

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

Board of Directors
Minutes of the 1,654th Meeting
May 10, 2012

A regular meeting of the Board of Directors was held May 10, 2012, convening at 9:12 a.m. in the Board Room, 344 20th Street, Oakland, California. President McPartland presided; Kenneth A. Duron, District Secretary.

Directors present: Directors Blalock, Fang, Franklin, Keller, Murray, Raburn, Sweet, and McPartland.

Absent: None. Director Radulovich entered the Meeting later.

Consent Calendar items brought before the Board were:

1. Approval of Minutes of the Meeting of April 26, 2012.
2. Resolution of Project Compliance Approving the Metropolitan Transportation Commission and East Contra Costa BART Extension (eBART) Project Bridge Tolls.
3. Award of Invitation for Bid No. 8901, Station Agent and Foreworker Uniforms.

Director Sweet made the following motions as a unit. Director Murray seconded the motion, which carried by unanimous (8 electronic, 1 voice vote). Ayes – 8: Directors Blalock, Fang, Franklin, Keller, Murray, Raburn, Sweet, and McPartland. Noes – 0. Absent – Radulovich.

Director Radulovich entered the meeting.

President McPartland called for General Discussion and Public Comment.

Directors Radulovich and Raburn exited the meeting.

The following individuals addressed the Board.

Mr. George Chang
Mr. Tom Chang
Ms. Judy Liu
Mr. Kelvin Qiu
Mr. Jeff Augusts
Mr. Scott Chavez
Mr. John Mc Cord
Mr. Dennis Stiles
Ms. Jane Lee
Mr. Zheng Boswell

Ms. Candace Lee
Mr. Bret Taber
Mr. Bill Mc Inerney
Mr. Jerry Grace
Mr. Eric Mao
Ms. Yolanda Huang

Directors Radulovich and Raburn entered the meeting.

Director Fang, Chairperson of the Engineering and Operations Committee, brought the matter of Award of Contract No. 40FA-110, Procurement of Transit Vehicles, before the Board. Mr. Paul Oversier, Assistant General Manager, Operations; Mr. Richard Wiczorek, Department Manager, Procurement; and Mr. Carter Mau, Executive Manager of Planning and Budgets presented the item.

The following individuals addressed the Board.

Ms. Linda Best
Mr. Nathaniel Bates
Mr. Corky Booze
Ms. Sandy Hunter
Mr. Charles Wochele
Mr. Scott Emblidge
Mr. James Beno
Mr. Eddie Kurtz
Ms. Linda Doppe
Ms. Gayle Mc Laughlin
Ms. Lisa Hoyos
Mr. Tom Faber
Mr. Raymond Bachant
Mr. Robert Furniss
Mr. Marc Boucher
Ms. Antoinette Bryant
Mr. Paul Junge
Mr. Jerry Grace
Ms. Karla Goodbody
Mr. Keith Houston
Ms. Serlene Grant on behalf of Dr. Patrick Kennedy
Mr. Eddie Dillard
Mr. Jabari Herbert
Mr. Cheryl Archer
Mr. Jaime Martinez
Ms. Catherine Houston

Director Fang made a motion to Delay Award of Contract 40FA-110 Procurement of Transit Vehicles and Issue a Request for a Second Best and Final Offer. President Mc Partland seconded the motion, which failed by electronic vote. Ayes – 2: Directors Fang and McPartland. Noes – 6: Director Blalock, Franklin, Keller, Murray, Raburn and Radulovich. Abstain – 1: Director Sweet

Director Keller moved that the Board finds that Bombardier Transit Corporation’s proposal is most advantageous to the District with price and other factors considered. The General Manager is authorized to award Contract No. 40FA-110, Procurement of Transit Vehicles to Bombardier Transit Corporation, for the Proposal price of \$630,502,694, plus applicable tax and escalation for the Base Contract of 260 vehicles, and the Proposal price of \$265,832,100, plus applicable tax and escalation for Option 1, subject to the District’s protest procedures and FTA’s requirements related to protest procedures. Staff will return to the Board with a funding plan and request for approval to exercise Options 2, 3, and 4. Director Radulovich seconded the motion, which carried by unanimous electronic vote. Ayes – 9: Directors Blalock, Fang, Franklin, Keller, Murray, Raburn, Radulovich, Sweet, and Mc Partland. Noes - 0.

The Board Meeting recessed at 12:35 p.m.

The Board reconvened at 12:57 p.m.

Directors present: Directors Blalock, Franklin, Keller, Murray, Raburn, Radulovich, Sweet, and McPartland.

Absent: Director Fang.

Director Sweet, Chairperson of the Administration Committee, brought the matter of Resolution for the Quitclaim of BART Parcel No. O-535S, Fee and Easement Interests, and Conveyance of Personal Property at the Powell Street Station Stockton and Ellis Street to the City and County of San Francisco for the Central Subway Project before the Board. Ms. Bernadette Lambert, Project Manager of Programs presented the item. Director Blalock moved that the General Manager be authorized to adopt the Resolution to convey BART Parcel number O-S335 as excess land together with the Powell Street Station Entrance R mezzanine extension improvements, to the City and County of San Francisco. Director Mc Partland seconded the motion, which carried by unanimous electronic vote. Ayes – 8: Directors Blalock, Franklin, Keller, Murray, Raburn, Radulovich, McPartland, and Sweet. Noes – 0: Absent – 1: Director Fang.

Director Sweet brought the matter of the Real Property Agreement between San Francisco Bay Area Rapid Transit District and Contra Costa Transportation Authority for the SR4 Widening Project and the East Contra Costa BART Extension Project. Ms. Barbara Inaba, Principal Engineer – Real Estate presented the item. Director Keller moved that the General Manager be authorized to execute the Real Property Agreement between the Contra Costa Transportation Authority and the San Francisco Bay Area Rapid Transit District in connection with the SR4 Widening Project and the East Contra Costa BART Extension Project. Director Murray seconded the motion, which carried by unanimous electronic vote. Ayes – 8: Directors Blalock,

Franklin, Keller, Murray, Raburn, Radulovich, McPartland, and Sweet. Noes – 0: Absent – 1: Director Fang.

The following individual addressed the Board.
Mr. Jerry Grace

Director Sweet brought the matter of Resolution Endorsing Metropolitan Transportation Commission Resolution No. 5046 Memorandum of Understanding: High Speed Rail Blended System on the Peninsula Corridor and Approving Revisions to the List of Projects for the BART High Speed Passenger Train Bond Program. Ms. Stacey Perkins, Project Manager of Capital Development and Controls presented the item. Director Blalock moved that the General Manager be authorized to adopt the Resolution endorsing MTC Resolution No. 4056 and the funding strategy contained herein and approve modifications to BART's previously submitted priority list of projects of BART's High Speed Passenger Train Bond Program (HSPTB) funding. Director Radulovich seconded the motion, which carried by unanimous electronic vote. Ayes – 8: Directors Blalock, Franklin, Keller, Murray, Raburn, Radulovich, McPartland, and Sweet. Noes – 0: Absent – 1: Director Fang

The following individuals addressed the Board.
Mr. Robert S. Allen
Mr. Jerry Grace

Director Keller exited the meeting.

President McPartland called for the General Manager's Report. General Manager Grace Crunican reported on steps she had taken and meetings she had participated in.

President McPartland called for Board Member Reports.

Director Sweet reported she had attended with President Mc Partland and General Manager Crunican the Commemoration of the Japanese American Experience at the Temporary Detention Center at Tanforan at the San Bruno Station, the San Francisco Redevelopment Oversight Committee Meeting, and meeting with General Manager Crunican with the Black Contractors, and attended job readiness training at the Sunnydale Community Center.

President McPartland reported he attended with Director Sweet and General Manager Crunican the Commemoration of the Japanese American Experience at the Temporary Detention Center at Tanforan at the San Bruno Station, the Transform Transportation Choices Summit in Sacramento with Director Raburn and Franklin, the League of Women Voters meeting, the Livermore Chamber of Commerce meeting, was a guest speaker at the Dublin Chamber of Commerce meeting, and the Oakland Fire Department Training Division regarding flammability in relation to the new rail car seats.

Director Franklin reported he attended with President McPartland and Director Raburn the Transform Transportation Choices Summit in Sacramento, the Oakland Chamber of Commerce and Port of Oakland event, and the Paratransit Conference.

Director Murray reported she attended a Lafayette Homeowners meeting regarding the solar project, the City Councils of Clayton, Danville and Pleasant Hill to invite them to attend our State of Good Repair Tour on June 8, 2012, and passed out a Military Pass to a returning marine.

Director Raburn reported he attended with President McPartland and Director Franklin the Transform Transportation Choices Summit in Sacramento, the League of Women Voters luncheon, the Mega Region Conference with the Oakland Chamber of Commerce, the Alameda League of Women Voters meet and greet, and a public session on the West Oakland Specific Plan.

President McPartland brought Roll Call for Introductions before the Board.

Director Raburn requested a review of the Capitol Corridor policy for bicycle access on-board trains to maximize bicyclist ridership.

Director Radulovich requested the evaluation of amendments to the youth discount program: Institute use of embedded Clipper Card-like chip in student ID cards for access and identification; Increase the eligibility through the age of 18; Adjust system to permit use of discount card through graduation exclusively age of 18.

Director Sweet requested the review of the Student Discount program (orange ticket) to ensure availability of discount tickets through the end of the school year, provide access/purchase on-line, and provide a single central location for customer service.

Director Sweet requested the District consider moving banking services to a different bank (from Bank of America) that ensures that customers negotiating District issued checks are not charged a fee if they do not have an account.

Board Meeting was adjourned at 3:13 p.m.

Kenneth A. Duron
District Secretary