hardening to Shimmick Construction Company, Inc.

DISCUSSION:

This Contract is for improvements at BART's MacArthur Station as part of a U.S. Department of Homeland Security (DHS) funded project to, among other things, bolster security features of the Station Site. The work includes asbestos abatement, the installation of security systems and associated interface with existing security systems.

The Contract was advertised on May 1, 2014. Advance Notice to Bidders was mailed on May 2, 2014 to 69 firms and 22 plan rooms. A Pre-Bid Meeting was held on June 27, 2014 with 3 potential Bidders attending. Three Bids were received. Bids were publicly opened on July 15, 2014. Tabulation of the Bids, including the Engineer's Estimate, are as follows:

<u>Bidder</u>	<u>Location</u>	<u>Base Bid</u>
1. Shimmick Construction Company, Inc.	Oakland, CA	\$3,476,500.00
2. Rodan Builders, Inc.	Burlingame, CA	\$3,827,000.00
3. Blocka Construction, Inc.	Fremont, CA	\$5,440,000.00
Engineer's Estimate:		\$3,334,541.00

After review by the District Staff, the apparent low Bid, submitted by Shimmick Construction Company, Inc., has been deemed to be responsive to the solicitation, and the Bid price of \$3,476,500.00 has been determined to be fair and reasonable. Examination of this Bidder's business experience and financial capabilities has resulted in a conclusion that this Bidder is responsible.

This Contract is funded in part by a grant from the U.S. Department of Homeland Security

(DHS), which requires the Bidders to take all necessary affirmative steps to assure that small and minority firms, women's business enterprises, and disadvantaged business concerns are used whenever possible. The DHS grant does not provide for Disadvantaged Business Enterprise (DBE) or Small Business Enterprise (SBE) goals. Shimmick Construction Company, Inc.'s Bid listed participation of small and minority firms, women business enterprises, and disadvantaged business concerns for a total of approximately \$780,000, which represents 22.4% of the Contract price.

FISCAL IMPACT:

Funding for \$ 2,911,500 of the \$3,476,500 needed to execute this Contract will come from project budget 79HZ000 CCTV @ MACARTHUR. The Office of the Controller/Treasurer certifies that funds are currently available to meet this obligation. As of August 1, 2014, \$5,999,848.00 is available for this project from the following fund sources:

362U	FY10 TSGP CCTC AND WIFI	\$3,363,000.00
5371	FY09-10 CTSGP PROP 1B(HOMELND)	\$395,262.53
5373	FY11-12 CTSGP PROP 1B(HOMELND)	\$741,585.47
5374	FY12-13 CTSGP Prop 1B (CalEMA)	\$1,500,000.00
Total		\$5,999,848.00

BART has expended \$1,483,282.61, and committed \$133,705.30 to date for other actions. This action will commit an additional \$2,911,500 leaving an uncommitted balance of \$1,471,360.09 in these fund sources.

Funding for the remaining \$565,000 needed to execute this Contract will come from project budget 15SV000 CONSTRUCTION - OUTSIDECORE. The Office of the Controller/Treasurer certifies that funds are currently available to meet this obligation. As of August 3, 2014, \$17,068,197 is available for this project from the following fund sources:

801F	EARTHQUAKE SAFETY GEN	\$7,568,197.00
801J	Unissued ESP GO Bond	\$9,500,000.00
Total		\$17,068,197.00

BART has expended \$8,621,871.96 and committed \$6,229,785.28 to date for other actions. This action will commit an additional \$565,000 leaving an uncommitted balance of \$1,651,539.76 in these fund sources. There is no fiscal impact on available un-programmed District Reserves.

ALTERNATIVES:

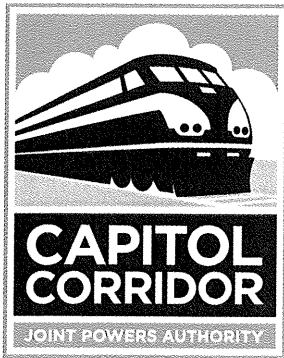
The alternative is to not authorize award of the Contract. If the Contract is not awarded, BART will be unable to perform the asbestos abatement and installation of enhanced security measures at this time and to utilize the available DHS funding for the MacArthur Station project identified as 79HZ-110 - MacArthur Station Site Hardening.

RECOMMENDATION:

Staff recommends that the Board adopt the Motion.

MOTION:

The General Manager is authorized to award Contract No. 79HZ-110 - MacArthur Station Site Hardening, to Shimmick Construction Company, Inc., for the Bid price of \$3,476,500.00, pursuant to notification to be issued by the General Manager and subject to the District's protest procedures and the Department of Homeland Security's procedures related to protests.



CAPITOL CORRIDOR JOINT POWERS AUTHORITY

MEETING OF THE BOARD OF DIRECTORS

September 17, 2014

10 a.m.

City Council Chambers
 Suisun City Hall
 701 Civic Center Blvd., Suisun City, CA
 (see attached map)

Simultaneous teleconference calls will take place at:

San Jose City Hall – Tower Building
 200 E. Santa Clara Street, Room #T1853
 San Jose, CA

DRAFT AGENDA

- I. Call to Order
- II. Roll Call and Pledge of Allegiance
- III. Report of the Chair
- IV. Consent Calendar *Action*
 - 1. Minutes of the June 11, 2014 Meeting
 - 2. Auburn Station Layover Facility Improvements Program
 - 3. Capitol Corridor Safety/Security Fence Program Phase 3
 - 4. 2014 Capitol Corridor Station Safety/Security Improvement Program
 - 5. Oleum Tunnel Safety Improvements
- V. Action and Discussion Items
 - 1. CLOSED SESSION: Conference with Legal Counsel - Existing Litigation
 Name of Case: National Railroad Passenger Corporation (AMTRAK) v. Capitol Corridor Joint Powers Authority, Surface Transportation Board, Finance Docket No. 35790. Gov't. Code Section: 54956.9(a)
 - 2. CCJPA FY15 Budget *Action*
 - 3. CCJPA/Amtrak FY 15 Operating Agreement *Action*
 - 4. CCJPA Funding for the On-Board Information System Project (OBIS) *Action*
 - 5. Legislative Matters *Action*
 - 6. *Vision Plan* [Preliminary Draft Report] *Action*
 - 7. Overview of Current and Proposed Crude Oil Train Shipments along Capitol Corridor Route *Info*
 - 8. Managing Director's Report *Info*
 - 9. Work Completed *Info*
 - a. Platform Safety Upgrades
 - b. Improvements to CCJPA Website and Automated Interactive Voice Response System
 - c. Marketing Activities (June – August 2014)
 - 10. Work in Progress *Info*
 - a. CCJPA Oakland-San Jose Phase 2 Project
 - b. Sacramento-Roseville 3rd Track Project
 - c. CCJPA Bike Access Program
 - d. Positive Train Control Update
 - e. Proposed Extension of Capitol Corridor Trains to Salinas
 - f. Upcoming Marketing Activities
- VI. Board member Reports
- VII. Public Comment
- VIII. Adjournment. Next Meeting Date: 10:00 a.m., November 19, 2014 at City Council Chambers, Suisun City Hall, 701 Civic Center Blvd., City of Suisun City, CA

Notes:

Members of the public may address the Board regarding any item on this agenda. Please complete a "Request to Address the Board" form (available at the entrance of the Boardroom and at a teleconference location, if applicable) and hand it to the Secretary or designated staff member 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. Speakers are limited to three (3) minutes for any item or matter. The CCJPA Board reserves the right to take action on any agenda item.

Consent calendar items are considered routine and will be enacted, approved or adopted by one motion unless a request for discussion or explanation is received from a CCJPA Board Director or from a member of the audience.

The CCJPA Board provides services/accommodations upon request to persons with disabilities who wish to address Board matters. A request must be made within one and five days in advance of a Board meeting, depending on the service requested. Call (510) 464-6085 for information.