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

BOARD MEETING AGENDA
October 9, 2014
9:00 a.m.

A regular meeting of the Board of Directors will be held at 9:00 a.m. on Thursday, October 9, 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.
      i. Major Adam Czekanski, U.S. Army Corps of Engineers

2. CONSENT CALENDAR

   A. Approval of Minutes of the Meeting of September 25, 2014.*
   Board requested to authorize.

   B. Audit of Directors' Use of District Property for Fiscal Year 2014.*
   Board requested to accept.

   C. Award of Contract No. 09EK-140, Oakland Transition Structure (OTS) Security Fence.* Board requested to authorize.

   D. Award of Invitation for Bid No. 8934, Gear, Bull, Low Speed.*
   Board requested to authorize.

3. ADMINISTRATION ITEMS
   Director Saltzman, Chairperson

   A. Late Night Bus Service Pilot Project: Agreement with Alameda Contra Costa Transit District for Provision of Bus Service.* Board requested to authorize.

   B. Fiscal Year 2015 to Fiscal Year 2024 Short Range Transit Plan/Capital Improvement Program.* Board requested to adopt.

   C. Fiscal Year 2014 Year End Budget Revision.* Board requested to adopt.

4. ENGINEERING AND OPERATIONS ITEMS
   Director McPartland, Chairperson

   A. Award of Contract No. 79HY-110, San Francisco International Airport Station (SFIA) Closed Circuit Television (CCTV).* Board requested to authorize.

   B. Fleet of the Future: New Revenue Vehicle Procurement Semi-Annual Update.* For information.

   C. East Contra Costa County BART Extension (eBART) Project: Semi-Annual Update.* For information.

* Attachment available

5. PLANNING, PUBLIC AFFAIRS, ACCESS, AND LEGISLATION ITEMS
Director Raburn, Chairperson

   A. Millbrae Station Development: Extension of Exclusive Negotiating Agreement.* Board requested to authorize.

6. GENERAL MANAGER'S REPORT

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

7. INDEPENDENT POLICE AUDITOR'S REPORT

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.)

* Attachment available

DRAFT

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

Board of Directors
Minutes of the 1,717th Meeting
September 25, 2014

A regular meeting of the Board of Directors was held September 25, 2014, convening at 5:06 p.m. in the Board Room, 344 20th Street, Oakland, California. President Keller presided; Kenneth A. Duron, District Secretary.

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

Absent: Director Murray. Directors Fang and Radulovich entered the Meeting later.

Consent Calendar items brought before the Board were:

1. Approval of Minutes of the Meeting of September 11, 2014.

2. Award of Contract No. 17AK-110, Refurbish Train Operator Facilities at Hayward, Richmond and Concord Yards.

3. Award of Invitation for Bid No. 8936, Magnetic Stripe Plastic Tickets.

4. Participation in the State of California Fuel Card Program.

Director Blalock made the following motions as a unit. Director McPartland seconded the motions, which carried by unanimous acclamation. Ayes - 6: Directors Blalock, Mallett, McPartland, Raburn, Saltzman, and Keller. Noes - 0. Absent – 3: Directors Fang, Murray, and Radulovich.

1. That the Minutes of the Meeting of September 11, 2014, be approved.

2. That the General Manager be authorized to award Contract No. 17AK-110, Refurbish Train Operator Facilities at Hayward, Richmond, and Concord Yards, to Alta Engineering Group, Inc., for the Bid price of $892,659.00, pursuant to notification to be issued by the General Manager, and subject to the District's protest procedures.

3. That the General Manager be authorized to award Invitation for Bid No. 8936, an estimated quantity contract, for Magnetic Stripe Plastic Tickets, to Electronic Data Magnetics, Inc., for up to 150% of the total contract bid price of $1,094,300.00, subject to the availability of funds, to which will be added all applicable taxes, pursuant to notification to be issued by the General manager, and subject to compliance with the District's protest procedures.

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

4. That the General Manager be authorized to enter into an agreement with U.S. Bank Voyager Fleet Systems, Inc., for participation in the State of California Fuel Card Program, Contract DGS-OFA-OPPS-06, through contract expiration October 31, 2016.

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

Director Saltzman, Chairperson of the Administration Committee, brought the matter of Ratification of Collective Bargaining Agreements: BART Police Officers Association, and BART Police Managers Association, before the Board. Ms. Ericka Mitchell, Assistant Chief Employee Relations Officer, presented the item. The item was discussed. Director Blalock moved adoption of Resolution No. 5269, In the Matter of Ratifying the 2013 – 2018 Collective Bargaining Agreement between the District and the BART Police Officers Association; and Resolution No. 5270, In the Matter of Ratifying the 2013 – 2018 Collective Bargaining Agreement between the District and the BART Police Managers Association. Director McPartland seconded the motion, which carried by electronic vote. Ayes - 5: Directors Blalock, McPartland, Raburn, Saltzman, and Keller. Noes - 0. Abstain – 1: Director Mallett. Absent - 3: Directors Fang, Murray, and Radulovich.

Director Saltzman brought the matter of Fix the Employer's Contribution to California Public Employees' Retirement System Medical Premium for BART Police Officers Association and BART Police Managers Association before the Board. Ms. Allison Picard, Assistant General Manager, Employee Relations, presented the item. Director Blalock moved adoption of Resolution No. 5271, In the Matter of Fixing the Employer's Contribution under the Public Employees' Medical and Hospital Care Act for Employees Represented by BPMA; and Resolution No. 5272, In the Matter of Fixing the Employer's Contribution under the Public Employees' Medical and Hospital Care Act for Employees Represented by BPOA. Director McPartland seconded the motion, which carried by electronic vote. Ayes - 5: Directors Blalock, McPartland, Raburn, Saltzman, and Keller. Noes - 0. Abstain – 1: Director Mallett. Absent - 3: Directors Fang, Murray, and Radulovich.

Director Saltzman brought the matter of Resolutions Establishing Retiree Medical Contribution Vesting Schedules with California Public Employees' Retirement System for Amalgamated Transit Union; Service Employees International Union; American Federation of State, County and Municipal Employees; BART Police Officers Association; BART Police Managers Association; and Non-Represented Employees, before the Board. Ms. Picard presented the item. Director McPartland moved adoption of the following resolutions as a unit.

Resolution No. 5273, Resolution Establishing the San Francisco Bay Area Rapid Transit District's Vesting Contribution under Section 22902 of the Public Employees' Medical and Hospital Care Act for Group 001 AFSCME Local 3993

Resolution No. 5274, Resolution Establishing the San Francisco Bay Area Rapid Transit District's Vesting Contribution under Section 22902 of the Public Employees' Medical and Hospital Care Act for Group 002 Police Officers Assoc

Resolution No. 5275, Resolution Establishing the San Francisco Bay Area Rapid Transit District's Vesting Contribution under Section 22902 of the Public Employees' Medical and Hospital Care Act for Group 003 Police Managers Assoc

Resolution No. 5276, Resolution Establishing the San Francisco Bay Area Rapid Transit District's Vesting Contribution under Section 22902 of the Public Employees' Medical and Hospital Care Act for Group 004 Amalgamated Transit Union

Resolution No. 5277, Resolution Establishing the San Francisco Bay Area Rapid Transit District's Vesting Contribution under Section 22902 of the Public Employees' Medical and Hospital Care Act for Group 005 SEIU Local 1021

Resolution No. 5278, Resolution Establishing the San Francisco Bay Area Rapid Transit District's Vesting Contribution under Section 22902 of the Public Employees' Medical and Hospital Care Act for Group 006 Non-Represented Employees

Director Blalock seconded the motion, which carried by electronic vote. Ayes - 5: Directors Blalock, McPartland, Raburn, Saltzman, and Keller. Noes - 0. Abstain – 1: Director Mallett. Absent - 3: Directors Fang, Murray, and Radulovich.

Director Saltzman brought the matter of Bay Area Rapid Transit Collective Bargaining Report by Agreement Dynamics, Inc., before the Board. Ms. Picard presented the item. Director Blalock moved that the Board accept the report provided by Agreement Dynamics, Inc., on September 11, 2014. Director Mallett seconded the motion.

Director Fang entered the Meeting.

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

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

Director Raburn, Chairperson of the Planning, Public Affairs, Access, and Legislation Committee, brought the matter of 2014 State and Federal Legislative Update before the Board. Mr. Paul Fadelli, Legislative Officer, and Mr. Roddrick Lee, Department Manager, Government and Community Relations, presented the item.

Director Radulovich entered the Meeting.

The item was discussed. Mr. Tim Schott and Mr. Jim Lites, representing Schott & Lites Advocates, addressed the Board on the State Legislative Update. Ms. Emily Bacque, representing CJ Lake, LLC, addressed the Board on the Federal Legislative Update.

Discussion continued.

Mr. Jerry Grace addressed the Board.

Director McPartland, Chairperson of the Engineering and Operations Committee, brought the matter of Change Order to Contract No. 01VM-110A, Union City Intermodal Station Phase 2 – BART Station Improvements, with West Bay Builders, Inc., for Additional Cost for Glass Elevator Upgrade (C.O. No. 07), before the Board. Ms. Shirley Ng, Acting Group Manager, Stations Engineering and Construction, presented the item. Director Blalock moved that the General Manager be authorized to execute Change Order No. 07, additional costs for glass elevator upgrade, in an amount not to exceed $650,000.00, to Contract No. 01VM-110A, Union City Intermodal Station Phase 2 – BART Station Improvements, with West Bay Builders, Inc. Director Raburn seconded the motion, which carried by unanimous electronic vote. Ayes - 8: Directors Blalock, Fang, Mallett, McPartland, Raburn, Radulovich, Saltzman, and Keller. Noes - 0. Absent - 1: Director Murray.

Director McPartland brought the matter of BART to Oakland International Airport Project: Quarterly Update, before the Board. Mr. Thomas Dunscombe, Project Manager – Oakland Airport Connector, presented the item. The item was discussed.

Mr. Jerry Grace addressed the Board.

Director Raburn brought the matter of Award of Contract No. 91CY-110, Civic Center Bicycle Facility, before the Board. Mr. Steve Beroldo, Manager of Access Programs, presented the item.

Director McPartland exited the Meeting.

The item was discussed. Director Saltzman moved that the General Manager be authorized to award Contract No. 91CY-110, Construction of Civic Center Bike Station, to LC General Engineering and Construction, Inc., of San Francisco, California, for the Bid price of $539,680.00, pursuant to notification to be issued by the General Manager and subject to compliance with the District's protest procedures. Director Blalock seconded the motion. Discussion continued. The motion carried by unanimous electronic vote. Ayes - 7: Directors Blalock, Fang, Mallett, Raburn, Radulovich, Saltzman, and Keller. Noes - 0. Absent - 2: Directors McPartland and Murray.

President Keller called for the General Manager's Report. Ms. Marcia deVaughn, Deputy General Manager, reported on steps the General Manager 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.

Director McPartland re-entered the Meeting.

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

Director Saltzman reported she had attended Rail~Volution in Minneapolis/St. Paul.

Director Raburn reported he had attended the Capitol Corridor Joint Powers Board meeting in Suisun City.

Director Mallett reported he had attended Rail~Volution in Minneapolis/St. Paul.

President Keller called for In Memorium commemorations.

Director Blalock requested the Meeting be adjourned in honor of former State Senator John Foran.

President Keller called for Public Comment. Mr. Jerry Grace addressed the Board.

The Board Meeting was adjourned at 6:33 p.m. in memory of Mr. John Foran.

Kenneth A. Duron
District Secretary

SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

MEMORANDUM

TO: Board of Directors **DATE:** October 3, 2014

FROM: General Manager

SUBJECT: Consent Calendar Item #2.B: Audit of Directors' Use of District Property

Attached is the Internal Audit Department's final audit report – *Audit of Directors' Use of District Property* will appear on the October 9, 2014, Board meeting Consent Calendar.

If you have any questions regarding the audit, please contact Terry Green at (510) 464-7563.

Grace Crunican

Attachment

cc: Board Appointed Officers
Deputy General Manager
Executive Staff

Audit of Directors' Use of District Property for Fiscal Year 2014

BACKGROUND

The Internal Audit Department has audited the District's compliance with the requirements of the San Francisco Bay Area Rapid Transit District's *Rules of the Board of Directors* Board Rule 5-3.5, Use of District Property Other than Automobiles. The Rules require that the Internal Audit Department shall complete an annual audit for the previous fiscal year for compliance with the requirements of Board Rule 5-3.5, and shall submit the audit report, including a list of property issued to each Director, to the next Administration Committee following September 15 for review and forwarding to the full Board.

Board Rule 5-3.5 requires that:

- Directors may have use and possession of specifically identified District property that is comparable in cost and function to equipment available to District employees;
- The property shall be returned when a Director leaves office;
- Directors request the property through the District Secretary's Office;
- The District Secretary shall request quarterly that the Directors review their cellular phone and calling card charges;
- Directors reimburse the District within 30 days of the quarterly request for reimbursement of costs that are not for District business; and
- The District Secretary shall report to the Board President or Vice President if the quarterly requests are not responded to or reimbursements not made within 30 days.

The purpose of our audit was to determine whether the District complied with the requirements of Board Rule 5-3.5 for the fiscal year ended June 30, 2014. To accomplish our purpose, we reviewed the requirements of the Board Rule, reviewed the report for the audit of compliance with the Board Rule done for the previous year, examined records maintained by the District Secretary, notified Directors of the property recorded in the District's records as issued to each Director, and conducted discussions with the staff of the District Secretary's Office.

We performed the audit in accordance with generally accepted government auditing standards and included such tests as we considered necessary in the

Audit of Directors' Use of District Property
for Fiscal Year 2014

BACKGROUND (Con'd)

circumstances. We used the *Rules of the Board of Directors* Board Rule 5-3.5 as criteria for the audit.

We provided Kenneth A. Duron, District Secretary, with a draft copy of our audit report on August 28, 2014. We discussed the draft audit report with him on September 3, 2014, and he had no additional comments.

SUMMARY OF AUDIT RESULTS

We found that in fiscal year 2014 the District complied in all material respects with the requirements of Board Rule 5-3.5. A list of property issued to each Director as recorded in the District's records is shown in Exhibit A.

Terry Green, Acting Department Manager
Internal Audit Department

Audit of Directors' Use of District Property for Fiscal Year 2014

Exhibit A

Schedule of District Property in Directors' Custody
As of June 30, 2014

DIRECTOR	PROPERTY DESCRIPTION
Gail Murray 1st District	Apple iPhone
Joel Keller 2nd District	Droid Cellular Telephone
Rebecca Saltzman 3rd District	(No Equipment Issued)
Robert Raburn 4th District	Computer Phone Card
John McPartland 5th District	Apple iPhone Dell Laptop External Computer Hard Drive Apple iPad Mini Computer Phone Card
Thomas M. Blalock 6th District	Motorola Cellular Telephone HP Fax Machine Apple iPad Mini
Zakhary Mallett 7th District	Computer Phone Card
James Fang 8th District	Apple MacBook Computer External Computer CD/DVD Drive Computer Phone Card HP Color Laserjet Printer
Tom Radulovich 9th District	Apple MacBook Computer External Computer CD/DVD Drive HP Deskjet Printer Apple iPhone

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EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL:				GENERAL MANAGER ACTION REQ'D: Approve and forward to the Board
DATE: 10/1/14				BOARD INITIATED ITEM: No
Originator/Prepared by: Khawaja Zubair Dept: M&E / Khawaja Zubair Signature/Date: 9/29/14	General Counsel 9/29/14 [ ]	Controller/Treasurer [ ]	District Secretary [ ]	BARC 9/30/14

Status: Routed	Date Created: 08/29/2014

TITLE:

AWARD OF CONTRACT NO. 09EK-140, OAKLAND TRANSITION STRUCTURE (OTS) SECURITY FENCE

NARRATIVE:

PURPOSE:

To obtain Board authorization for the General Manager to award Contract No. 09EK-140 for Oakland Transition Structure (OTS) Security Fence to Golden Bay Fence Plus Iron Works, Inc. Stockton, CA.

DISCUSSION:

The fence on the west side of the Oakland Transition Structure (OTS) will be replaced with a security fence. The existing fence is located on top of a K-rail, and does not meet security requirements. The fences on the other three sides of the OTS were replaced with similarly designed security fences under a separate contract, Contract No. 79HW-110. The west side was left alone as BART was negotiating a land exchange with the Port of Oakland.

The OTS is located within the Port of Oakland, it was determined by BART Security that the fence around the OTS needs to be upgraded to a higher level security fence. BART has exchanged a parcel of land with the Port of Oakland to build an emergency generator for the Transbay Tube. The new security fence will enclose the newly acquired land within the OTS yard, and it will connect to the already completed existing security fence.

Due to the location of the project, the District's Security Department determined that this should be a security sensitive project, and all documents were classified as SSI (security sensitive information) requiring special screening prior to being given access to any Contract information.

The Invitation To Bid for SSI Contract No. 09EK-140 was advertised in the Daily Construction Service and Daily Pacific Builder on May 1, 2014.

A pre-bid meeting was held on Wednesday, July 2, 2014 at 10:00 AM and of the four (4) SSI-Cleared firms, three (3) contracting firms were in attendance and all three (3) firms attended the mandatory site visit immediately following the pre-bid meeting. There were two (2) Addenda issued for this Contract.

A total of three (3) contracting firms purchased Contract Books, although four (4) firms completed the security clearance. One firm neither attended the Pre-Bid Meeting nor the mandatory walkthrough, leaving three (3) prospective Planholders.

Bids were opened on August 19, 2014. A total of two (2) Bids were received as follows:

BIDDER	BID PRICE
Golden Bay Fence Plus Iron Works Inc., Stockton, CA	$147,768.00
Crusader Fence, Oakland, CA	$222,510.00
Engineer's Estimate	$250,000

The apparent low Bid, submitted by Golden Bay Fence Plus Iron Works, Inc. has been determined to be responsive to the solicitation requirements. Upon review of the Bidder's business and financial capabilities, Staff has determined that the Bidder is responsible and that its Bid of $147,768.00 is fair and reasonable.

Pursuant to the District's Non-Federal Small Business Program, the Office of Civil Rights set a 5% prime preference for this Contract for Small Businesses certified by the California Department of General Services. The lowest responsive Bidder, Golden Bay Fence Plus Iron Works, Inc., is a certified Small Business making it eligible for the preference.

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

FISCAL IMPACT:

Funding of $147,768 for executing this Contract will come from project budget 09EK400. The Office of the Controller/Treasurer certifies that funds are currently available to meet this obligation. As of August 26, 2014, $500,000 is available for this project from the following fund source:

Fund	Description	Amount
5372	FY010-11 CTSGP PROP 1B	$500,000.00
Total		$500,000.00

BART has expended $95,343.83 and committed $0 to date for other actions. This action will commit an additional $147,768 leaving an uncommitted balance of $ 256,888.17 in this fund source.

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

ALTERNATIVES:

The alternative is not to build the security fence at this time. This will result in unsecure open area at the OTS, and new land area cannot be used for the new generator, impacting the generator project itself.

RECOMMENDATION:

Adoption of the following motion.

MOTION:

The General Manager is authorized to award Contract No. 09EK-140, OTS Security Fence, to Golden Bay Fence Plus Iron Works, Inc. for the Bid price of $147,768.00 pursuant to notification to be issued by the General Manager, and subject to compliance with the District's protest procedures.

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EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL:		GENERAL MANAGER ACTION REQ'D:		
DATE: 10/1/14		BOARD INITIATED ITEM: No		
Originator/Prepared by: Kirtland Smith Dept: Signature/Date: 9.18.2014	General Counsel 9/19/2014 [ ]	Controller/Treasurer [ ]	District Secretary [ ]	BARC 9/30/14 [ ]

Status: Approved	Date Created: 09/08/2014

TITLE:

Invitation for Bid No. 8934 - Gear, Bull, Low Speed

NARRATIVE:

PURPOSE: To obtain Board authorization to award Invitation for Bid (IFB) No. 8934 to Columbia Gear, Avon, MN, in the amount of $1,161,504.00 (includes sales tax) for the purchase of low speed bull gears.

DISCUSSION: The District operates 669 revenue vehicles, each with a total of four gearboxes, one on each axle. The gearbox is the main mechanical device that transfers power from the electric traction motor to the axle. The low speed bull gear is the larger of two gears within each gearbox. The District dismantles each gearbox during the gearbox rebuild process, which is part of the five-year truck overhaul program. As part of the rebuild work scope, the low speed bull gear is carefully evaluated, and is replaced if worn or damaged beyond repair. The assemblies are also used to support certain gearbox repairs.

This is a thirty-six (36) month estimated quantity contract. Pursuant to the terms of the District's standard estimated quantity contract, during the term of the contract, the District is required to purchase from the supplier a minimum of 50 percent of the contract bid price. Upon Board approval of this contract, the General Manager will also have the authority to purchase up to 150 percent of the contract bid price, subject to the availability of funding.

A Notice requesting Bids was published on July 30, 2014, and bid requests were mailed to ten (10) prospective bidders. Bids were opened on August 26, 2014, and three (3) bids were received. The apparent low bidder, Merit Gear, took exception to the delivery schedule, and for that reason, was deemed non-responsive.

Bidder	**Unit Price (720 each)**	**Grand Total incl. 9.00% sales tax**
Columbia Gear Avon, MN	$1,480.00	$1,161,504.00
Acme Gear Company Englewood, NJ	$1,694.00	$1,329,451.20

Merit Gear Antigo, WI	$1,285.00	$1,008,468.00

Independent cost estimate by BART staff: $ 1,294,920.00

Staff has determined that the next lowest bidder, Columbia Gear, submitted a responsive bid. Staff has also determined that the bid pricing is fair and reasonable based on Independent cost estimate by BART staff. The District's previous experience in the purchase of low speed bull gears was in February, 2013, for 180 units each at a cost of $1434.00.

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: Expenditures are from the General Fund, Materials & Supplier Inventory build-up account (140-010). Subsequent funding for this contract will be provided by the Rolling Stock & Shops (RS&S) Maintenance, Repair and other account #680230 as the parts are ordered from inventory. Expenditures for the out year portions of the contract will be included in future RS&S operating budgets and are subject to future board adoption.

ALTERNATIVE: An alternative to awarding the Contract would be to reject all bids and re-advertise the Contract. Re-advertising is not likely to lead to increased competition nor lower prices.

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

MOTION:
The Board authorizes the General Manager to award IFB No. 8934, an estimated quantity Contract for Low Speed Bull Gears, to Columbia Gear, Avon, MN, for the price of $1,161,504.00 (inclusive of sales tax), pursuant to notification to be issued by the General Manager, subject to compliance with the District's Protest Procedure.

EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL:		GENERAL MANAGER ACTION REQ'D:		
DATE: 10/3/14		BOARD INITIATED ITEM: No		
Originator/Prepared by: Mariana R Parreiras Dept: Customer Access Signature/Date: 10-3-14	General Counsel 10/9/14 [ ]	Controller/Treasurer 10/3/14 [ ]	District Secretary [ ]	BARC 10-3-14 [ ]

TITLE:

BART/AC Transit Agreement for Late Night Bus Pilot Service

NARRATIVE:

PURPOSE

Authorize the General Manager to enter into an Agreement with AC Transit to provide service for a Late Night Bus Pilot.

DISCUSSION

Background

In 2011, the BART Board directed staff to survey late night customers on interest in extended nighttime service. The survey found substantial customer support for extended service; however, running trains additional evening hours is infeasible because BART requires those nighttime hours for daily track maintenance. Weekend nights are particularly important because they provide longer maintenance windows.

To preserve the maintenance window, staff studied shifting service hours on weekends: Saturday and Sunday morning train service would begin later to allow Friday and Saturday night service to end later. The 2011 survey found that customers who ride early in the morning are predominately minority and low-income and largely riding for work; shifting service hours would negatively impact these customers. The preliminary findings of a survey currently being conducted by the Late Night/Early Morning Transportation Working Group (convened by San Francisco Supervisor Scott Wiener) confirm that, whereas the purpose of late night trips is generally entertainment, early morning trips tend to be mostly for work.

Following the survey, BART staff developed a proposal to support late night express buses Friday and Saturday nights starting about 20-30 minutes after the last BART train. Staff identified $796K in funds to conduct a one-year pilot project ($496K Lifeline grants, $200K BART funds, $100K estimated fare revenues).

In May 2013 and September 2014, staff brought informational items to the Board with options for the late night bus pilot. Board direction was to:

- Augment service on AC Transit's existing late night routes between San Francisco and Richmond (Route 800) and between downtown Oakland and Fremont (Route 801) to improve headways.

- Add new late night bus service between San Francisco and stops along the Pittsburg/Bay Point line.
- Extend the routes to 24th St/Mission on the San Francisco end.
- Use public transit operators for the service.

Per Board direction, staff have negotiated preliminary terms with AC Transit for the Late Night Bus Service Pilot. AC Transit staff will seek approval from their Board, currently scheduled for the October 8, 2014 meeting.

Preliminary Terms for Late Night Bus Pilot Service

Key preliminary terms for the proposed BART/AC Transit Agreement for Late Night Bus Pilot Service are as follows:

- AC Transit will operate late night bus service.
- BART will be responsible for conducting marketing per the Marketing Plan described in Attachment A.
- Service could begin as early as Dec 21st, 2014 through Dec 20th, 2015 on Friday night/early Saturday morning and Saturday night/early Sunday morning plus 8 holidays, totaling 112 days of service over one year.
- Existing AC Transit Route 800 (San Francisco to Richmond BART):
    - From 12:30 am to 2:30 am, frequency will be improved from 30 min to 20 min.
    - Route will start at 24th Street/Mission instead of Market Street/Van Ness Avenue on all runs (not just added runs).
- Existing AC Transit Route 801 (downtown Oakland to Fremont BART):
    - From 12:30 am to 2:30 am, frequency to Bay Fair BART will be improved from 30 min to 20 min and frequency to Fremont BART will be improved from 60 min to 40 min.
- New AC Transit Route 822X (San Francisco to Pittsburg/Bay Point BART):
    - From 1:00 am to 2:00 am, three runs on a new "822 Express" route will be added with 30 min headways.
    - Route will start at 24th St/Mission in San Francisco and make stops the following locations: 16th Street/Mission, Market St/Van Ness Ave (transfer point for Muni Owl lines), Civic Center, Powell Street, Montgomery Street, Embarcadero, and Howard St/Beale St (Transbay Terminal) in San

Francisco; 14th St/Broadway and Rockridge in Oakland; Walnut Creek; Pleasant Hill; and Pittsburg/Bay Point.

BART will fund AC Transit for services provided not to exceed a cumulative amount of $766,080 for the pilot year of service as described above.

Other Provisions of the Proposed Agreement

- BART and AC Transit will collaborate closely on all aspects of the pilot project.
- BART will have the option to terminate or reduce service in approximately 90-day increments, subject to 90-day notice. BART will only pay for services provided. The enhanced service provision will start with 40' vehicles with seating capacity for 32-37 seated passengers. If demand is high, up to three 40' vehicles will be replaced with 60' vehicles with capacity for 45-53 seated passengers as necessary to accommodate demand.
- Fares will be charged in accordance with AC Transit's current Fare Policy, which includes $4.20 for transbay trips and $2.10 for local trips. Senior, youth, and other discounts will apply, and passes will be honored. Fares can be paid using Clipper or cash.
- Fare revenue resulting from the enhanced service provision during the pilot project will be returned to BART to fund a portion of the service provision and the marketing for the pilot project, and will be estimated based on an agreed-upon formula between AC Transit and BART.
- All vehicles will be equipped with Clipper card readers.
- AC Transit will provide BART with estimated average ridership data based on its existing sampling method, which relies on Automatic Passenger Counters (APCs) on 30% of its fleet. Data will be broken down by route, trip, stop, and day type (Sa, Su); and will be used for the purposes of fare revenue recovery, marketing, and pilot project evaluation. Data will be submitted quarterly.
- AC Transit will conduct limited marketing, such as posting information on its website and distributing pilot project flyers provided by BART on its late night buses.

The Agreement will be approved as to form by the Office of the General Counsel. Material changes or additions to these proposed terms will be brought back to the Board for approval.

FISCAL IMPACT

The service provision cost is $766,000, and the estimated marketing cost is $72,000, for a total project cost of $838,000. BART has secured $496,000 in grants, has committed $200,000 from operating funds to the project, and estimates $100,000 in fare revenues, which would result in a $42,000 shortfall. Thus, the fiscal impact is between a minimum of $200,000 (already committed) and a maximum of $338,000 if no fare revenue is recovered and all marketing costs are incurred.

The increase in ridership will be estimated every 3 months. Once the pilot starts, staff will be able to reassess the fare revenue recovery estimate and react accordingly. Staff can then seek additional funds

to cover the actual shortfall, if any; direct AC Transit to modify the service provision to bring the project back within budget; or, if ridership is high, reduce the effort in Phase 2 of the Marketing Plan.

ALTERNATIVES

Direct staff to negotiate different terms for the service provision and agreement. This would delay the pilot project start by at least three months.

RECOMMENDATION

Adopt the following motion.

MOTION

The General Manager is authorized to execute an Agreement with AC Transit for a late night bus service pilot.

ATTACHMENT A – MARKETING PLAN

Phase 1: At start of service

1. Press conference
2. Press release
3. News article in the Chronicle
4. bart.gov posting (including bus schedule to be provided by Customer Access).
5. Social media
6. Notice to employee groups
7. Notice to CBOs
8. Passenger bulletin for key stations
9. Targeted, late night DSS postings (at stations served)
10. Develop flyer to announce the services and translate into four languages
11. Targeted, late night DSS postings (at additional stations served)

Phase 2: If there is still capacity on the new services after 60 days

1. Enter flag message on late night bart.gov trip plans
2. Bartable this month newsletter article
3. Posters and/or banners in BART stations served by the Richmond and Bay Point late night services
4. Late night radio ads
5. Postcards to display in downtown night spots

Phase 3: If service is made permanent

- Look at integration into brochures and schedules
- Update branding as appropriate and practical

On-board survey: conduct on-board survey after 6 months of service to determine demographics of ridership using the service.

Preliminary Budget

Phase	Tactic	Cost estimate
1	Miscellaneous	500
1	Develop, translate, and print flyers	2,500
2	Posters and/or banners	16,000
2	Late night radio ads	30,000
2	Postcards for downtown night spots	6,000
Evaluation	Title VI survey	12,000
Contingency		5,000
Total:		72,000

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EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL:		GENERAL MANAGER ACTION REQ'D:		
DATE: c 10/3/14		BOARD INITIATED ITEM: No		
Originator/Prepared by: PAM A HERHOLD Dept: Signature/Date: PAH	General Counsel 10/2/14 [ ]	Controller/Treasurer [ ]	District Secretary [ ]	BARC 10-2-14 [ ]

TITLE:

Final FY15 Short Range Transit Plan/Capital Improvement Program

NARRATIVE:

PURPOSE

Adoption of the District's FY15 Short Range Transit Plan (SRTP)/Capital Improvement Program (CIP) covering the period FY15 through FY24.

DISCUSSION

The SRTP/CIP provides an overview of BART's long-term operating and capital financial outlook. The Metropolitan Transportation Commission (MTC) requires each transit operator receiving federal funding through MTC to adopt and submit an SRTP/CIP. The FY15 SRTP/CIP covers 10 years, from Fiscal Year 2015 through Fiscal Year 2024.

BART's SRTP operating financial outlook shows an initial projected shortfall of $6 million in FY16 increasing up to $80 million in FY24, with a cumulative shortfall of $500 million over the 10 years. MTC guidelines require, however, that the operating forecast be sustainable and generally balanced over the period of the SRTP. To address this requirement, the document discusses potential solutions for achieving a balanced forecast, such as reducing capital reinvestment contributions or limiting future expense increases. Additionally, a line titled "Cost Containment/Revenue Enhancement" was added to the financial forecast showing how these potential solutions could reduce net deficits to zero. As a result of this additional, MTC-required line, the SRTP shows annual and 10-year cumulative projected shortfalls as balanced.

BART's Capital Improvement Program (CIP) is an unconstrained projection of all the capital needs BART faces. The CIP shows a more significant shortfall than the operating financial outlook. For the 10-year timeframe, fully funding the CIP would require approximately $9.6 billion. BART has previously identified approximately $320 million in capital funding and staff has identified an additional $4.5 billion in future funding that has been committed or can reasonably be assumed to become available to BART. This leaves a shortfall of approximately $4.8 billion over the next 10 years, approximately 50% of the total capital need.

The Draft FY15 SRTP/CIP document was posted on BART's website, with nearly 700 page views. BART received nearly 20 emails from members of the public, with most indicating support for system reinvestment. Staff also discussed the SRTP/CIP with BART's Title VI/Environmental Justice Committee on July 21, 2014; comments from members generally supported the focus on system reinvestment. One member noted that parking fees should be

increased to generate revenue before BART increases fares again; another comment suggested that BART expand its fare discount program and include the cost of any new discounts in BART's overall projections. At the BART Accessibility Task Force on August 28, 2014, comments were favorable and the Task Force chair noted that projects identified as their priorities were included in the CIP. At the Board's meeting on August 28, 2014, the Draft FY15 SRTP/CIP was presented as an informational item, and Board feedback included direction to produce a summary document. A new four-page handout is now available describing BART's needs and challenges over the next decade. Many of the comments received at these meetings, from the public, and MTC were incorporated either into the final FY15 SRTP/CIP or into BART's other planning initiatives

FISCAL IMPACT
The SRTP/CIP is a required supporting document for BART's grant applications to MTC. As such, this document is a prerequisite to MTC's authorization of non-District funds.

ALTERNATIVE
Do not adopt the final FY15 SRTP/CIP, which would jeopardize future grant approvals by MTC.

RECOMMENDATION
Adopt the final FY15 SRTP/CIP for transmittal to MTC and the Federal Transit Administration (FTA) as required.

MOTION
That the District's final FY15 SRTP/CIP be adopted and transmitted to MTC and FTA as required.

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EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL:		GENERAL MANAGER ACTION REQ'D: Place on the October 9, 2014 Board of Directors Agenda		
DATE: c 10/3/14		BOARD INITIATED ITEM: No		
Originator/Prepared by: Robert Umbreit Dept: Operating Budgets Signature/Date: RSUmbreit 10/3/14	General Counsel 10/2/14 [ ]	Controller/Treasurer 10/3/14 [ ]	District Secretary [ ]	BARC 10/3/14 [ ]

TITLE:

Fiscal Year 2014 Year-End Budget Revision

NARRATIVE:

PURPOSE: To amend the Fiscal Year 2014 (FY14) Budget for year-end adjustments.

DISCUSSION: The District finished FY14 favorable by a net of $12.0 million (M). Sources were $17.4M (2%) favorable to budget and total uses were $6.3M (-1%) unfavorable. The results are summarized below, with more detail provided in the Background section and Attachment 1.

FY14 Operating Results ($ million)		Budget	Actual	Var.	%
Sources	Operating Revenue	455.2	463.2	8.0	2%
	Sales Tax	215.7	221.1	5.4	3%
	Other Assistance	52.3	56.4	4.1	8%
	Total Sources	**723.3**	**740.7**	**17.4**	**2%**
Uses	Labor	400.6	407.7	(7.0)	-2%
	OPEB Unfunded Liability [1]	1.4	2.2	(0.7)	n/a
	Workers Comp. & General Liab.	-	4.1	(4.1)	n/a
	Non-Labor	165.6	157.4	8.2	5%
	Total Expense	**567.6**	**571.3**	**(3.7)**	**-1%**
	Debt Service	58.3	58.3	0.0	0%
	Capital Allocations	40.4	42.1	(1.7)	-4%
	State of Good Repair - Rail Cars	46.0	46.0	-	0%
	Other Allocations	12.2	13.2	(0.9)	-8%
	Total Debt Service & Allocations	**156.9**	**159.5**	**(2.6)**	**-2%**
	Total Uses	**724.6**	**730.8**	**(6.3)**	**-1%**
	OPEB Unfunded Liability [2]	(1.4)	(2.2)	0.7	
Net Result		**0.1**	**12.0**	**11.9**	

Note: Excludes MTC Rail Car Fund Swap revenue & expense of $72M

[1] OPEB Unfunded Liability: Other Post Employment Benefits, primarily life insurance

BACKGROUND: The favorable result in operating sources included $8.0M in operating revenue and $9.5M from sales tax and other financial assistance. The $8.0M operating revenue variance consisted of passenger revenue ($0.7M) and other operating revenue ($7.3M). Despite ridership ending the year below budget, passenger revenue was favorable due to higher net average fares and longer trips. Trips in FY14 totaled 117.1M (3.9% below budget) and average weekday ridership was 389,279 (3.6% below budget), a 0.8% decline from FY13. The below budget ridership was impacted by the strikes, but in addition ridership growth was lower than anticipated. Factoring out the strike impact, average weekday trips grew about 1.7% over FY13,

while the budget had anticipated 2.9% growth.

For the remaining $7.3M favorable result in other operating revenue, $2.6M is from favorable results in a number of small revenue sources, and $4.7M is an accounting recognition of a change in ownership for a ground lease related to the West Dublin/Pleasanton Station, with no bottom line impact because it is offset by a corresponding allocation of $4.7M. In the financial assistance category, sales tax exceeded the budget by $5.4M, growing 6% over last year (3.4% growth budgeted). Other favorable variances in financial assistance included $1.3M in State Transit Assistance, $1.1M property tax and $1.6M from other sources.

Operating expense was $3.7M (1%) over budget for the year. Net labor and benefits were $9.4M (2%) over budget mainly due to the labor contract provisions, overtime and a workers compensation reserve contribution. Included in this variance is $0.7M for Other Post Employment Benefit (OPEB) unfunded liability, which is a non-cash entry and does not affect the net operating result. Non-labor expense was favorable to budget by a net total of $5.7M (3%). Electric power was favorable by $4.4M primarily due to savings from carbon fees not applying to District market power purchases and lower than budgeted power purchases, $3.0M budgeted for Police lease space was not spent, $0.8M favorable in ADA Paratransit expense and a total of $2.6M in favorable variances across a variety of smaller budget items. These were offset by unfavorable variances of $1.0M for bus service costs during the strike, $2.4M for an increase to general liability reserves and $1.7M for the car seat replacement project that had been budgeted as capital.

Additional funding was again required for the District's workers compensation and general liability reserve. Midyear, it appeared that no increase to the workers compensation reserves would be needed, but at the end of the year $1.6M was necessary to meet the reserve requirement of the annual valuation report. However, the amount is smaller than the past three years, when increases to reserves of approximately $11M, $9M and $3M were required. The District is continuing programs to proactively address the issue of increasing costs, and it appears the reserve level requirements are leveling off. An additional $2.4M was also needed for general liability self-insurance funding to meet the reserve requirement established by the annual actuarial report.

Capital and other allocations were over budget by a net of $2.6M. First, the capital allocations category was unfavorable by a net of $1.7M, due to $2.2M of allocations to access/stations projects funded by new parking program revenues and $1.1M in fare increase revenue to the "Big 3" capital projects (budget of $7.5M, actual of $8.6M). This was offset by a decrease in allocations of $1.7M for transferring the vinyl seat cover replacement project from capital to operating. The $2.2M allocation to the access/stations program consists of the $504K bicycle locker program and $400K for equipment for the stations entrance brightening project, both budgeted in operating but were subsequently deemed capital in nature. $1.3M for the unspent balance of FY14 parking funds will be carried forward to FY15. The unspent funds are mainly the result of positions not being hired for the full year in FY14. The positions are already funded in the FY15 budget, so the $1.3M from FY14 is a one-time funding source and will be used to fund stations and access capital projects. Second, the other allocations category was over budget

by $0.9M - the net of the unbudgeted $4.7M allocation (equally offset by revenue) to recognize the West Dublin/Pleasanton ground lease ownership transfer, $3.0M budgeted for estimated termination of Lease/Leaseback financing arrangement (which was instead booked at the end of FY13 for a lower amount), and $0.8M lower than budgeted allocation of SFO extension net profit to the Warm Springs reserve ($6.4M vs. $7.2M budget), caused by lower than budgeted ridership.

SUMMARY OF PROPOSED YEAR-END ALLOCATIONS:
Of the $12.0M favorable result, $0.4M will be allocated to capital to replenish the capital fund for emergency server replacements that were required during the year. Capital project funds that were used to make the purchase and operating budget savings were to be used to replenish that fund.

Staff recommends using the remaining **$11.6M** positive year-end result to fund critical state of good repair projects coming out of the Asset Management Plan process for $5.6M, and to contribute $6.0M to District reserves. $2.5M of that reserve allocation will be set aside conditionally for BART's contribution to the eBART Pittsburg Center Station.

With continuing development of the Asset Management Program, the need to fund high risk state of good repair projects has become increasingly clear. Staff from key departments convened to analyze the highest risk capital rehabilitation projects, which reflect the District's most urgent asset needs as determined by the program. Priority projects of critical need were reviewed by executive management. Funding is recommended for projects including rail track condition evaluation and replacement prioritization, rail related technical evaluation equipment, equipment to support maintenance and safety crews (high rail crew and welding trucks), network infrastructure upgrades so new technology and software can be utilized in the shops and yards, development of detailed asset management project plans and backlog, development of a capital workforce plan, "Knowledge Management" tools for asset management, data center power increase so that equipment can be installed, hosted off-site disaster recovery, and a "truck" assembly program to increase rail car availability.

The future eBART Pittsburg Center Station is located three miles east of the existing Pittsburg/Bay Point BART station and has been a concept since the 1990s. The cost to build the station is approximately $11.9M. BART has partnered with the City of Pittsburg, the Metropolitan Transportation Commission (MTC), and the Contra Costa Transportation Authority (CCTA) to share the cost of the construction of the station. BART's share of the construction cost is $3.6M. $1.1M has already been paid through Proposition 1B funds, to procure the Automatic Fare Collection equipment at the station. The remaining balance of $2.5M is included in the recommended year-end allocations. The funding will be put into reserves, contingent on the completion of a funding agreement with the other project partners. If the agreement is finalized, the $2.5M will be allocated to the project, if the funding does not occur, the $2.5M will be left in operating reserves.

The station is estimated to increase ridership by 20 percent and is designed to support future development in line with BART's Transit Oriented Development (TOD) policy. The cost to build

the station now is significantly lower than if constructed after the line starts operations and the contract bid option price to build the station is significantly lower than other bidders.

Maintaining sufficient reserves is a key aspect of financial stability, as recent discussions at Board meetings have emphasized. These discussions included a proposal from the Controller Treasurer to update BART's Financial Stability Policy and increase the current goal of 5% of annual operating expenses. A proposal has been submitted for Board consideration to increase the goal to 15% of operating expenses. For FY15, this would be a reserve goal of about $89M, as compared to the current reserve balance of $33M. The recommended $3.5M allocation would increase the current reserve level to $36.5M.

In addition to the proposed capital allocation and operating reserve contribution discussed above, the budget revision also requests Board approval for the following adjustments to conform the final budget to Board Rules. The expense budget is increased for the total negative labor variance (including the workers compensation reserve funding and OPEB unfunded liability adjustment) of $9.4M, and lowered for the total non labor variance of $5.7M. Capital allocations are decreased and operating expenses are increased by $1.7M due to the change in accounting practices for vinyl seat cover replacement, with no net impact on the bottom line. The allocation of fare revenue to the "Big 3" capital projects is increased $1.1M to record the estimated incremental fare increase revenue for the year. Other Allocations are decreased due to the allocation to the SFO Operating Reserve ($0.8M), Lease/Leaseback termination ($3.0M) and increased for the $4.7M allocation to recognize the West Dublin/Pleasanton ground lease change. These adjustments are funded by increases to the budget for Operating Sources that were favorable to budget, combined with savings from non-labor expense.

FISCAL IMPACT: Board approval of the proposed allocations results in a balanced FY14 Budget.

ALTERNATIVES: If the Board does not approve the recommended allocations, the District would end the year with a favorable result of $12M. Alternatively the Board could specify other uses for the funding.

RECOMMENDATION: Approval of the motion below.

MOTION: Approval of the attached resolution "In the Matter of Amending Resolution No. 5217 regarding Fiscal Year 2014 Annual Budget."

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

In the matter of amending Resolution No. 5217 regarding Fiscal Year 2014 Annual Budget

Resolution No. _____

RESOLVED, that Resolution No. 5217 is amended by changing the following line items in Exhibit A thereof:

	Current Amount	Increase/ (Decrease) In This Resolution	Amended Amount
Fund Source Line Item:			
Operating Revenue	$ 455,198,526	$ 7,969,658	$ 463,168,184
Sales Tax	$ 215,745,689	$ 5,403,626	$ 221,149,315
Property Tax	$ 30,893,265	$ 1,161,175	$ 32,054,440
State Transit Assistance	$ 18,755,610	$ 1,265,792	$ 20,021,402
San Mateo Financial Assistance - Prop 42	$ -	$ 801,024	$ 801,024
Measures B & J Paratransit Assistance	$ 1,759,582	$ 73,833	$ 1,833,415
Other Financial Assistance	$ 60,000	$ 773,510	$ 833,510
Fund Use Line Item:			
Net Labor Expense	$ 402,038,538	$ 9,387,219	$ 411,425,757
Non Labor Expense	$ 165,593,914	$ (5,719,283)	$ 159,874,631
Bond Debt Service	$ 58,270,253	$ (13,190)	$ 58,257,063
Allocations to Capital - Rehabilitation*	$ 32,907,013	$ 4,376,480	$ 37,283,493
Allocations to Capital - Parking Funds to Stations/Access Projects	$ -	$ 2,247,542	$ 2,247,542
Allocation - Priority Capital Programs	$ 7,524,800	$ 1,093,020	$ 8,617,820
Allocations to SFO Reserve / Warm Springs Project	$ 7,150,728	$ (764,851)	$ 6,385,877
Allocations - Other Capital: Lease / Leaseback Termination	$ 3,000,000	$ (3,000,000)	$ -
Allocations to Operating Reserves	$ -	$ 6,000,000	$ 6,000,000
Other Allocations - West Dublin / Pleasanton Joint Development	$ -	$ 4,694,645	$ 4,694,645
Other Post Employment Benefits Unfunded Liability	$ (1,407,651)	$ (748,865)	$ (2,156,516)

*Amendment of $4,376,480 includes the recommended increase to Capital Rehabilitation Allocations of $6,042,238 less the reduction of $1,665,758 for reclassification of the seat replacement project from capital to operating expense.

Attachment 1
Quarterly Financial Report
Fourth Quarter
Fiscal Year - 2014

Revenue

- Total ridership for 4th Q was 0.8% below budget. Avg. weekday trips, at 407,981, grew 2.5% over 4QFY13, under budget estimate of 2.8%. For the year avg. weekday of 389,279 was 3.6% unfavorable, but passenger revenue was slightly positive due to longer trips and higher than budgeted net average fares.
- Other Operating Revenue was $7.0M favorable for FY14, mainly due to the $4.7M West Dublin/Pleasanton ground lease ownership transfer, offset by a corresponding $4.7M allocation.

Expense

- Labor and benefits were on budget for the quarter and over budget by $8.7M YTD, primarily due to the contractual wage increase, overtime and under budget capital credits.
- OPEB unfunded liability is shown as an expense and is offset; there is no bottom line impact.
- Purchased Transportation was unfavorable YTD due to strike bus service, at a cost of approximately $1.7M, with $0.7M reimbursed by MTC.
- Electric Power was favorable for FY14 by $4.4M or 10.6%. The favorable result is due to market price of power and carbon fees lower than budgeted.
- Other non labor was unfavorable for the quarter by $3.7M (-13%) due to catch up of payments at Y/E, the YTD budget result was favorable by $1.8M or 1.7%.

Operating Deficit

- Operating Surplus (revenue minus expense) was $8.7M favorable for the quarter due to positive operating revenue; favorable $4.3M YTD.

MTC Rail Car Swap

- The MTC rail car fund swap is a funding exchange program between MTC and BART that does not affect the net operating result.

Financial Assistance and Allocations

- Sales Tax for 4QFY14 grew 6.4% over 4QFY13 and FY14 ended with a $5.4M favorable budget variance.
- Property Tax was $32.1M for FY14 vs. budget of $30.9M. Other assistance was $1.7M favorable to to various small unbudgeted federal and state funds.
- STA for FY14 $1.3M over budget, net of a combination of factors.
- Capital and Other Allocations "actual" includes the recommended $12M allocation to capital projects and to operating reserves, as well as the $4.7M to W. Dublin/Pleasanton and other unbudgeted allocations requested for Board approval.

Net Operating Result

- The Net Operating Result for the quarter was unfavorable to budget by $2.6M, mainly due to year-end allocations requested for Board approval. Otherwise the result would have been favorable for quarter.

Current Quarter			($ Millions)	Year to Date		
Budget	Actual	Var		Budget	Actual	Var
			Revenue			
109.1	112.4	3.1%	Net Passenger Revenue	415.9	416.6	0.2%
5.3	5.8	8.6%	Parking Revenue	19.8	20.0	1.1%
4.8	10.6	120.7%	Other Operating Revenue	19.5	26.5	36.2%
119.2	**128.8**	**8.1%**	**Total Net Operating Revenue**	**455.2**	**463.2**	**1.8%**
			Expense			
106.1	105.6	0.5%	Net Labor	400.6	409.3	-2.2%
0.3	0.4	-28.7%	OPEB Unfunded Liability	1.4	2.2	-53.2%
10.5	9.4	10.2%	Electric Power	41.7	37.2	10.6%
4.1	2.8	31.0%	Purchased Transportation	16.3	16.8	-3.1%
28.8	32.6	-13.0%	Other Non Labor	107.7	105.9	1.7%
149.8	**150.8**	**-0.6%**	**Total Operating Expense**	**567.6**	**571.3**	**-0.6%**
(30.6)	**(21.9)**	**28.4%**	**Operating Surplus (Deficit)**	**(112.4)**	**(108.1)**	**3.8%**
(18.0)	(9.8)	45.5%	**MTC Rail Fund Car Swap**	(72.0)	(72.0)	0.0%
			Taxes and Financial Assistance			
51.9	54.3	4.6%	Sales Tax	215.7	221.1	2.5%
13.9	15.1	8.3%	Property Tax, Other Assistance	33.5	36.3	8.4%
18.0	9.8	-45.5%	MTC Rail Fund Car Swap	72.0	72.0	0.0%
9.4	10.4	11.4%	State Transit Assistance	18.8	20.0	6.7%
(14.6)	(14.6)	0.1%	Debt Service	(58.3)	(58.3)	0.0%
(25.1)	(41.1)	-63.8%	Capital and Other Allocations	(98.6)	(113.3)	-14.9%
0.4	0.4	23.8%	OPEB Unfunded Liability Offset	1.4	2.2	53.2%
53.9	**34.3**	**-36.2%**	**Net Financial Assistance**	**184.5**	**180.1**	**-2.4%**
5.2	**2.6**		**Net Operating Result**	**0.1**	**0.0**	
79.6%	85.5%	**5.9%**	**System Operating Ratio**	80.2%	81.1%	**0.9%**
0.33 ¢	**0.34 ¢**	**-0.6%**	**Rail Cost / Passenger Mile**	**0.33 ¢**	**0.33 ¢**	**-3.0%**

* Totals may not add due to rounding to the nearest million.

No Problem

Caution: Potential Problem/Problem Being Addressed

Significant Problem

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EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL:		GENERAL MANAGER ACTION REQ'D:		
DATE: 10/1/14		BOARD INITIATED ITEM: No		
Originator/Prepared by: Anthony Seung Dept: Communications Engineering Signature/Date: 9/30/14	General Counsel 9/30/14 [ ]	Controller/Treasurer [ ]	District Secretary [ ]	BARC 9/30/14 [ ]

TITLE:

Award of Contract No. 79HY-110
San Francisco International Airport Station (SFIA) CCTV

NARRATIVE:

PURPOSE:

To request Board authorization to award Contract No. 79HY-110 - San Francisco International Airport Station (SFIA) CCTV to Rodan Builders, Inc.

DISCUSSION:

This Contract is for improvements at BART's San Francisco International Airport Station (SFIA) 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 the installation of security systems and associated interface with existing security systems.

Advance Notice to Bidders was mailed on April 30, 2014 to 151 firms and 21 plan rooms. The Contract was advertised on May 2, 2014. A Pre-Bid Meeting was held on June 30, 2014 with 15 potential Bidders attending. Six Bids were received. Bids were publicly opened on September 16, 2014. Tabulation of the Bids, including the Engineer's Estimate, are as follows:

Bidder	Location	Base Bid
1. Rodan Builders, Inc.	Burlingame, CA	$2,272,950.00
2. Schembri Construction Co., Inc.	San Francisco, CA	$2,570,221.00
3. Blocka Construction, Inc.	Fremont, CA	$2,754,000.00
4. Cal Electro, Inc.	Redding, CA	$2,859,338.00
5. Central Sierra Electric Co., Inc.	Jackson, CA	$3,404,791.00
6. Shimmick Construction Co., Inc.	Oakland, CA	$3,618,000.00
Engineer's Estimate:		$4,559,999.00

The Engineer's Estimate of $4,559,999.00 included amounts for potential additional costs including those associated with a compressed construction schedule. The Bids submitted apparently did not include amounts for these potential costs.

After review by the District Staff, the apparent low Bid, submitted by Rodan Builders, Inc., has been deemed to be responsive to the solicitation, and the Bid price of $2,272,950.00 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) goals.

FISCAL IMPACT:

Funding of $2,272,950.00 for executing this Contract will come from project budget 79HY000 CCTV @ SFIA. The Office of the Controller/Treasurer certifies that funds are currently available to meet this obligation. As of September 18, 2014, $4,265,000.00 is available for this project from the following fund sources:

Description	Amount
362U FY10 TSGP CCTC AND WIFI	$3,400,000.00
5371 FY09-10 CTSGP PROP 1B(HOMELND)	$23,790.79
5372 FY010-11 CTSGP PROP 1B(HOMELND	$100,000.00
5373 FY11-12 CTSGP PROP 1B(HOMELND)	$741,209.21
Total	$4,265,000.00

BART has expended $1,311,962.05 and has committed $155.309.28 to date for other actions. This action will commit an additional $2,272,950.00 leaving an uncommitted balance of $524,778.67 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 installation of enhanced security measures at this time and to utilize the available DHS funding for the San Francisco International Airport Station (SFIA) CCTV project identified as 79HY-110 - San Francisco International Airport Station (SFIA) CCTV.

RECOMMENDATION:

Staff recommends that the Board adopt the Motion.

MOTION:

The General Manager is authorized to award Contract No. 79HY-110 - San Francisco International Airport Station (SFIA) CCTV, to Rodan Builders, Inc., for the Bid price of $2,272,950.00, 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.

SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

MEMORANDUM

TO: Board of Directors **DATE:** October 3, 2014

FROM: General Manager

SUBJECT: E&O Item 4.B: Fleet of the Future: New Revenue Vehicle Procurement - Semi-Annual Update (For Information)

At the October 9, 2014 Board meeting, staff will provide the first semi-annual status update on the new revenue vehicle procurement. If you have any questions regarding the attached presentation, please contact John Garnham at (510) 476-3759.

Grace Crunican

Attachment

cc: Board Appointed Officers
Deputy General Manager
Executive Staff

SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

MEMORANDUM

TO: Board of Directors **DATE:** October 3, 2014

FROM: General Manager

SUBJECT: E&O Agenda Item #4.C: East Contra Costa BART Extension (eBART) Project Update – For Information

The attached presentation is an update on the progress of the eBART project which includes a discussion of the various design, construction and procurement contracts that are underway for the extension project. If you have any questions about this presentation, please contact Ric Rattray, Group Manager, Planning and Development at (510) 874-7319.

Grace Crunican

Attachment

cc: Board Appointed Officers
Deputy General Manager
Executive Staff

SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

MEMORANDUM

TO: Board of Directors **DATE:** October 3, 2014

FROM: General Manager

SUBJECT: PPAAL Agenda Item #5.A: Extension of the Exclusive Negotiating Agreement with Republic Millbrae, LLC for Potential Development of Property Located at the BART Millbrae Station

At the Thursday, October 9, 2014 Board of Directors meeting, staff will provide a status report on the Millbrae Specific Plan update process. The presentation will cover the following topics:

- Background and progress to date
- Draft development plan
- Estimated transit ridership
- Parking and Access Methodology status

Following the presentation, staff will request authority to extend negotiations with Republic Millbrae, LLC. If you have any questions, please contact Bob Powers at (510) 874-7410.

Grace Crunican

cc: Board Appointed Officers
Deputy General Manager
Executive Staff