

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

*****REVISED*****

BOARD MEETING AGENDA

January 24, 2013

9:00 a.m.

Please note: The first non-routine item on the agenda is Item 3: Closed Session. The Board will reconvene in open session at 10:30 a.m. or immediately following the Closed Session, whichever is later.

A regular meeting of the Board of Directors will be held at 9:00 a.m. on Thursday, January 24, 2013. This meeting shall consist of a simultaneous teleconference call at the following locations:

BART Board Room Kaiser Center 20 th Street Mall – Third Floor 344 – 20 th Street Oakland, CA 94612	CJ Lake Offices 525 Ninth St. NW, Suite 800 Washington, DC
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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 General Discussion and 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 January 11 and 12, 2013 (Special).* Board requested to authorize.
- B. Approval of Resolution of Project Compliance and Initial Project Report for Regional Measure 2 Bridge Toll Funds for the East Contra Costa BART Extension (eBART) Project.* Board requested to approve.
- C. Award of Contract No. 15EL-170, Fiber Optic Cable Installations at A-Line, M-Line and Concord Yard.* Board requested to authorize.
- D. Award of Contract No. 15EM-130, Contact Rail Coverboard Reinforcements.* Board requested to authorize.
- E. Award of Invitation for Bid No. 8902, Lift Trucks.* Board requested to authorize.
- F. Award of Invitation for Bid No. 8903, Armored Trucks.* Board requested to authorize.
- G. Award of Invitation for Bid No. 8912, Police Pursuit Vehicles.* Board requested to authorize.
- H. Award of Invitation for Bid No. 8914, Bearing, Traction Motor.* Board requested to authorize.
- I. Fiscal Year 2013 First Quarter Financial Report.* For information.

3. CLOSED SESSION

A. CONFERENCE WITH LABOR NEGOTIATORS - PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Agency Negotiators: Directors Radulovich and McPartland
Titles: General Manager, General Counsel, Controller/Treasurer,
District Secretary, and Independent Police Auditor
Government Code Sections: 54957 and 54957.6

10:30 a.m.

or immediately following the Closed Session, whichever is later

4. OPEN SESSION

- A. Compensation and Benefits for General Manager and Independent Police Auditor. Board requested to authorize.

5. ADMINISTRATION ITEMS

Director Murray, Chairperson

- A. Amendment to Legal Services Agreement with Glynn and Finley, LLP, for Increased Funding.* Board requested to authorize.
- B. Independent Auditor's Report on the Basic Financial Statements and Internal Control for the Fiscal Year Ended June 30, 2012.* For information.

6. ENGINEERING AND OPERATIONS ITEMS

Director Fang, Chairperson

- A. Award of Contract No. 15PJ-110B, Earthquake Safety Program Four Station Structures – A Line.* Board requested to authorize.
- B. Agreement with TriTech for BART's Regional Anti-Terrorism and Integrated Law Enforcement System (RAILS) (Agreement No. 79HP-120).* Board requested to authorize.
- C. Award of Invitation for Bid No. 8898, Procurement of On Board Communication Units.* Board requested to authorize.
- D. Award of Invitation for Bid No. 8916, Floor Panels.* Board requested to authorize.
- E. Sole Source Procurement with Vapor Stone Rail Systems for Condenser Unit Upgrade Kits.* Board requested to authorize. (TWO-THIRDS VOTE REQUIRED.)
- F. Selection of New Members of the Earthquake Safety Program Citizens' Oversight Committee for the 2013 – 2015 Term.* Board requested to

authorize.

- G. Warm Springs Extension Project: Semi-Annual Project Update.* For information.

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

Director Blalock, Chairperson

- A. (CONTINUED from June 14, 2012, Board Meeting)
Amendment to Agreement No. 6M7066, Poster Advertising Franchise Services, with Titan Outdoor LLC, for Conversion of 48 Poster Advertising Frames to 24 Digital Screens.* Board requested to authorize.

8. GENERAL MANAGER'S REPORT

NO REPORT

9. BOARD MATTERS

- A. Board Member Reports. For information.
(An opportunity for Board members to provide brief reports on meetings attended at District expense.)
- 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.)

10. GENERAL DISCUSSION AND PUBLIC COMMENT

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

Board of Directors
Minutes of the 1,669th Meeting
January 11 and 12, 2013

A special meeting of the Board of Directors was held January 11 and 12, 2013. The meeting was a Board Workshop. The first session, convening at 9:01 a.m. on January 11, was held in the Sequoia Room of the Grand Hyatt San Francisco Hotel, 345 Stockton Street, San Francisco, California. President Radulovich presided; Kenneth A. Duron, District Secretary.

Directors present: Directors Fang, Mallett, McPartland, Murray, Raburn, Saltzman, and Radulovich.

Absent: None. Directors Blalock and Keller entered the Meeting later.

Director Murray introduced and welcomed Ms. Sylvia Leung, Harvard Kennedy School of Government student.

Directors Blalock and Keller entered the Meeting.

Consent Calendar items brought before the Board were:

1. Approval of Minutes of the Meeting of December 20, 2012.
2. 2013 Standing Committee and Special Appointments.

Consent Calendar motions, as follow, were moved as a unit by Director Raburn. Director McPartland seconded the motions, which carried by unanimous roll call vote. Ayes - 9: Directors Blalock, Fang, Keller, Mallett, McPartland, Murray, Raburn, Saltzman, and Radulovich. Noes - 0.

1. That the Minutes of the Meeting of December 20, 2012, be approved.
2. That the proposed Standing Committee and Special Appointments for 2013 be ratified.

General Manager Grace Crunican introduced workshop facilitator Mr. Daniel Iacofono, and the Workshop was held.

Mr. Carter Mau, Executive Manager of Planning and Budgets, gave a presentation on BART at 40: Regional Growth and BART Metro. The presentation was discussed.

Mr. Clarence Fischer addressed the Board.

The Board Meeting recessed at 10:14 a.m.

The Board reconvened at 10:38 a.m.

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

Absent: None.

Ms. Crunican announced that the order of agenda items would be changed.

Mr. Paul Oversier, Assistant General Manager - Operations, and Mr. Robert Mitroff, Manager of Fleet and Capacity Planning, gave a presentation on Rail Vehicles. The presentation was discussed.

Director McPartland exited the Meeting.

Mr. Oversier and Mr. Mitroff gave a presentation on System Capacity. The presentation was discussed.

Director McPartland re-entered the Meeting.

Mr. Clarence Fischer and Mr. Brian Geiser addressed the Board.

The Board Meeting recessed at 12:05 p.m.

The Board reconvened at 1:04 p.m.

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

Absent: None.

Mr. Oversier and Mr. Carlton Allen, Chief Engineer, and Ms. Patricia Bugas-Schramm of PBS Consulting Inc., gave a presentation on BART State of Good Repair. The presentation was discussed.

Mr. Robert Powers, Assistant General Manager, Transit System Development, gave a presentation on BART Stations: Gateways to the Region. The presentation was discussed.

Mr. Alan Smith and Mr. Greg Enholm addressed the Board.

President Radulovich announced that the Board would enter into closed session under Item 4-A (Conference with Labor Negotiators) and Item 4-B (Public Employee Performance Evaluation) of the Special Meeting agenda, and that the Board would reconvene in open session at the end of the closed session.

The Board Meeting recessed at 3:16 p.m.

The Board reconvened in closed session in Cypress B Room at 3:35 p.m.

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

Absent: None.

The Board Meeting recessed at 5:54 p.m.

The Board reconvened in closed session in Cypress A Room at 6:05 p.m.

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

Absent: None.

Director Fang exited the Meeting.

Director McPartland exited the Meeting.

The Board Meeting recessed at 7:28 p.m.

The Board reconvened in open session at 7:30 p.m.

Directors present: Director Radulovich.

Absent: Directors Blalock, Fang, Keller, Mallett, McPartland, Murray, Raburn, and Saltzman.

President Radulovich announced that the Board had met in closed session under Items 4-A and 4-B, and that there was no further announcement to be made.

The Board Meeting recessed at 7:31 p.m.

The Board reconvened in open session on January 12, 2013, at 8:52 a.m., in the Sequoia Room of the Grand Hyatt San Francisco Hotel, 345 Stockton Street, San Francisco, California. President Radulovich presided; Kenneth A. Duron, District Secretary.

Directors present: Directors Blalock, Keller, Mallett, Murray, Raburn, Saltzman, and Radulovich.

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

The workshop continued.

Director McPartland entered the Meeting.

Mr. Mau gave a presentation on District 10-Year Financial Outlook/Plan.

Director Fang entered the Meeting.

The presentation was discussed.

The Board Meeting recessed at 10:48 a.m.

The Board reconvened at 11:02 a.m.

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

Absent: None.

Mr. Leopoldo Ruiz and Ms. Antonette Bryant addressed the Board.

Mr. Aaron Weinstein, Department Manager, Marketing and Research, Ms. Maureen Wetter, Principal Research Projects Analyst, and Mr. Doug Linney, of the Next Generation, gave a presentation on Customer Satisfaction Survey Results. The presentation was discussed.

Mr. John Arantes addressed the Board.

Ms. Kerry Hamill, Acting Executive Manager of Government and Community Relations, and Mr. Linney gave a presentation on Building Coalitions and Engaging Constituencies. The presentation was discussed.

Mr. Alan Smith addressed the Board.

The Board Meeting recessed at 12:22 p.m.

The Board reconvened at 1:15 p.m.

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

Absent: Director Fang.

A discussion was conducted which included the topics of Workshop Review and Next Steps.

Director Blalock exited the Meeting.

Ms. Jean Hamilton-Gomez and Mr. John Arantes addressed the Board.

The Board Meeting was adjourned at 2:12 p.m.

Kenneth A. Duron
District Secretary



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>[Signature]</i>		GENERAL MANAGER ACTION REQ'D:		
DATE: c <i>1/16/13</i>		BOARD INITIATED ITEM: No		
Originator/Prepared by: Stacey Perkins Dept: <i>Lodd Morgan</i>	General Counsel <i>[Signature]</i> <i>1/16/13</i>	Controller/Treasurer <i>[Signature]</i>	District Secretary	BARC <i>[Signature]</i> <i>1-16-13</i>
Signature/Date: <i>[Signature]</i> <i>[]</i>	<i>[]</i>	<i>[]</i>	<i>[]</i>	<i>[]</i>

TITLE:

Approval of Resolution of Project Compliance and Initial Project Report for Regional Measure 2 Bridge Toll Funds for the eBART Project

NARRATIVE:

To obtain BART Board approval of an application for a total of \$500,000 in Regional Measure 2 ("RM2") bridge toll funds for the eBART Project. The application includes a Resolution of Project Compliance ("Resolution") and an Initial Project Report ("IPR") for RM2 bridge toll funds, as described in the attached IPR Summary. This application is a request for reimbursement to provide funding for a portion of final design for the Railroad Avenue Station for the eBART Project.

Discussion:

Metropolitan Transportation Commission ("MTC") Resolution No. 3636, as amended, Policies and Procedures for Implementation of the Regional Traffic Plan of Regional Measure 2, requires that a project sponsor approve a Resolution and IPR when the project sponsor requests an allocation of RM2 bridge toll funds. Staff has prepared the attached IPR Summary and Resolution for adoption by the BART Board of Directors to meet MTC's requirement for an allocation of a total of \$500,000 of RM2 bridge toll funding for the eBART Project. This \$500,000 in RM2 bridge toll funding would be an additional commitment beyond the \$263 million in regional bridge toll funds already committed to the eBART Project.

The eBART Project has received all necessary environmental approvals. On April 23, 2009, the BART Board of Directors certified that the Final Environmental Impact Report (FEIR) for the eBART Project had been completed in compliance with the California Environmental Quality Act (CEQA), adopted the eBART Project and authorized the General Manager to proceed with implementation actions. In April 2011 and May 2012, respectively, the BART Board of Directors approved Addendum No. 1 and Addendum No. 2 to the FEIR, authorizing the revision of several aspects of the eBART Project, including the possibility of deferring construction of the Railroad Avenue Station. BART and the Contra Costa Transportation Authority (CCTA) are co-sponsors for the RM2 bridge toll funds associated with the eBART Project. Previous allocations of RM2 bridge toll funds have been used for final design, right of way acquisition and construction, including construction of the transfer platform at the Pittsburg/ Bay Point BART Station.

This application for \$500,000 in RM2 bridge toll funds is to be matched with equivalent amounts of \$500,000, each, from the City of Pittsburg ("City") and the CCTA for a total of \$1.5 million to complete final design of the Railroad Avenue Station. The funds being contributed by CCTA are not part of the RM2 funds allocated to the eBART Project. Funding for construction of the Railroad Avenue Station has not yet been identified. The Railroad Avenue Station was originally planned to be an intermediate station paid for by the City and located between the Pittsburg/Bay Point Station and the terminus station at Hillcrest Avenue. Although it was originally planned to have the City pay for the design and construction of the station, funding from the City has not materialized. The City's inability to fund design and construction of the station is largely due to elimination of Redevelopment Agencies within the State. Nevertheless, the City and eBART Project staff would like to preserve the possibility of constructing the Railroad Avenue Station in the first phase of the eBART Project. The City is providing the funds necessary to construct the foundation in order to minimize the disruption of the operating line should the Railroad Avenue Station be constructed in the future. The City, CCTA and BART will work together to seek funding for station construction, which is estimated to cost at least \$10 million.

This will be the ninth request for RM2 bridge toll funds for the eBART Project. Approval of the IPR and Resolution is a requirement for the application for RM2 bridge toll funds. It is expected that CCTA and MTC will approve the IPR and Resolution by February 2013.

Fiscal Impact:

Approval of the IPR and Resolution is a requirement for the District to receive an allocation of RM2 bridge toll funds from the MTC.

Alternatives:

Do not approve the Resolution and IPR. Failure to approve the Resolution and IPR would result in BART's not receiving these funds from MTC and would likely eliminate the possibility of constructing the Railroad Avenue Station in the first phase of the eBART Project.

Recommendation:

Adoption of the following Motion.

Motion:

The Board of Directors approves the Resolution of Project Compliance and Initial Project Report dated December 13, 2012 for RM2 bridge toll funds for the eBART Project, as described in the attached Initial Project Report Summary.

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

**In the Matter of the Approval of a
Resolution of Project Compliance
and Initial Project Report for
Regional Measure 2 Bridge Toll
Funds for the East Contra Costa
County Rail Extension/eBART
Project**

Resolution No.

Whereas, the Metropolitan Transportation Commission (“MTC”) is the regional transportation planning agency for the San Francisco Bay Area pursuant to Government Code Sections 66500 *et seq.*; and

Whereas, Streets and Highways Code (“SHC”) Sections 30950 *et seq.* created the Bay Area Toll Authority (“BATA”) which is a public instrumentality governed by the same board as that governing MTC; and

Whereas, SB 916, (Chapter 715, Statutes 2004), commonly referred to as Regional Measure 2 (“RM2”), identifies projects eligible to receive funding under the Regional Traffic Relief Plan; and

Whereas, MTC is responsible for funding projects eligible for RM2 funds pursuant to SHC Section 30914(c) and (d); and

Whereas, MTC has established a process whereby eligible transportation project sponsors may submit allocation requests for RM2 bridge toll funds; and

Whereas, allocation requests to MTC must be submitted consistent with such process;
and

Whereas, BART and the Contra Costa Transportation Authority (“CCTA”) are sponsors of the East Contra Costa County Rail Extension /eBART project (the “PROJECT”), which is eligible for consideration of RM2 bridge toll funds; and

Whereas, the RM2 bridge toll allocation request, sponsored by BART, in the Initial Project Report (“IPR”) dated December 13, 2012 and incorporated herein as though set forth at length, lists the purpose, schedule, budget, expenditure and cash flow plans for which BART is requesting that MTC allocate RM2 bridge toll funds for the PROJECT; and

NOW, THEREFORE, BE IT RESOLVED that:

1. BART and its agents agree to comply with the provisions of the MTC’s RM2 Policy Guidance (MTC Resolution No. 3636) for the drawdown of RM2 bridge toll funds;

2. BART certifies that the PROJECT is consistent with the Regional Transportation Plan (“RTP”).

3. BART certifies that all environmental approvals necessary for the PROJECT have been obtained and that the year of funding for the construction phase has taken into consideration the time necessary to obtain permitting approval, as necessary for such construction.

4. BART certifies that the PROJECT phase or segment to be funded with RM2 bridge toll funds is fully funded.

5. BART approves the updated IPR dated December 13, 2012, as described in the attached IPR Summary (“Summary”).

6. BART approves the cash flow plan described in the IPR dated December 13, 2012, as described in the attached Summary.

7. BART has reviewed the PROJECT’S needs and has adequate staffing resources to deliver and complete the PROJECT within the schedule set forth in the IPR dated December 13, 2012.

8. BART is an eligible sponsor of projects in the RM2 Regional Traffic Relief Plan, Capital Program, in accordance with SHC Section 30914(c).

9. The PROJECT is eligible for receipt of RM2 bridge toll funds consistent with SHC Section 30914.

10. BART is authorized to submit an application for RM2 bridge toll funds for the PROJECT in accordance with the provisions of the SHC Sections 30913 and 30914, as applicable.

11. BART certifies that the PROJECT and purposes for which RM2 bridge toll funds are being requested are in compliance with the requirements of the California Environmental Quality Act (Public Resources Code Section 21000 et seq.), and with the State CEQA Guidelines (14 California Code of Regulations Section 15000 et seq.)

12. There is no legal impediment to BART’S making allocation requests for RM2 bridge toll funds.

13. There is no pending or threatened litigation, which might in any way adversely affect the PROJECT, or the ability of BART, to deliver the PROJECT.

14. BART agrees to indemnify and hold harmless MTC, its Commissioners, representatives, agents, and employees from and against all claims, injury, suits, demands, liability, losses, damages, and expenses, whether direct or indirect (including any and all costs and expenses in connection therewith), incurred by reason of any act or failure to act of BART, its officers, employees or agents, or subcontractors or any of them in connection with its performance of services under this allocation of RM2 bridge toll funds. In addition to any other remedy authorized by law, so much of the funding due under this allocation of RM2 bridge toll funds as shall reasonably be considered necessary by MTC may be retained until disposition has been made of any claim for damages.

15. BART agrees that, if any revenues or profits from any non-governmental use of property (or PROJECT) are collected, those revenues or profits shall be used exclusively for the public transportation services for which the PROJECT was initially approved, either for capital improvements or maintenance and operational costs; otherwise, the MTC is entitled to a proportionate share equal to MTC's percentage participation in the PROJECT.

16. BART agrees that assets purchased with RM2 bridge toll funds, including facilities and equipment, shall be used for the public transportation uses intended, and should said facilities and equipment cease to be operated or maintained for their intended public transportation purposes for its useful life, that the MTC shall be entitled to a present day value refund or credit (at MTC's option) based on MTC's share of the Fair Market Value of the said facilities and equipment at the time the public transportation uses ceased, which shall be paid back to MTC in the same proportion that RM2 bridge toll funds were originally used.

17. BART has authorized its General Manager or her designee to execute and submit an allocation request for the final design phase for the PROJECT to MTC for RM2 bridge toll funds in the amount of \$500,000 for the PROJECT purposes and amounts included in the IPR dated December 13, 2012.

18. BART's General Manager or her designee has been delegated the authority to make non-substantive changes or minor amendments to the IPR dated December 13, 2012 as she deems appropriate.

19. A copy of this Resolution shall be transmitted to MTC in conjunction with the filing of the IPR dated December 13, 2012 referenced herein.

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eBART Project
Initial Project Report Summary – December 13, 2012

Project Description

The purpose of the eBART project and the State Route 4 widening project is to bring commute relief to the eastern portion of Contra Costa County in a reasonable period of time at a reasonable cost. Eastern Contra Costa County is the fastest growing part of the Bay Area, expecting population growth of 53% and job growth of 132% between 2000 and 2025. CCTA and BART have identified the SR 4 median as the preferred route for transit expansion. The eBART Project is currently under construction. This application is for a portion of final design for the Railroad Avenue Station.

Current Allocation Request

Amount Requested	Phase Requested
\$500,000	PS&E

Project Schedule

Phase-Milestone	Planned	
	Start Date	Completion Date
Environmental Document	FY05	FY09
Environmental Studies, Preliminary Eng. (ENV / PE / PA&ED)	FY05	FY09
Final Design - Plans, Specifications & Estimates (PS&E)	FY08	FY13
Right-of-Way Activities /Acquisition (R/W)	FY05	FY13
Construction (Begin – Open for Use) / Acquisition / Operating Service (CON)	FY11	FY17

Project Budget

Phase	Total Amount - Escalated - (Thousands)
Environmental Studies & Preliminary Eng (ENV / PE / PA&ED)	\$26,400
Final Design - Plans, Specifications and Estimates (PS&E)	\$34,000
Right-of-Way Activities /Acquisition (R/W)	\$116,000
Construction / Rolling Stock Acquisition (CON)	\$286,250
Total Project Budget (in thousands)	\$463,250



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>Alca de Seden</i>		GENERAL MANAGER ACTION REQ'D: Approve and Forward it to the Board		
DATE: c <i>1/16/13</i>		BOARD INITIATED ITEM: No		
Originator/Prepared by: Abdulhaque Shaikh Dept: Maintenance & Engineering Signature/Date: <i>Abdulhaque</i> <i>1/2/2013</i>	General Counsel <i>Andrew Kavay</i> <i>1/2/13</i>	Controller/Treasurer <i>[Signature]</i>	District Secretary <i>[Signature]</i>	BARC <i>Paulo Verwer</i> <i>1/15/13</i>

TITLE:

Award Contract No. 15EL-170 for Fiber Optic Cable installation at A-Line, M-Line and Concord Yard

NARRATIVE:

PUROSE:

To obtain Board authorization for the General Manager to award Contract No. 15EL-170 for Fiber Optic Cable Installations at A-Line, M-Line and Concord Yard to Rosendin Electric, Inc.

DISCUSSION:

The fiber optic cable installed under this Contract will interconnect equipment in traction power facilities and in associated train control rooms at the facilities located on the A-line, part of the M-line at West Oakland area and at the Concord Yard. This installation will replace the existing copper wire communication link between the facilities, with the new fiber optic communication link. The new fiber optic cable communication link will allow the renovation and upgrade of the existing forty years old Traction Power Control & Protection System/Equipment including the Emergency and Transfer Trip System, the Supervisory Control And Data Acquisition System, the Traction Power Blocking System and the Remote Maintenance Supervisory System. The new fiber optic cable will also provide electrical isolation preventing an electrical current to flow between the facilities and thus lessen possibility of extensive damage during an electrical short circuit.

The District provided advance notice to 80 prospective Bidders and the Contract Documents were sent to 24 plan rooms. The Contract was advertised on October 4, 2012. A total of eighteen (18) firms purchased the Contract Documents. A pre-Bid meeting and site tour was held on Tuesday, October 23, 2012. One (1) Addendum was issued to modify the Contract Specifications and the Contract Drawings. The following four (4) bids were received and publically opened on November 27, 2012.

BIDDER		TOTAL BID
Tennyason Electric, Inc.,	Livermore, CA	No dollar Amount on Bid form
Rosendin Electric, Inc.	San Jose, CA	\$991,169.54
AT & T, Inc.	San Ramon, CA	\$1,271,253.00
Blocka Construction, Inc	Fremont, CA	\$1,281,700.00
Engineer's Estimate		\$1,086,300

Bids were evaluated and staff determined that the apparent low Bid submitted by Rosendin Electric, Inc., of San Jose, CA is responsive to this solicitation. Furthermore examination of this Bidder's business experience and financial capabilities has resulted in a determination that the Bidder is responsible and that the Bid of \$991,169.54, is fair and reasonable based upon adequate price competition.

The Contract was advertised pursuant to the revised DBE Program requirements. The Office of Civil Rights reviewed the scope of work for this Contract and determined that there were subcontracting opportunities; therefore, a DBE participation goal of 4% was set for this Contract. The low Bidder, Rosendin Electric, Inc., committed to subcontracting 22.7% to DBE(s).

FISCAL IMPACT:

Funding of \$991,170 for the award of Contract 15EL-170 is included in the total project budget for FMS #15EL200 – Traction Power Controls. The Office of the Controller/Treasurer certifies that funds are currently available to meet this obligation.

As of November 30, 2012, \$1,984,864 is available for this project from the following sources:

Fund No.	Source	Fund Description	Amount
347X	Federal	FY06 Capital Improvements - CA-05-0211	76,400
347Z	Federal	FY07 Capital Improvements - CA05-0216	35,111
352S	Federal	FY00 Capital Assist. Program - CA90-Y018	1,914
353K	Federal	FY09 Capital Improvements - CA-05-0236	1,200,000
353M	Federal	FY10 Capital Improvements - CA-05-0248	450,204
354G	Federal	FY08 Capital Projects - CA-90-Y604	40,000
6002	Regional	"Captl Planng"-TDA FY Allocation	444
6010	Regional	Bridge Toll Allocation #06374312	11,948
6213	Regional	Regional Measure II - Alloc #08382301	9,106
6214	Regional	Regional Measure II - Alloc #08382302	10,000
8504	BART	System Improvement Reserve (Interest)	34
850W	BART	FY00-06 Capital Allocation	7,152
850X	BART	Capital Allocation - Seismic Non-Aerial	112,551
851W	BART	FY07-11 Capital Allocation	30,000
		Total	1,984,864

BART has expended \$552,904, committed \$13,075, and reserved \$164,919 to date for other actions. This action will commit \$991,170 leaving an available fund balance of \$262,796 in this project.

There is no fiscal impact on available unprogrammed District Reserves.

ALTERNATIVE:

Reject all Bids and re-advertise the Contract. Rejecting the Bids and re-advertising the Contract, however, would not result in better pricing, would delay this capially funded critical piece of ongoing Traction Power System renovation and the District would incur additional costs for re-advertising.

RECOMMENDATIONS:

It is recommended that the Board adopt the following motion.

MOTION:

The General Manager is authorized to award Contract No. 15EL-170, for Fiber Optic Cable Installations at A-line, M-Line And Concord Yard to Rosendin Electric, Inc., for the Bid price of \$991,169.54 pursuant to notification to be issued by the General Manager, subject to compliance with the District's protest procedures and FTA's requirements related to protest procedures.



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>Michael C. Blake</i>		GENERAL MANAGER ACTION REQD: Approve and forward to the Board		
DATE: c <i>1/16/13</i>		BOARD INITIATED ITEM: No		
Originator/Prepared by: Michael Blake Dept: Maintenance & Engineering <i>Michael C. Blake</i> Signature/Date: <i>1/11/13</i>	General Counsel <i>Andrew Rivers</i> <i>1/14/13</i> []	Controller/Treasurer <i>[Signature]</i> []	District Secretary []	BARC <i>Paul Werner</i> <i>1/15/13</i> []

Award Contract No. 15EM-130 For Contact Rail Coverboard Reinforcement

NARRATIVE:

PURPOSE:

To obtain Board authorization for the General Manager to award Contract No. 15EM-130, Contact Rail Coverboard Reinforcement to Shimmick Construction Company, Inc.

DISCUSSION:

Coverboard failures due to an aging infrastructure have been a significant cause of service delays throughout the District. From January 2006 to May 2010, there were 461 recorded incidents of failed coverboard that caused a service delay. Between April 2010 and June 2011, two coverboard reinforcement Contracts, 15EM-110 and 15EM-120, were successfully implemented, reinforcing 110 total miles of track on the core system of the A-line, C-line, and M-line. Between July 1, 2010 and June 30, 2012, the number of recorded incidents of failed coverboard was reduced to five.

The work under Contract No. 15EM-130 encompasses 8.5 total miles of track on the R-line aerial portion as the Base Bid and an Option for another 8.5 miles on the R-line subway portion, which will be exercised if sufficient funding is available. Upon completion of this Contract, the District will have reinforced most of the original BART core system coverboard and extended the coverboard lifespan for another 20 years.

This Contract was advertised pursuant to the revised DBE Program requirements. The Office of Civil Rights reviewed the scope of work for this Contract and determined that there were no subcontracting opportunities; therefore, no DBE participation goal was set for this Contract.

Advance Notice to Bidders was mailed on November 30, 2012 to 70 prospective Bidders and 23 Bay Area plan rooms. The Contract was advertised on November 30, 2012. A Pre-Bid meeting was held on December 21, 2012, with six prospective Bidders attending the meeting. Ten (10) Contract books were purchased from the District Secretary. The following eight (8) Bids were received and opened on January 8, 2013:

No.	Bidder	Total Bid
1.	Bugler Construction; Pleasanton, CA	Base Bid: \$646,700.00 Option 1: \$646,700.00 Total Bid Price: \$1,293,400.00
2.	Shimmick Construction Company, Inc.; Oakland, CA	Base Bid: \$770,500.00 Option 1: \$532,740.00 Total Bid Price: \$1,303,240.00
3.	L C General Engineering and Construction, Inc.; San Francisco, CA	Base Bid: \$714,370.00 Option 1: \$690,372.00 Total Bid Price: \$1,404,742.00
4.	H & H Engineering Construction, Inc.; Stockton, CA	Base Bid: \$752,620.00 Option 1: \$684,720.00 Total Bid Price: \$1,437,340.00
5.	Ashron Construction and Restoration, Inc.; Sunnyvale, CA	Base Bid: \$746,633.38 Option 1: \$746,633.38 Total Bid Price: \$1,493,266.76
6.	Koch & Koch, Inc.; Penn Valley, CA	Base Bid: \$915,980.00 Option 1: \$815,990.00 Total Bid Price: \$1,631,960.00
7.	Rodan Builders, Inc.; Burlingame, CA	Base Bid: \$1,157,912.00 Option 1: \$1,030,992.00 Total Bid Price: \$2,188,904.00
8.	Agbayani Construction Corporation; Daly City, CA	Base Bid: \$1,748,782.20 Option 1: \$1,630,380.20 Total Bid Price: \$3,379,162.40
	Engineer's Estimate	Base Bid: \$799,940.00 Option 1: \$753,940.00 Total Bid Price: \$1,553,880.00

Pursuant to the Instructions to Bidders, the bids were evaluated based on the lowest total Bid price. The bid of the apparent low Bidder, Bugler Construction, was determined to be unresponsive due to the Bidder's failure to acknowledge Addendum No. 1.

The bid submitted by the apparent second low Bidder, Shimmick Construction Company, Inc., is responsive to the solicitation. Staff has also determined that the Bidder is responsible based on an examination of the firm's business and financial status. There are no subcontractors listed on the Designation of Subcontractors and DBE's form. The total Bid Price, which is the sum of the Base Bid price plus the Option 1 price is \$1,303,240.00, which staff has determined is fair and reasonable.

FISCAL IMPACT:

Funding of \$1,303,240.00 for the award of Contract No. 15EM-130 Contact Rail Coverboard Reinforcement is included in the total project budget for the FMS #15EM200 - Systemwide Coverboard Enhancement. The Office of the Controller/ Treasurer certifies that funds are currently available to meet this obligation. Funds for this contract will come from the following source:

As of January 10, 2013, \$10,571,482 are available for this project from the following sources:

Fund No.	Source	Fund Description	Amount
347X	Federal	FY06 Capital Improvements, Amend	309,889
3702	Federal	Rplc Equip/Pwer/Stns/Cables/Car Inter. (ARRA)	10,184,120
850W	BART	FY00-06 Capital Allocation	77,472
		Total	10,571,482

BART has expended \$8,929.634, committed \$0, and reserved \$0 to date for other actions. This action will commit \$1,303,240 leaving an available fund balance of \$338,607 in this project.

There is no fiscal impact on available unprogrammed District Reserves.

ALTERNATIVES:

The Board may choose to reject all bids. However, the time limits imposed by the ARRA funding will not permit rebidding and award at a later date. Therefore, the funding would be lost.

RECOMMENDATION:

Based on the analysis by the Staff, it is recommended that the Board adopt the following motion:

MOTION:

The General Manager is authorized to award Contract No. 15EM-130 for Contact Rail Coverboard Reinforcement to Shimmick Construction Company, Inc., for the Base Bid price of \$ 770,500.00, and is authorized to exercise Option 1 for the price of \$ 532,740.00, pursuant to notification to be issued by the General Manager, and subject to compliance with the District's protest procedures and FTA's requirements related to protest procedures. Authority to exercise Option 1 is subject to availability of funding.



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>Marcia de Bruge</i>		GENERAL MANAGER ACTION REQ'D: Authorize the General Manager to Award		
DATE: <i>1/16/13</i>		BOARD INITIATED ITEM: No		
Originator/Prepared by: Larry Fisher Dept: Maintenance and Engineering	General Counsel <i>Christine Kavanagh</i> 1/16/13	Controller/Treasurer <i>[Signature]</i>	District Secretary <i>[Signature]</i>	BARC <i>Paul Werner</i> 1/16/13
Signature/Date: <i>[Signature]</i> 1/16/2013	[]	[]	[]	[]
Status: Routed		Date Created: 10/08/2012		

TITLE:

IFB No. 8902 For The Procurement of Lift Trucks

NARRATIVE:

PURPOSE:

To request Board authorization to award Invitation for Bid No. 8902 to Pacific Material Handling Solutions of Union City, CA in the amount of \$292,578.83, which includes all applicable taxes, for the purchase of fourteen (14) Lift Trucks (forklifts).

DISSCUSSION:

Lift Trucks are used District-wide wherever the handling of heavy material is necessary. These replacement Lift Trucks will replace aging and maintenance intensive vehicles in Yards, Shops and Stores Warehouses District-wide. The replaced vehicles will be removed from the District fleet and sold at auction. A notice requesting bids was published on April 25, 2012 and bid requests were mailed to seven (7) prospective bidders. Bids were opened on May 29, 2012 and six bids were received, as follows:

Bidder	Unit Price	Grand Total Includes 14 Lifts Trucks and 9.0% Sales Tax
Pacific Material Handling Solutions, Union City, CA	\$19,217.00	\$293,251.42
Cromer Equipment, Oakland, CA	\$20,861.10	\$318,340.38
Holt of California, San Francisco, CA	\$21,529.50	\$328,540.17
Toyota Material Handling Northern Calif, Hayward, CA	\$21,577.00	\$329,265.02
Crown Lift Truck, Hayward, CA	\$22,482.69	\$343,085.85

The independent cost estimate by BART Staff was \$315,000.00

Staff has determined that the apparent low bidder, Pacific Material Handling Solutions, submitted a responsive bid. Staff has also determined that the bid pricing is fair and reasonable based on adequate price competition in this procurement.

The District's Non-Discrimination in Subcontracting Program does not apply to emergency contracts, sole source contracts, contracts under \$50,000 or any Invitation for Bids. Pursuant to the Program the Office of Civil Rights did not set any availability percentages.

FISCAL IMPACT: Funding of \$293,251.42 for purchase of 14 Lift Trucks (forklifts) vehicles is included in the total project budget for the FMS #79BJ000 - Replace Non Revenue Vehicles. The Office of the Controller/Treasurer certifies that funds are currently available to meet this obligation.

F/G 659E - ALAMEDA CCMA/BAAQMD	\$	24,750.84
F/G 8202 - SLS TX REVN BOND FND	\$	542,782.00
F/G 8205 - 1995 SALES TAX REV BON	\$	2,651,723.00
F/G 8301 - 98 BOND INTEREST(06E-5	\$	1,000,000.00
F/G 850N - CAPITAL IMPRVMT AL	\$	3,622,381.00
F/G 850W - FY00-06 CAPITAL ALLOCA	\$	8,211,220.16
F/G 850Z - CAPITAL MAINTEN. ALLOC	\$	2,733,000.00
F/G 851W - FY07-11 CAPITAL ALLOCA	\$	3,632,300.00
F/G 8524 - FY12 CAPITAL ALLOCA	\$	2,900,000.00
Total	\$	25,318,157.00

As of 1/15/13 BART has expended \$22,311,702.79 to date. There are pending commitments of \$1,134,847.87 in BART'S financial management system. This action will commit an additional \$293,251.42 leaving an uncommitted balance of \$1,578,354.92 in this fund source.

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

ALTERNATIVE:

Reject all bids and continue to use the existing heavily worn forklifts or reissue the IFB. The latter alternative would be unlikely to generate more bids or reduce the bid price for these lift trucks. The California Air Resources Board (CARB) has mandated that all older forklifts be outfitted with approved exhaust scrubbers. This required upgrade and additional maintenance required due to the age and condition of the existing forklifts justifies replacement with newer more reliable units.

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 General Manager is authorized to award IFB No. 8902 for the Procurement of Lift Trucks to Pacific Material Handling Solutions for the bid price of \$293,251.42 (which includes all applicable taxes), 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: <i>Marcia DeBenedictis</i>		GENERAL MANAGER ACTION REQ'D:		
DATE: <i>1/16/13</i>		BOARD INITIATED ITEM: No		
Originator/Prepared by: Larry Fisher Dept: <i>[Signature]</i> Signature/Date: <i>1/16/2013</i>	General Counsel <i>[Signature]</i> <i>1/16/13</i> []	Controller/Treasurer <i>[Signature]</i> []	District Secretary <i>[Signature]</i> []	BARC <i>[Signature]</i> <i>1/16/13</i> []
Status: Routed		Date Created: 10/09/2012		

TITLE:

IFB No. 8903 For the Procurement of Armored Trucks

NARRATIVE:

Armored Trucks are used by the Cash Handling Department to collect and transport tickets and revenue from all District Stations. This Procurement is for two (2) new Armored Trucks (tractors) that will replace two twenty year old vehicles. The replaced trucks will be removed from the District fleet and sold at auction. A notice requesting bids was published on May 16, 2012 and bid requests were mailed to nine (9) prospective bidders. Bids were opened on June 5, 2012 and one (1) was received, as follows:

Bidder

**Grand Total Includes
9.0% Sales Tax**

Golden Gate Truck, Oakland CA

\$246,791.26

The independent cost estimate by BART Staff was \$255,000.00

Staff has determined that the sole bidder, Golden Gate Truck, submitted a responsive bid. Staff has also determined that the bid pricing is fair and reasonable based on an independent engineer's estimate.

The District's Non-Discrimination in Subcontracting Program does not apply to emergency contracts, sole source contracts under \$50,000 or any Invitation for Bids. Pursuant to the Program, the Office of Civil Rights did not set any availability percentages.

FISCAL IMPACT: Funding of \$246,791.26 for purchase of two Armored Trucks vehicles is included in the total project budget for the FMS #79BJ000 - Replace Non Revenue Vehicles. The Office of the Controller/Treasurer certifies that funds are currently available to meet this obligation.

F/G 659E - ALAMEDA CCMA/BAAQMD	\$	24,750.84
F/G 8202 - SLS TX REVN BOND FND	\$	542,782.00
F/G 8205 - 1995 SALES TAX REV BON	\$	2,651,723.00
F/G 8301 - 98 BOND INTEREST(06E-5	\$	1,000,000.00
F/G 850N - CAPITAL IMPRVMT AL	\$	3,622,381.00
F/G 850W - FY00-06 CAPITAL ALLOCA	\$	8,211,220.16
F/G 850Z - CAPITAL MAINTEN. ALLOC	\$	2,733,000.00
F/G 851W - FY07-11 CAPITAL ALLOCA	\$	3,632,300.00
F/G 8524 - FY12 CAPITAL ALLOCA	\$	2,900,000.00
Total	\$	25,318,157.00

As of 11/09/12 \$2,271,008.44 is available for commitment from these fund sources for this project and BART has expended \$ 21,717,736.54 to date. There are pending commitments of \$1,329,412.02 in BART'S financial management system. This action will commit an additional \$246,791.26 leaving an uncommitted balance of \$1,981,090.38 in this fund source.

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

ALTERNATIVE:

Reject all bids and continue to use the existing Armored Trucks or reissue the IFB. However, this is unlikely to generate more or better bids due to the dearth of companies that do this type of work. The existing trucks are nearly twenty years old and require extensive maintenance to pass their quarterly inspections.

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 General Manager is authorized to award IFB No. 8903 for the Procurement of Armored Trucks at the bid price of \$246,225.23 (which includes all applicable taxes), pursuant to notification to be issued by the General Manager.



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>Walter Selinger</i>		GENERAL MANAGER ACTION REQ'D: Award Procurement		
DATE: <i>1/16/13</i>		BOARD INITIATED ITEM: NO		
Originator/Prepared by: Larry Fisher Dept/ Maintenance and Engineering	General Counsel <i>Andrea Raynes</i> <i>1/16/13</i>	Controller/Treasurer <i>[Signature]</i>	District Secretary	BARC <i>Paul Jensen</i> <i>1/16/13</i>
Signature/Date: <i>[Signature]</i> <i>1/16/2013</i>	[]	[]	[]	[]
Status: Routed		Date Created: 01/10/2013		

TITLE:

Invitation For Bid No. 8912

NARRATIVE:

PURPOSE: To award Invitation for Bid No. 8912 for the procurement of twelve (12) Crown Victoria police pursuit vehicles.

DISCUSSION: This Invitation for Bid is to procure twelve (12) Ford Crown Victoria Police Pursuit vehicles to replace a like number of units that have reached the end of their useful life. A notice requesting bids was published on November 1, 2012 and bid requests were mailed to Two (2) prospective bidders. Bids were opened on November 28, 2012 and One (1) bid was received.

<u>Bidder</u>	<u>Unit Price</u>	<u>Grand Total for 12 Units including all taxes and fees</u>
Wondries Fleet Group	\$23,206.00	\$303,649.48

Engineers Estimate unit price \$27,250.00 including all taxes, fees and delivery. Total for 12 vehicles, \$327,000.

The District's Non-Discrimination in Subcontracting Program does not apply to emergency contracts, sole source, contracts under \$50,000 or any Invitation for Bids. Pursuant to the Program the Office of Civil Rights did not set any availability percentages.

Delivery shall be within one hundred twenty (120) days after award of Contract.

FISCAL IMPACT: Funding of \$303,649.48 for purchase of 12 Crown Victoria Police Pursuit vehicles is included in the total project budget for the FMS #79BJ000 - Replace Non Revenue Vehicles. The Office of the Controller/Treasurer certifies that funds are currently available to meet this obligation.

F/G 659E - ALAMEDA CCMA/BAAQMD	\$	24,750.84
F/G 8202 - SLS TX REVN BOND FND	\$	542,782.00
F/G 8205 - 1995 SALES TAX REV BON	\$	2,651,723.00
F/G 8301 - 98 BOND INTEREST(06E-5	\$	1,000,000.00
F/G 850N - CAPITAL IMPRVMT AL	\$	3,622,381.00
F/G 850W - FY00-06 CAPITAL ALLOCA	\$	8,211,220.16
F/G 850Z - CAPITAL MAINTEN. ALLOC	\$	2,733,000.00
F/G 851W - FY07-11 CAPITAL ALLOCA	\$	3,632,300.00
F/G 8524 - FY12 CAPITAL ALLOCA	\$	2,900,000.00
Total	\$	25,318,157.00

As of 1/15/13 BART has expended \$22,311,702.79 and committed \$830,938.39 to date for other actions. This action will commit an additional \$303,649.48 leaving an uncommitted balance of \$1,871,866.34 in these fund sources.

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

ALTERNATIVE: The Bid can be rejected and Staff can issue a purchase order to the California Department of General Services approved vendor for the new-model Ford pursuit vehicles. However, this would result in increased cost to the District for these twelve vehicles. The BART Police-specific equipment options that are added to the vehicles after delivery can be moved from the existing District vehicles to the older model Crown Victoria. Purchase of the new-model Ford pursuit vehicles would require procurement of new equipment to be installed since the older equipment will no longer fit. Procurement of the older model vehicle was projected to save the District about \$100,000 for these twelve cars.

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 General Manager is authorized to award IFB No.8912 for Police Pursuit Vehicles to Wondries Fleet Group for the amount of \$303,649.48, including applicable taxes, fees and delivery, pursuant to notification to be issued by the General Manager.



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>Walter DeBurger</i>		GENERAL MANAGER ACTION REQ'D:		
DATE: <i>1/16/13</i>		BOARD INITIATED ITEM: No		
Originator/Prepared by: Kirtland Smith Dept: <i>Host</i>	General Counsel <i>Andrew Reeves 1/16/13</i>	Controller/Treasurer <i>[Signature]</i>	District Secretary <i>[Signature]</i>	BARC <i>Paul Exner 1/16/13</i>
Signature/Date: <i>[Signature] 1.15.13</i>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Status: Approved		Date Created: 12/26/2012		

TITLE:

Award of IFB No. 8914 for the Purchase of Bearing, Traction Motor

NARRATIVE:

PURPOSE: To obtain Board authorization for the General Manager to award IFB No. 8914 in the amount of \$1,606,878.00 to Applied Industrial Technologies-CA LLC of Union City, CA, for the Purchase of Bearing, Traction Motor.

DISCUSSION: The District's fleet of revenue vehicles are each powered by four traction motors. Each motor has two bearings that support its rotor, which spins whenever the revenue vehicle moves whether accelerating or decelerating. These bearings have a finite life and are replaced on a scheduled basis as part of the truck overhaul program to prevent serious motor failure and disruption of revenue service. This purchase will allow the District to properly maintain the revenue fleet.

This is a twelve (12) 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 amount 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 availability of funding.

A notice requesting bids was published on December 10, 2012 and bid requests were mailed to four (4) prospective bidders. Bids were opened on December 18, 2012 and four (4) bids were received. The low bid and second low bid took exception to the delivery schedule, and for that reason, were deemed non-responsive.

<u>Bidder</u>	<u>Unit Price Item 1</u>	<u>Unit Price Item 2</u>	<u>Grand Total including 9.00% Sales Tax</u>
Vehicle Maintenance Program Boca Raton, FL	\$521.13	\$274.53	\$1,561,085.00
Bearing Engineering San Leandro, CA	\$536.12	\$282.60	\$1,606,329.00

Applied Industrial Tech. Union City, CA	\$536.35	\$282.65	\$1,606,878.00
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Strategic Sourcing Florence, KY	\$567.26	\$299.56	\$1,700,700.84
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Independent cost estimate by BART staff: \$1,683,450.00
Item 1: Traction Motor Pinion End Bearing (1,800 each)
Item 2: Traction Motor Inlet End Bearing (1,800 each)

Staff has determined that the low bidder, Applied Industrial Technologies-CA LLC , submitted a responsive bid. Staff has also determined that the bid pricing is fair and reasonable based on bid competition.

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: Funding for contract IFB No. 8914 will be provided from the General Fund, Materials & Supplies Inventory build-up account.

The bearing assemblies are scheduled to be procured over the contract’s twelve (12) month period at the following estimated annual costs:

FY 13	\$250,000.00
FY 14	\$1,356,878.00

Funding for \$250,000.00 for FY 13 are currently available in the General Fund, Materials & Supplies Inventory build-up account. Any additional orders of pinion end bearing and inlet end bearing assemblies over and above the currently available funds of \$250,000.00 for FY 13 will only be placed upon certification by the Controller-Treasurer that funds are available.

ALTERNATIVES: An alternative to awarding the bid 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, it is recommended that the Board adopt the following motion.

MOTION: The General Manager is authorized to award IFB No. 8914, an estimated quantity contract for the Procurement of Bearing, Traction Motor, to Applied Industrial Technologies-CA LLC of Union City, CA for the Bid price of \$1,606,878.00 , including all applicable taxes, pursuant to notification to be issued by the General Manager, and subject to the District’s Protest Procedures.

SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

MEMORANDUM

TO: Board of Directors

DATE: January 17, 2013

FROM: General Manager

SUBJECT: FY13 First Quarter Financial Report

The FY13 First Quarter Financial Report (July - September 2012) is attached. The net operating result was favorable to budget by \$8.5M due to better than budget operating sources.

Operating Sources

Ridership continued its strong pace of growth in the first quarter of FY13, due in part to gas prices reaching \$4.19 per gallon in September. Overall, ridership was up 6% compared to one year earlier, with the SFO Extension up 9%. Passenger revenue was \$5.9M favorable to budget for the quarter. Parking revenue was favorable to budget by \$0.5M due to the higher ridership and increased usage of the Single Day Reserve and Daily Non-Reserve parking programs.

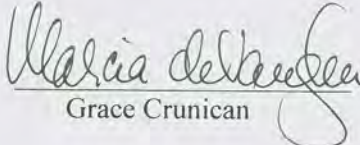
Sales Tax revenue also continued improvement in the first quarter FY13, growing 12% from one year earlier and finishing \$3.1M over budget. However, we received the second quarter results in December, which showed a much lower growth of only 4% from one year earlier. Some of the lower growth is tied to timing of state payments, but it may also indicate that sales tax is returning to a more sustainable long-term growth rate.

Operating Uses

Expenses were unfavorable to budget by \$3.0M (2.2%) this quarter. Labor was unfavorable (\$3.6M) primarily due to overtime and was partially offset by the non labor favorable variance. To reduce overtime, additional personnel were allocated to the Transportation Department in the FY13 Budget. When full staffing is achieved in April overtime usage will decrease. The expense budget is projected to remain tight and possibly remain unfavorable for the remainder of the year. Therefore, it is essential we continue to control expenses.

Increased ridership puts additional demands on our aging system, both financial and physical. Expenses need to be carefully managed and potential positive financial results at year end should be evaluated in the context of BART's funding deficits for the Capital Program and other funding needs.

Lastly, the Quarterly Performance Report for the first quarter is normally produced in November. As with last year, the monthly general ledger closings have been delayed due to a few remaining issues related to integration of data into the new enterprise system. Accounting plans to expedite closing processes during the remainder of the fiscal year.


Grace Crunican

cc: Board Appointed Officers
Deputy General Manager
Executive Staff

Quarterly Financial Report
First Quarter
Fiscal Year- 2013

Revenue

●Avg weekday trips for the quarter were 387,054, 6.5% over the same quarter last year. Ridership growth remained strong, with core trips up 6.1% and SFO trips up 9.2% compared to 1QFY12. As a result, net passenger revenue was 6.1% over budget.

●Parking revenue was \$0.5M favorable due to strong ridership and increased usage of parking program.

Expense

●Labor and benefits were unfavorable by \$3.6M (3.7%) primarily due to higher than budgeted overtime (\$6.0M), which was partially offset by higher than budgeted vacancies.

●OPEB unfunded liability is shown as an expense and offset, no bottom line impact.

●Other Non Labor was favorable to budget (\$2.3M) due to timing of budget vs. actual expenditures.

●Total Expense was over budget by \$1.3M, excluding the OPEB unfunded liability (does not affect the Net Operating Result.)

Operating Deficit

●The operating deficit (revenue minus expense) was \$3.3M favorable for the quarter, due to favorable passenger revenue.

Tax, Assistance and Allocations

●Sales Tax for the quarter grew 11.6% over 1QFY12, bringing the quarter \$3.1M over budget.

●Other Assistance and Debt Service under budget for the quarter due to timing of 5307 funds and refunding, respectively.

Net Operating Result

●The net operating result (\$8.5M favorable to date) reflects better than budget passenger revenue and sales tax, offset slightly by unfavorable expenses.

●Operating ratio (revenue divided by expense) and rail cost per passenger mile also are both favorable for the quarter due to better than budget trips and passenger revenue.

	Current Quarter			(\$ Millions)	Year to Date		
	Budget	Actual	Var		Budget	Actual	Var
Revenue							
Net Passenger Revenue	95.5	101.4	6.1%		95.5	101.4	6.1%
Parking Revenue	3.3	3.8	18.2%		3.3	3.8	18.2%
Other Operating Revenue	4.8	4.6	-3.8%		4.8	4.6	-3.8%
Total Net Operating Revenue	103.6	109.9	6.0%		103.6	109.9	6.0%
Expense							
Net Labor	98.8	102.4	-3.7%		98.8	102.4	-3.7%
OPEB Unfunded Liability	0.2	1.9	-751.1%		0.2	1.9	-751.1%
Electric Power	9.2	9.3	-0.7%		9.2	9.3	-0.7%
Purchased Transportation	4.0	3.9	3.9%		4.0	3.9	3.9%
Other Non Labor	23.0	20.7	9.8%		23.0	20.7	9.8%
Total Operating Expense	135.2	138.2	-2.2%		135.2	138.2	-2.2%
Operating Surplus (Deficit)	(31.6)	(28.3)	10.3%		(31.6)	(28.3)	10.3%
Taxes and Financial Assistance							
Sales Tax	49.2	52.3	6.3%		49.2	52.3	6.3%
Property Tax, Other Assistance	2.4	1.9	-22.4%		2.4	1.9	-22.4%
State Transit Assistance	-	-	-		-	-	-
Debt Service	(20.2)	(18.8)	6.7%		(20.2)	(18.8)	6.7%
Capital and Other Allocations	(36.6)	(36.9)	-1.0%		(36.6)	(36.9)	-1.0%
OPEB Unfunded Liability Offset	0.2	1.9	751.1%		0.2	1.9	751.1%
Net Financial Assistance	(4.9)	0.3	106.0%		(4.9)	0.3	106.0%
Net Operating Result	(36.5)	(28.0)			(36.5)	(28.0)	
System Operating Ratio	77%	79.5%	2.9%		76.6%	79.5%	2.9%
Rail Cost / Passenger Mile	0.33 ¢	0.33 ¢	2.4%		0.33 ¢	0.33 ¢	2.4%

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

- No Problem
- Caution: Potential Problem/Problem Being Addressed
- Significant Problem



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>Greg Delaney</i>		GENERAL MANAGER ACTION REQ'D:		
DATE: 1/7/13		BOARD INITIATED ITEM: No		
Originator/Prepared by: Matthew Burrows Dept: MB	General Counsel <i>Andrew Kavan</i> 1/16/13 []	Controller/Treasurer <i>[Signature]</i> []	District Secretary []	BARC []
Signature/Date: 1/16/13				
Status: Routed		Date Created: 01/16/2013		

TITLE:

Amendment to Legal Services Agreement with Glynn and Finley

NARRATIVE:

PURPOSE:

To request that the Board of Directors approve an increase in funding for the continued retention of outside counsel to handle pending California Occupational Safety and Health Administration (“Cal/OSHA”) matters.

DISCUSSION:

The District has retained the firm of Glynn & Finley to represent its interests in responding to citations issued by Cal/OSHA. A vigorous defense has been necessitated by citations recently issued by Cal/OSHA that seek to drastically change the way the District operates; Glynn & Finley has the expertise and have successfully handled significant litigation matters for the District. Specifically, Cal/OSHA has issued citations in an attempt to expand its High Voltage Electrical Safety Orders and their application to BART. If successful, Cal/OSHA would prohibit non-electricians from working near the third rail under OR&P 6602 using Field Verified Power Off and would further require electrical safe clearances for any work performed in and around the running rails. Current BART rules require an electrical safe clearance for any work that involves direct contact with the third rail. Moreover, Cal/OSHA proposes to prohibit all employees except BART electricians from probing the third rail to determine if it is in fact energized. If this prohibition is implemented, it would drastically change the way BART performs maintenance operations with no anticipated improvement in safety. The District believes that the hazards inherent in establishing electrical safety clearances—serious accidents have occurred during safe clearance establishment and removal—may outweigh any perceived reduction in risk.

FISCAL IMPACT:

The value of the legal services agreement to date has totaled \$136,608. This action would add an additional \$188,000 and will be paid for by the Maintenance and Engineering department that has available funds in its budget.

ALTERNATIVES:

To not authorize this work and run a greater risk that Cal/OSHA mandates changes in the manner by which BART operates.

RECOMMENDATION:

That the Board adopt the following motion:

Motion:

That the Board approves a \$188,000 increase in funding for the retention of outside counsel to handle pending California Occupational Safety and Health Administration (“Cal OSHA”) matters.



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>Macias de la Cruz</i>		GENERAL MANAGER ACTION REQ'D:		
DATE: 1/16/13		BOARD INITIATED ITEM: No		
Originator/Prepared by: Christopher Gan Dept: Finance Extension 6960 Signature/Date: <i>Chris Gan</i> 1/14/13	General Counsel <i>Andreas Rivas</i> 1/11/13 []	Controller/Treasurer <i>[Signature]</i> []	District Secretary []	BARC <i>Carl Mann</i> 1-16-13 []
Status: Approved		Date Created: 12/28/2012		

TITLE:
**INDEPENDENT AUDITOR'S REPORTS ON THE BASIC FINANCIAL STATEMENTS
AND INTERNAL CONTROL FOR THE FISCAL YEAR ENDED JUNE 30, 2012**

NARRATIVE:

Section 28769 of the Public Utilities Code requires that an annual audit be made of all books and accounts of the District. For fiscal year 2012, the independent certified public accounting firm of Macias, Gini and O'Connell conducted the audit and issued their report on December 28, 2012.

The District's annual financial report provides information on the District's Enterprise Fund and Fiduciary Fund. The Enterprise Fund includes all revenues, expenses, assets, liabilities and net assets related to the District's transit operations. The Fiduciary Fund shows all financial transactions of the Retiree Health Benefit Trust, which was created by the District to administer and account for assets which are restricted for the payment of retiree health premiums, as well as payments by the District for current medical premiums for retirees and surviving spouses (pay-as-you-go). The results of the audit concluded that the District's basic financial statements for the year ended June 30, 2012 present fairly, in all material respects, the financial position of the Enterprise Fund and the Fiduciary Fund, and are in conformity with accounting principles generally accepted in the United States of America.

As part of the examination, the auditors performed a review and evaluation of the District's internal accounting controls. The results of the evaluation are discussed in the Independent Auditor's Report on Internal Control. In fiscal year 2011, there were five areas of deficiencies that the auditors have identified in the District's internal control which were all related to the recent implementation of the new PeopleSoft financial system; the combination of such deficiencies resulted in a material weakness finding in fiscal year 2011. During fiscal year 2012, the District has made progress in addressing the deficiencies identified, however, since all of the corrective action plan has not yet been fully implemented, the material weakness finding has not yet been removed.

FISCAL IMPACT

None

ALTERNATIVE

None. The District is required by law to have its books and accounts audited every year by an independent certified public accountant.



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>Walter DeVanden</i>		GENERAL MANAGER ACTION REQ'D: Approve and forward to Board of Directors		
DATE: <i>1/16/13</i>		BOARD INITIATED ITEM: No		
Originator/Prepared by: Shirley J Ng Dept. TSD	General Counsel <i>Audrey Ray</i> <i>1/16/13</i>	Controller/Treasurer <i>[Signature]</i>	District Secretary	BARC <i>Paul Jensen</i> <i>1/16/13</i>
Signature/Date: <i>[Signature]</i> <i>1/16/13</i>	[]	[]	[]	[]
Status: Approved		Date Created: 01/08/2013		

TITLE:

Award of Contract No. 15PJ-110B, Earthquake Safety Program Station Structures - A Line

NARRATIVE:

DISCUSSION:

Contract No. 15PJ-110B will provide for life safety retrofits to A Line stations as part of BART's Earthquake Safety Program. The Contract Work includes four stations: San Leandro, Hayward, South Hayward and Fremont. The Work consists of the structural retrofit of pile caps, columns, bent caps and associated architectural and mechanical/electrical components impacted by the retrofits.

An Advance Notice to Bidders was mailed on October 26, 2012 to 198 firms. The Contract was advertised on October 30, 2012 and Contract Books were sent to 24 plan rooms. A total of 34 firms purchased copies of the Bid Documents. A Pre-Bid meeting and site tour were conducted on November 29, 2012 with a total of 34 potential Bidders in attendance. Eight Bids were received and publicly opened on December 18, 2012.

Listed below is a tabulation of the Bids. The Bids submitted by Arntz Builders, Inc. and Atkinson Contractors, LP, were determined to have arithmetical errors in the Bid Item totals and/or in the total Bid Price. Per the Instructions to Bidders, Paragraph 14.B, Evaluation, item totals are provided by the Bidder for the convenience of the District. In the event of a discrepancy between the District's calculations and the item totals for all Bid Items as submitted by the Bidder, the District's calculations shall govern. None of the discrepancies affected the relative ranking of Arntz Builders, Inc. and Atkinson Contractors, LP among the other Bids.

Tabulation of the corrected Bids, including the Engineer's Estimate, is as follows:

<u>BIDDER</u>	<u>LOCATION</u>	<u>TOTAL AMOUNT</u>
1. Robert A. Bothman, Inc.	San Jose, CA	\$10,939,000.00
2. Disney Construction, Inc.	Burlingame, CA	\$11,370,840.00
3. Arntz Builders, Inc.	Novato, CA	\$11,538,598.95
3. S. J. Amoroso Construction Co., Inc.	Redwood Shores, CA	\$11,997,000.00

4. Atkinson Contractors, LP	Foothill Ranch, CA	\$12,512,285.00
5. Alten Construction, Inc.	Richmond, CA	\$12,558, 577.00
6. Proven Management, Inc.	San Francisco, CA	\$12,937,325.00
7. Diede Construction, Inc.	Woodbridge, CA	\$14,578,330.00
<u>Engineer's Estimate</u>		\$11,100,000.00

The apparent low Bid, submitted by Robert A. Bothman, Inc. was deemed responsive to the solicitation. The Bid Price has been determined to be fair and reasonable. Examination of the Bidder's business experience and financial capabilities has resulted in a determination that this Bidder is responsible.

Pursuant to the District's Non-Discrimination in Subcontracting Program, the availability percentages for this Contract are 23% for MBEs and 12% for WBEs. The apparent low Bidder committed to 24.9% MBE and 5.8% WBE. The Bidder did not meet the WBE percentage, therefore the Bidder was requested to provide the District with information to determine if it had discriminated against WBEs. Based on the review of the information submitted by the apparent low Bidder, the Office of Civil rights found no evidence of discrimination.

Pursuant to the District's Small Business Program, the SB Subcontract participation goal for this Contract is 18% of the total Bid price, excluding Allowances and Options. The apparent low Bidder committed to 20.6% SB participation.

FISCAL IMPACT:

Funding of \$10,939,000 for award of Contract No. 15PJ-110B is included in the total project budget for the FMS #15PJ000, ESP- Aerial A- Line Stations. The Office of the Controller/Treasurer certifies that funds are currently available to meet this obligation.

As of 01/08/13, \$47,741,077 is available for commitment for this project from the following sources:

F/G 801F - ESP GO Bond	\$ 246,163
F/G 801J - ESP GO Bond	\$47,494,914
Total	\$47,741,077

BART has expended \$627,155 and committed \$4,736,972 and reserved \$0 to date for other actions. This action will commit \$10,939,000 leaving an available fund balance of \$31,437,950.

There is no fiscal impact on available, unprogrammed District Reserves.

ALTERNATIVE:

The Board may elect to reject all Bids and authorize staff to readvertise. If the Contract is not awarded, the District will be unable to implement the seismic retrofit of the A Line station structures at this time. Readvertising the Contract would result in additional cost and time to execute the required retrofits, and there is no assurance that the Bids on a re-solicitation would be lower than those now available for award.

RECOMMENDATION:

It is recommended that the Board adopt the following motion:

MOTION:

The General Manager is authorized to award Contract No. 15PJ-110B, Earthquake Safety Program Station Structures - A Line to Robert A. Bothman, Inc. for the Bid amount of \$10,939,000, pursuant to notification to be issued by the General Manager and subject to the District's protest procedures.

FUNDING SUMMARY - EARTHQUAKE SAFETY PROGRAM

PROJECT ELEMENT	Baseline Budget	Current Forecast as of 1/9/13	REMARKS
ENVIRONMENTAL, ENGINEERING, AND CONSTRUCTION MANAGEMENT			
GEC (Bechtel Team)	\$105,000,000	\$257,500,000	
Other GEC	\$81,478,000	\$0	
Subtotal GEC	\$186,478,000	\$257,500,000	
CM	\$61,498,000	\$75,100,000	
Environmental	\$1,042,796	\$2,198,237	
TOTAL E, E & CM	\$249,018,796	\$334,798,237	
CONSTRUCTION			
Transbay Tube			
Oakland Ventilation Structure	\$1,033,000	\$1,153,096	
Oakland Landside	\$17,970,000	\$10,699,433	
San Francisco Ferry Plaza			
SFTS (including Tube liner)	\$73,037,000	\$5,655,414	
Marine Vibro Demo	\$101,285,000	\$11,000,000	
Stitching	\$82,962,000	\$0	
Additional TBT Retrofits	\$0	\$166,500,000	
Aerial Guideways			
West Oakland/North Oakland	\$112,923,000	\$72,300,000	
Fremont	\$178,224,000	\$44,400,000	
Concord	\$36,500,000	\$12,370,889	
Richmond	\$80,155,000	\$34,800,000	
San Francisco/Daly City	\$36,590,000	\$9,600,000	
Stations (18)			
	\$126,961,000	\$78,700,000	
Other Structures			
LMA	\$5,529,000	\$12,100,000	
Yds & Shops	\$12,436,000	\$19,500,000	
Parking Structures	\$14,437,000	\$14,600,000	
At Grade Trackway	\$22,361,000	\$0	
34.5kV Replacement		\$42,000,000	
Systems			
	\$7,066,000	\$17,500,000	
TOTAL CONSTRUCTION	\$909,469,000	\$552,878,832	
PROGRAM COSTS			
Program Costs (Hazmat, ROW, Consult, Staff)	\$159,894,204	\$217,800,000	
Contingency	\$32,104,000	\$147,863,088	
TOTAL PROGRAM COSTS	\$191,998,204	\$365,663,088	
BASELINE FUNDING			
	\$1,350,486,000		
REVISED FUNDING			
		\$1,253,340,157	
		\$1,221,275,376	Adopted Funding
		\$32,064,781	Outside Adopted Funding



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>[Signature]</i>		GENERAL MANAGER ACTION REQ'D: Approve and Forward to the Board of Directors		
DATE: c 1/16/13		BOARD INITIATED ITEM: No		
Originator/Prepared by: Drew Linde Dept: M&E <i>[Signature]</i> 1/16/13	General Counsel <i>[Signature]</i> 1/16/13	Controller/Treasurer <i>[Signature]</i>	District Secretary []	BART <i>[Signature]</i> 1/16/13
Signature/Date: []	[]	[]	[]	[]

TITLE:

Award of Agreement No. 79HP-120, BART Regional Anti-Terrorism & Integrated Law Enforcement System (RAILS) Project

NARRATIVE:

PURPOSE:

For the Board to authorize the General Manager to award a Professional Services and Software License Agreement to TriTech Software Systems, San Diego, California, for the procurement, implementation, training, and maintenance of BART's Regional Anti-Terrorism Integrated Law Enforcement System (RAILS) for an amount not to exceed \$3,146,081. The Agreement is for a five-year term.

DISCUSSION:

This project is one of a series funded primarily by the Department of Homeland Security and jointly referred to as BART's Critical Infrastructure Hardening Program. The project is in two phases, the first of which (79HP-110) was the construction of a secure, seismically-isolated communications center for BART police, known as the Integrated Security Response Center (ISRC). ISRC construction was completed in 2009 with full occupancy in August of that year.

The RAILS computer system is the second phase of the Critical Infrastructure Hardening Program. RAILS is a Computer Aided Dispatch, Records Management, and Mobile Data System that permits ISRC staff to evaluate real-time data from intrusion detection systems, access control systems, and closed circuit television (CCTV) cameras installed under other projects through the District's Critical Infrastructure Hardening Program. Additionally, RAILS integrates with the District's Enterprise Geographic Information System (EGIS) digital maps, thereby providing ISRC personnel with a cohesive, real-time view of security and operational information.

An Advance Notice to Proposers was mailed to 28 prospective proposers on July 30, 2010. Advertisements soliciting interest in the Request for Proposal (RFP) were placed in various local and Disadvantaged Business Enterprise publications on July 30, 2010. Forty-nine firms requested copies of the RFP. A pre-bid meeting was conducted on August 12, 2010 with 16 prospective proposers attending.

On January 25, 2011, proposals were received from the following two firms:

1. TriTech Software Systems, and
2. Tiburon, Inc.

The proposals were reviewed by a Selection Committee (Committee) consisting of BART staff from the Police Department, Maintenance and Engineering, Office of Civil Rights, and Contract Administration. Proposals were first reviewed to determine if the Proposers were considered responsive to the requirements of the RFP. Subsequently, the proposals were evaluated and scored on the basis of the criteria contained in the RFP with respect to qualifications of the project proposing firms and the project team, including key personnel. As a result, both firms were selected for oral interviews, which were conducted by the Committee on July 7 and July 12, 2011.

This recommendation for award is based on the Best Value method of competitive procurement which allows the District the opportunity to evaluate not only the price of the proposals submitted, but also other criteria which, when assessed together, identifies the proposers that offer the best overall value to meet the District's needs. Based on the oral and written evaluations, the Committee determined that TriTech Software Systems offered the best value to the District and the best software solution by meeting the District's requirements for a GIS-based Situational Awareness, Computer Aided Dispatch, Records Management, and Mobile Data System.

Accordingly, the Committee recommends an award under RFP No. 79HP-120 to TriTech Software Systems.

Pursuant to the revised Disadvantaged Business Enterprise (DBE) Program, the Office of Civil Rights is utilizing race and gender neutral efforts for professional services agreements. Therefore, no DBE participation goal was set for this Agreement.

The Office of the General Counsel will approve the Agreement as to form prior to execution.

FISCAL IMPACT:

This proposed award under RFP No. 79HP-120 to TriTech Software Systems, in a not-to-exceed amount of \$3,146,081, would be funded by a combination of Information Technology (IT) operating funds and Maintenance and Engineering (M&E) capital funds as listed below in Table 1.

Table 1: Funds To Be Awarded to TriTech for RAILS		
Funding Source	Purpose	Amount
Capital - Identified	RAILS procurement, implementation, training	\$2,199,183.00
Operating - Unidentified	RAILS maintenance (four years)	\$946,898.00
Total		\$3,146,081.00

As shown in Table 1 above, the \$946,898 in operating funds required to fund four years of maintenance for RAILS has not been identified. As such, the operating budget for the Department of Information Technology (IT) would be expected to increase by approximately \$946,898 over four years.

Funding sources for required ongoing maintenance of the RAILS system will be identified in

future budget cycles. Funding of \$2,199,183.00 for Professional Services and Software License Agreement with TriTech Software Systems, San Diego, California is included in the total project budget for the FMS #79HP000 - NEW INTEGRATED SEC RESPONSE CT. The Office of the Controller/Treasurer certifies that funds are currently available to meet this obligation.

RAILS Part One: Procurement, Implementation, and Training (\$2,199,183 in identified Capital Funds)

According to the Office of the Controller/Treasurer, as of December 12, 2012, \$11,759,770 in capital funding is currently available for the \$2,199,183 required to fund the proposed award to TriTech Software Systems for Professional Services and Software License Agreement. Such funds are included in the total project budget for FMS #79HP000 - NEW INTEGRATED SEC RESPONSE CT. Capital funding sources for TriTech's procurement, implementation, and training are detailed below in Table 2.

Grant	Amount
F/G 352Y - FY06 CAP ASST PGM CA-9	\$1,625,329.00
F/G 352Z - FY07 CAP ASST PGM CA90	800,000.00
F/G 3905 - FY06 TRANSIT SEC. GRNT	4,049,848.00
F/G 535F - FY08-09 PROP 1B Security	1,655,717.00
F/G 5371 - FY09-10 CTSGP PROP 1B(HOMELND)	1,250,000.00
F/G 5372 - FY10-11 CTSGP PROP 1B(HOMELND)	1,600,000.00
F/G 6010 - ALLOC # 06374312	406,332.00
F/G 6011 - B-Toll ALLOC # 07376802	200,000.00
F/G 535T - FY07-08 CTSGP PROP 1B(HOMELND)	172,544.00
TOTAL	\$11,759,770.00

To date, of the total capital project budget of \$11,759,770, BART has expended \$8,088,406, committed \$566,122 and reserved \$157,336 for other actions. Part of this proposed motion will commit an additional \$2,199,183 for procurement, implementation, and training for the RAILS project. Such a commitment would leave an uncommitted balance of \$748,722 in the above fund sources.

RAILS Part Two: Maintenance (\$946,898 in unidentified Operating Funds)

In addition to the above capital expenditures required for the procurement, implementation, and training for RAILS, this proposed agreement contains an ongoing software support and maintenance agreement with TriTech, to be effective subsequent to RAILS system implementation (RAILS system implementation is estimated to be July 1, 2014 with the first year of maintenance charges beginning on July 1, 2015).

Table 3: Operating Funding Required for \$946,898 in RAILS Maintenance	
Year	Amount
Year 1 - estimated FY15	\$0 (included in warranty)
Year 2 - estimated FY16	\$219,692.00
Year 3 - estimated FY17	\$230,676.00
Year 4 - estimated FY18	\$242,210.00
Year 5 - estimated FY19	\$254,320.00
TOTAL	\$946,898.00

**estimates based on project execution*

If the subject motion is approved, \$946,898 in operating funding for RAILS software support will be requested in future operating budget cycles.

ALTERNATIVES:

To refrain from awarding this Agreement. Not to award this Agreement would compromise the District's ability to monitor physical security and intrusion detection systems designed to enhance the safety of patrons, protect critical assets against terrorist and criminal acts, and react appropriately when such acts are carried out.

RECOMMENDATION:

Staff recommends that the Board adopt the following motion:

MOTION

The General Manager is authorized to award agreement 79HP-120 with TriTech Software Systems for the procurement, implementation, training and initial year of maintenance of the Regional Anti-Terrorism Integrated Law Enforcement System in an amount not to exceed \$2,199,183; and the General Manager is also authorized to enter into a Software Support Agreement with TriTech Software Systems for five years in an amount not to exceed \$946,898, for a total not-to-exceed Agreement amount of \$3,146,081.



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>Marcia DeKoven</i>		GENERAL MANAGER ACTION REQ'D: Forward to the Board	
DATE: <i>1/17/13</i>		BOARD INITIATED ITEM: No	
Originator/Prepared by: Thomas Herold Dept: <i>Thomas Herold</i>	General Counsel <i>Andrew Pava</i>	Controller/Treasurer <i>[Signature]</i>	District Secretary BARC <i>Paul Jensen</i>
Signature/Date: <i>1/16/13</i>	<i>1/16/13</i>	[]	[]
Status: Routed		Date Created: 01/15/2013	

TITLE:

Award of IFB 8898 -- Procurement of On Board Communication Units

NARRATIVE:

Purpose: To obtain Board authorization to award Invitation for Bid No.8898 to WIFI Rail, Inc, Oakland CA. in the amount of \$2,499,000 plus applicable taxes, for the purchase of one hundred (100) On Board Communications Units.

Discussion: The one hundred (100) On Board Communications Units will be installed on revenue cars to support security projects within the Critical Asset Corridor (between the Oakland underground and Civic Center Station.) Installation of these one hundred On-Board Communication Units will increase the fleet to a total of one hundred forty four cars that are equipped with On Board Communication Units. The On Board Communication Units record on board train telemetry data and video, and provide video and data communications between the rail cars and the wayside facilities that distribute data to both the Integrated Security Response Center and Operations Control Center. Real time car video will provide situational analysis for incident responders. Real time car data will provide fault analysis for mainline technicians and performance data for car maintenance.

As funding becomes available additional cars will be equipped with On Board Communication Units.

Invitation for Bids was published on October 6, 2011. Bid requests were mailed to five (5) prospective bidders. Bids were opened on November 1, 2011 and three (3) bids were received.

Bidder	Amount
1. WiFi Rail, Inc Oakland, CA	\$2,499,000.00
2. Media Solv Solutions Corp. Herndon, VA	\$2,780,000.00
3. McLaren Electronic Systems Woking, Sussex, UK	\$2,796,000.00
Engineer's Estimate	\$2,500,000.00

Staff has determined that the apparent low bidder, WiFi Rail, Inc. submitted a responsive bid, and that the pricing is fair and reasonable based upon previous purchases of four On Board Communication Units from WiFi Rail, Inc in February 2011 for \$98,186 (\$24,546.50/unit) and forty units in May 2011 for \$1,097,237 (\$27,430.93/unit).

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 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 \$2,723,910 , with tax, to purchase On Board Communication Units is included in the total project budget for the FMS#79HX000 – WIFI ON RAIL CARS.

The Office of the Controller/Treasurer certifies that funds are currently available to meet this obligation.

As of 1/14/2013, \$9,993,215.84 is available for this project from the following fund sources:

F/G 362U – FY10 TSGP Security CCTV and WIFI	\$3,800,000.00
F/G 3751 – FY2007 TSGP GR#2007-RL-T7-K001	\$1,008,992.04
F/G 3752 – FY2007 TSGP GR#2007-RL-T7-K111	\$634,150.94
F/G 535F – FY08-09 PROP 1B Security	\$1,390,000.00
F/G 535T – FY07-08 CTSGP PROP 1B (HOMELAND)	\$1,329,368.86
F/G 5371 _ FY09-10 CTSGP PROP 1B (HOMELAND)	<u>\$1,830,704.00</u>
	\$9,993,215.84

BART has expended \$4,084,595.27 and committed \$605,098.94 to date for other actions. This action will commit another \$2,723,910.00, leaving an uncommitted balance of \$2,579,611.63 in these funding sources.

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

Alternative: Reject bids and re-advertise.

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

Motion: The General Manager is authorized to award Invitation to Bid No. 8898 for the purchase of On Board Communications Units, to WiFi Rail, Inc. for the amount of \$2,499,000.00 plus applicable taxes, pursuant to notification to be issued by the General Manager and subject to the District's protest procedures and Department of Homeland Security procedures related to protests.



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>Margie DeBourgin</i>		GENERAL MANAGER ACTION REQ'D:		
DATE: <i>1/16/13</i>		BOARD INITIATED ITEM: No		
Originator/Prepared by: Kirtland Smith Dept:	General Counsel <i>Margie DeBourgin</i> <i>1/16/13</i>	Controller/Treasurer <i>[Signature]</i>	District Secretary <i>[Signature]</i>	BARC <i>Paula Gerson</i> <i>1/16/13</i>
Signature/Date: <i>[Signature]</i> <i>1.15.13</i>	[]	[]	[]	[]
Status: Routed		Date Created: 01/03/2013		

TITLE:

Award of IFB No. 8916: Procurement of Car Floor Panels

NARRATIVE:

PURPOSE: To obtain Board authorization for the General Manager to award IFB No. 8916 Procurement of Floor Panels, to Milwaukee Composites, Inc. of Milwaukee, Wisconsin.

DISCUSSION: In 2010, the District began improving the interior appearance of the 439 A2/B2 cars by replacing worn-out and outdated carpeting with hard surface flooring. Fifty (50) A2/B2 cars received spray-on floor covering but did not receive new sub floor panels. New sub-flooring panels have been funded and procured for 200 A2/B2 cars under Contract No. 42AH-205B. IFB No. 8916 will allow the District to replace the floor panels and floor covering in the remaining 189 A2/B2 cars.

The floor panels are an integral part of the car structure. They structurally separate the under car equipment from the interior of the car. Current floor panel construction consists of a lightweight core sandwiched between two thin layers of aluminum. Over time, soft spots or voids develop where the lightweight core is compressed, causing the aluminum layers to separate from the core. Once this begins, the soft spots quickly spread, making the floor panels unstable. Currently, many cars have floor panels that are in poor condition and need to be replaced. This project replaces all floor panels on a car with a new panel design that is less susceptible to water damage and delamination.

IFB No. 8916 was advertised on December 19, 2012. Bids were due January 8, 2013 and two (2) Bids were received. The IFB included a requirement that Bidders submit documentation with their bid that they satisfied minimum experience requirements in the production of floor panels for transit agencies. The bids were reviewed and only one bidder, Milwaukee Composites, Inc. met the minimum technical requirements. The apparent low bidder, Kenway Corporation, failed to provide documentation with their bid demonstrating the required experience. Therefore their bid was non-responsive.

<u>Bidder</u>	<u>Bid</u>	<u>Bid Including 9.00% Tax</u>
Milwaukee Composites, Inc Milwaukee, Wisconsin	\$4,857,300.00	\$5,294,457.00
Kenway Corporation Augusta, Maine	\$4,139,900.00	\$4,511,619.00

Engineer's Estimate \$5,280,000.00

Staff has determined that Milwaukee Composites, Inc. submitted a responsive Bid. Staff has also determined that the bid submitted by Milwaukee Composites, Inc. is fair and reasonable based on similar purchases.

This is an 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 amount of 50 percent of the contract bid price. Upon Board approval of this contract, the District will also have the authority to purchase up to 150 percent of the contract Bid price, subject to availability of funding.

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 District's Non-Federal Small Business Program, OCR set a small business prime preference of 4%. The responsive bidder is not a certified small business and therefore is not eligible for the 4% small business preference for this contract.

FISCAL IMPACT:

Funding of \$5,294,457 for the acquisition of car floor panels will come from project budget 42AH001 Rail Car Floors Advance Purchase. The Office of the Controller/Treasurer certifies that funds are currently available to meet this obligation.

As of 1/10/13, \$6,000,000 is available for this project from the following sources:

Fund No.	Source	Fund Description	Amount
8524	BART Alloc	FY12 Operating Capital Alloc.	\$ 4,700,000
8525	BART Alloc.	FY13 Operating Capital Alloc.	\$ 1,300,000
		Total	\$ 6,000,000

BART has expended \$0, encumbered \$0, and pre-encumbered \$4,857,300 to date for this acquisition. This action will encumber an additional \$437,157 leaving an available fund balance of \$705,543.

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

ALTERNATIVES: An alternative to awarding the Bid would be to reject the Bid and re-advertise the Contract, which is not likely to lead to a better price or more competition.

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 General Manager is authorized to award IFB No. 8916, Procurement of Car Floor Panels, an estimated quantity contract, to Milwaukee Composites, Inc. for the bid price of \$ 5,294,457.00, plus all applicable sales tax, pursuant to notification to be issued by the General Manager, and subject to the District's Protest Procedure.



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>[Signature]</i>		GENERAL MANAGER ACTION REQ'D:		
DATE: c 1/17/13		BOARD INITIATED ITEM: No		
Originator/Prepared by: Kirtland Smith Dept: <i>[Signature]</i> Signature/Date: 1-17-13	General Counsel <i>[Signature]</i> 1/17/13	Controller/Treasurer <i>[Signature]</i> []	District Secretary []	BARC <i>[Signature]</i> 1/17/13 []

TITLE:

Sole Source Procurement of Condenser Unit Upgrade Kit (Two-Thirds Vote Required)

NARRATIVE:

PURPOSE: To request Board Authorization to award a sole source contract to Vapor Stone Rail Systems, Plattsburgh, New York, in the amount of \$1,048,327.20 (includes all taxes) for the purchase of 230 Condenser Unit Upgrade Kits.

DISCUSSION: The District operates 230 C-Cars. The existing C-Car is equipped with two (2) identical undercar-mounted Heating Ventilation and Cooling (HVAC) units. We are currently overhauling and upgrading the C Car HVAC systems to provide increase cooling capacity, reliability and power consumption efficiency. A critical element of this upgrade is the replacement of the old condenser coils. This procurement provides for replacement condenser coils. Each kit contains the two coils necessary for a single C Car.

The C-Car HVAC condenser coil is a Vapor Stone Rail Systems design. Neither it nor an acceptable substitute is available from an alternate source and therefore must be bought through sole source procurement. Other components required for the HVAC unit upgrade can and are being purchased through competitive bid.

This is a one (1) year estimated quantity contract for 230 condenser coil kits. Pursuant to the District's standard estimated quantity contract, during the term of the contract, the District is required to purchase from the supplier a minimum amount 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 availability of funding. Pursuant to Public Contract Code Section 20227, the Board may direct the purchase of any supply, equipment or material without observance of competitive bidding upon a finding by two-thirds of all members of the Board that there is only a single source of procurement and that the purchase is for the sole purpose of duplicating or replacing equipment currently in use.

The engineers estimate for this procurement was \$4,100.00 per kit for a total of \$1,027,870.00. District staff has reviewed Vapor Stone Rail Systems budgetary proposal and determined it to be fair and reasonable based on previous procurements with Vapor Stone Rail Systems.

Sole Source Procurement of Condenser Unit Upgrade Kit

<u>Bidder</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Total including 9.00% tax</u>
Vapor Stone Rail Systems Plattsburgh, New York	230 ea.	\$4181.60	\$1,048,327.20

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:

Funding of \$1,048,327.20 for the acquisition of C-Car Condenser Unit Upgrade Kits will come from project budget 42AK000 C-Car HVAC Renovation. The Office of the Controller/Treasurer certifies that funds are currently available to meet this obligation.

As of 01/09/13, \$2,200,000 is available for this project from the following sources:

<u>F/G 3002 – FTA CA-90-Y873-00</u>	<u>\$1,760,000</u>
<u>F/G 8524 – ALLOC FY-12 Operating CapitalY873-00</u>	<u>\$440,000</u>
	Total \$2,200,000

BART has expended \$0, encumbered \$0, and pre-encumbered \$0 to date. This action will encumber \$1,048,327.20 leaving an available fund balance of \$1,151,672.80.

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

Alternatives: Do not upgrade the C-Car HVAC, resulting in continued passenger discomfort and increased maintenance costs.

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

Motion: The Board finds pursuant to Public Contract Code Section 20227 that Vapor Stone Rail Systems is the sole source for procurement of Condenser Unit Upgrade Kits, and that the purchase is for the purpose of replacing equipment in use at the District. The Board authorizes the General Manager to award a Sole Source, estimated quantity contract for the bid amount of \$1,048,327.20.

SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT
MEMORANDUM

TO: Board of Directors

DATE: January 17, 2013

FROM: Grace Crunican

SUBJECT: Earthquake Safety Program Citizen's Oversight Committee Appointments

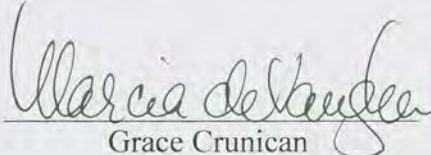
Since 2006, the Board of Directors has appointed individuals to serve on the Earthquake Safety Program Citizen's Oversight Committee (COC), as called for by Measure AA passed by the voters in November 2004. Appointment of members for the 2013 - 2015 COC is scheduled for the January 24, 2013 Board meeting.

Measure AA gave BART the authority to issue bonds not to exceed \$980 million for implementation of earthquake safety improvements to the system. The measure also required that a Citizens' Oversight Committee be established to review and confirm that the funds are used for seismic improvements. The Committee is composed of five members and five alternates as back up, with expertise in the following areas:

- Seismic Retrofitting
- Auditing
- Engineering
- Public Finance or Project Management
- Community at Large

Nine interested residents of the District responded to the call for applications for the five member and five alternate positions on the Committee. The Board will be requested to appoint these nine individuals as the members and alternate members for the 2013 - 2015 COC.

If you would like additional information regarding the Citizen's Oversight Committee, please contact Molly McArthur at (510) 464-6176.


Grace Crunican

cc: Board Appointed Officers
Deputy General Manager
Executive Staff



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>Catherine Westphall</i>		GENERAL MANAGER ACTION REQ'D:		
DATE: c <i>1/16/13</i>		BOARD INITIATED ITEM: No		
Originator/Prepared by: Catherine Westphall Dept: Catherine Westphall Signature/Date: <i>Catherine Westphall 1/15/13</i>	General Counsel <i>Audrey Rawas 1/14/13</i>	Controller/Treasurer <i>[Signature]</i>	District Secretary []	BARC <i>[Signature] 1-14-13 []</i>

TITLE:

Amendment to Advertising Franchise Agreement to Convert 48 Poster Ad Frames to 24 Digital Screens

NARRATIVE:

PURPOSE:

To obtain Board authorization for the General Manager to execute an amendment to an agreement with Titan Outdoor LLC to enable conversion of 48 ad frames to 24 digital screens. The amendment would become part of Agreement No. 6M7066 – Poster Advertising Franchise Services which ends September 30, 2018.

DISCUSSION:

BART currently generates advertising revenue from sale of static poster ads in stations and on trains. Titan's proposed conversion of 48 of BART's current poster ad frames to 24 digital screens would increase BART's advertising revenue by \$200,000 in the first full year, ramping up to \$1 million in the last year of Titan's agreement. The digital screens would help to modernize BART's station environment. The ads would be mixed with other information such as news, weather, sports, and trivia, providing a new amenity for BART customers at no cost, as has been done at many other transit agencies across the country and around the world. The screens would be digital display only (no audio), and content could be changed easily.

Titan's proposal includes the following details:

- Titan would convert 48 existing poster ad frames to 24 digital screens.
- The digital screens would be located in the four (4) downtown San Francisco stations: Embarcadero, Montgomery, Powell Street, and Civic Center, with six (6) screens per station. The screens would be located opposite each platform, on the cross-track walls where poster ads are currently displayed. These stations and locations are preliminary, pending final review by District engineers.
- Titan would install a digital network to feed content to the digital screens, which would consist of 50% advertising, 10% BART messaging (such as marketing or courtesy reminders), and 40% other information (news, weather, sports, trivia, etc.).
- Initially, advertising would be formatted as "limited motion" graphics, with full motion video capability as a future consideration.
- Initially, one (1) demonstration unit would be installed to test Titan's technical ability to

deliver the project and allow BART to gauge customer acceptance of this new media through a survey.

FISCAL IMPACT:

Titan would pay BART the greater of the Minimum Annual Guarantee (MAG); or the revenue share percentage (Revenue Share) net of sales commissions and capital recovery costs. The revenue proposal is listed in the chart below. These financial terms will be contingent on adhering to a schedule for Titan submittals and BART approvals in time for 24 digital screens to be installed and running ads by August 1, 2013. MAG amounts would be pro-rated for any months after August 1, 2013 that any screens are not installed and available to run ads.

Contract Year	Revenue Share	MAG
Partial Year 1 (Aug. 2013 – Sept. 2013)	55%	\$25,000
Year 2 (Oct. 2013 – Sept. 2014)	55%	\$200,000
Year 3 (Oct. 2014 – Sept. 2015)	55%	\$700,000
Year 4 (Oct. 2015 – Sept. 2016)	57%	\$850,000
Year 5 (Oct. 2016 – Sept. 2017)	57%	\$950,000
Year 6 (Oct. 2017 – Sept. 2018)	62.5%	\$1,000,000
TOTAL		\$3,725,000

Titan plans to invest \$1.6 million to purchase and install the digital screens and network. Titan will reimburse themselves for the capital costs out of the initial revenue generated, after payment of the MAG.

ALTERNATIVES:

The District could reject the Titan proposal and either wait to include digital screens in the Request for Proposals for the new Franchise Agreement in 2018 or discontinue consideration of the proposed conversion to digital screens.

RECOMMENDATION:

It is recommended that the Board adopt the following motion. The amendment will be approved as to form by the Office of the General Counsel.

MOTION:

The General Manager is authorized to execute an amendment to Agreement No. 6M7066 – Poster Advertising Franchise Services with Titan Outdoor LLC, which is set to expire on September 30, 2018, to convert 48 poster ad frames to 24 digital screens.