



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

Citizens' Oversight Committee Meeting Minutes

Wednesday, June 17, 2020, 4:30 pm

**Conference Room 1700, Kaiser Center Tower, 17th Floor
300 Lakeside Drive, Oakland CA 94612**

Virtual Meeting

Meeting Number	Meeting Date	Meeting Time
Term 7, Meeting 5	June 17, 2020	4:35 pm – 5:30 pm
Attendees	Current Members Derek Schaible, chair Karen Varnado, vice chair Eric Tandy Clinton Loftman	BART Representatives Zecharias “Zach” Amare Jose “Ramiro” Salazar Chuck Bernardo Carl Holmes
	Alternate Members Tom Horton Ken Mark Monica Tell Louise Engel	Tracy Johnson Bianca Mallory Shanetris Robertson Open to Members of Public
Agenda Item	Action Taken	
A. Welcome, Introductions, and Roll Call	Meeting called to order 4:35 pm on June 17, 2020. B. Mallory went over some housekeeping items with the new format of conducting the meeting virtually. B. Mallory took roll call, noted members in attendance, and confirmed there was a quorum of 3 members. B. Mallory acknowledged the following BART representatives in attendance: Capital Projects Group Manager Zecharias “Zach” Amare; Senior Attorney Jose “Ramiro” Salazar (OGC); Chuck Bernardo (ESP); Tracy Johnson (D&C); Carl Holmes (D&C); and introduced herself, The Allen Group (On-Call Community Relations) along with an intern Shanetris Robertson.	
B. Project Update	Z. Amare, Capital Projects Group Manager, introduced the agenda items, including the project update and work progress, financial report and schedule, a presentation regarding a scope of work reduction on the Transbay Tube (TBT) project, and the effects of COVID-19 on the project. As part of the Project Update, Z. Amare provided an overview of the program’s progress since the last meeting, noting the completed, current, and upcoming activities, with photos representing construction activity. Below is a summary of the report:	



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	<ul style="list-style-type: none"> • There is one contract remaining: <ul style="list-style-type: none"> - TBT Retrofit <p><u>TBT Retrofit</u></p> <ul style="list-style-type: none"> • Due to the Security Sensitive Information (SSI) nature of the project, details are limited and omitted per BART Attorney from COC Meeting Minutes <p>Z. Amare discussed the revisions to the scope of work for the TBT and the process they used to make the decision and next steps of the potential de-scoping of the TBT project. They are awaiting the results of the analysis to confirm the full extent of the reduction in scope. BART is in negotiations with the contractor to determine the course of de-scoping.</p> <p>C. Bernardo discussed the effects of COVID-19 and the force majeure clause in the contract. He presented the timeline of the Shelter-In-Place order that started on March 16, 2020 and what happened on the project. The contractor elected to suspended work because of the work environment as it relates to social distancing requirements. Once the contractor evaluated how they could continue work in a safe and healthy way to ensure the social distancing and other guidelines that were given by the state’s Health Order were met. They resumed work on May 5, 2020 and submitted a site-specific health and safety plan. As part of that plan there were new protocols put in place such as; Daily Screening Protocols, Reporting Requirements, Prevention Measures, Record Keeping specific to COVID-19, Remediation Plan, a COVID-19 Safety Compliance Officer, and a COVID-19 Third-Party Jobsite Safety Accountability Supervisor.</p> <p>C. Bernardo reviewed the status of Contract Change Orders issued, in progress, and protested.</p>
<p>D. Schedule and Financial Report</p>	<p>Z. Amare provided an overview of the Program’s schedule and finances, noting the following:</p> <ul style="list-style-type: none"> • The final tranche was issued and sold by BART to complete all \$980 million in 2004 Measure AA bond funds. • The ESP Program has spent \$893,402,115 from inception through April 2020. • April 2020 Cash Expended (4-month average): \$9,677,934.
<p>Review of Administrative Matters</p>	<p>D. Schaible reviewed the following administrative matter:</p> <ul style="list-style-type: none"> • The March 11, 2020 Meeting Minutes were approved, and it was agreed that the November 20, 2019 meeting minutes would be distributed again prior to the next meeting and approved at that meeting along with the meeting minutes from the June 17, 2020 meeting.



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Next Meeting	<p>After review of COC member calendars, committee members voted to hold the next COC meeting on Wednesday, September 16, 2020.</p> <p>The Committee requested that the following agenda item be included in the next meeting:</p> <ul style="list-style-type: none">• An update on the Early Bird Express.
Public Comments	<p>There were no members of the public that had comments meeting was held virtually.</p>
Adjournment	<p>Motion to call meeting to adjourned was made by Chair D. Schaible at 5:30 p.m.; seconded by C. Loftman; passed unanimously.</p>