



San Francisco Bay Area Rapid Transit District (BART)
Earthquake Safety Program

Citizens' Oversight Committee Meeting
2010 – 2012 Term

Tuesday, October 25, 2011 4:30 pm

BART Board Room
Kaiser Center 20th Street Mall, Third Floor
344 20th Street, Oakland CA 94612

Meeting Number	Meeting Date	Meeting Time
Term 3, Meeting 3	October 25, 2011	4:30 pm
Attendees	<i>Members</i> H. Andy Franklin Elmo Wedderburn	<i>Staff</i> Nathan Hood Thomas Horton Molly McArthur
Agenda Item	Action Taken	
<i>Welcome & Introductions</i>	M. McArthur called the meeting to order at approximately 4:35 pm. M. McArthur noted members' attendance. M. McArthur invited members of the public to introduce themselves and address the Committee. The member of the public declined.	





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*Review of Administrative
Matters*

M. McArthur reviewed the following administrative matters:

- April 19 meeting minutes: M. McArthur proposed that, given the lack of a quorum, all members review the minutes electronically and send changes to BART staff to incorporate the changes and record members' acceptance of the final document. H. Andy Franklin and E. Wedderburn agreed.
- Travel reimbursement: N. Hood reminded members of the Committee's new Clipper Card reimbursement process and asked members if they had experienced issues with the process. H. A. Franklin and E. Wedderburn responded that they had not experienced any issues with the new process.
- Future meeting dates: M. McArthur proposed that, given the lack of a quorum, staff provide possible meeting dates to all members, collect members' availability and schedule a meeting. H. A. Franklin and E. Wedderburn agreed.



Project Update

T. Horton provided an overview of the program's progress since the last meeting, noting the following:

- Completed activities: Preliminary engineering and design, final design and right-of-way acquisition under the program's original scope is complete. Twenty-three contracts have been advertised and awarded. Thirteen contracts are complete, including several stations, parking structures, and storage and maintenance facilities. Three aerial structures contracts are scheduled to be complete by the end of 2011.
- Current activities: Fourteen contracts are currently under construction.
- Upcoming activities: Bids for the Fremont Line stations and Fremont Line North aerial structures contracts—the two remaining contracts from the program's original scope—were rejected and have yet to be awarded. BART staff recommended the Board of Directors reject bids for one contract, and the Board of Directors decided independently to reject bids for the other contract. Both contracts will be re-advertised soon. More contracts will be awarded if the Board of Directors agrees to fund additional operability retrofits.
- Schedule: The program's projected completion date is now late 2016. This change is due to the upcoming re-advertisement of the Fremont line stations and structures contracts. If the Board of Directors agrees to fund additional operability retrofits, the projected completion date could change to 2017.

H. A. Franklin asked if additional operability retrofits would be funded by the General Obligation Bond or new funding sources.

T. Horton stated that any additional retrofits will be funded through the General Obligation Bond, without the need for additional funds. He also noted that the program's total construction costs are now forecasted at approximately \$480 million.



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Financial Report

T. Horton provided an overview of the program's finances, noting the following:

- Expenditures: The report on funds expended through September 30 was just issued and not available for this meeting.

M. McArthur stated that BART is experiencing difficulties with new financial reporting software. She suggested BART staff provide the program's expenditures as of September 30 as soon as possible, and keep members regularly informed of progress made toward providing the information. T. Horton agreed.

H. A. Franklin asked how BART manages the allocation of multiple funding sources to individual contracts.

T. Horton stated that funding sources are either allocated as a percentage of the total cost of the contact, or to individual costs that the funds are designated for. For instance, federal funds are designated for portions of contracts that cross roads. In this case Federal funds would be applied only against costs associated with crossing roads.

- Cost growth analysis: Total cost growth from original to final contract value for completed contracts is approximately 12 percent. BART budgets for 15 percent cost growth. Several current projects have higher cost growth percentages and may increase the total cost growth.

E. Wedderburn asked for reasons why contracts experience cost growth.

T. Horton stated that the main source of cost growth is differing site conditions, such as unknown utilities, underground foundations that are different than anticipated, etc.





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<i>Financial Report (continued)</i>	<p>E. Wedderburn asked why bids were rejected for the Fremont line contracts.</p> <p>T. Horton stated that bids were rejected because of discrepancies in respondents' bid documents and the large cost difference in the bid prices of the two lowest bidders.</p>
<i>Closed Session</i>	<p>Threat to Public Services or Utilities</p> <p>Consultation with: Manager, Earthquake Safety Program Government Code Section: 54957(a)</p>
<i>Other Business</i>	<p>Members and staff agreed to the following follow-up items:</p> <ul style="list-style-type: none">• April 19 meeting minutes: Provide members with the minutes electronically, incorporate members' changes and record members' acceptance of the final document. (N. Hood)• Future meetings dates: Provide members with possible meeting dates, collect members' availability and schedule a meeting. (N. Hood)• Expenditures: Provide the program's expenditures as of September 30 as soon as possible, and keep members regularly informed of the progress made toward providing the information.• Cost growth: Provide data for members to review the cost growth of current projects. (T. Horton)
<i>Adjournment</i>	<p>M. McArthur adjourned the meeting at approximately 5:45 pm.</p>

