

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

BOARD MEETING AGENDA

February 24, 2011

9:00 a.m.

A regular meeting of the Board of Directors will be held at 9:00 a.m. on Thursday, February 24, 2011, in the BART Board Room, Kaiser Center 20th Street Mall – Third Floor, 344 – 20th Street, Oakland, California.

Members of the public may address the Board of Directors regarding any matter on this agenda. Please complete a "Request to Address the Board" form (available at the entrance to the Board Room) and hand it to the Secretary before the item is considered by the Board. If you wish to discuss a matter that is not on the agenda during a regular meeting, you may do so under 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 February 10, 2011.* Board requested to authorize.
- B. Award of Contract No. 15EL-150, Installation of DC Switchgear Load Measuring and Protection Equipment at Gap Breaker Stations CXE, MXP and Substation AFM.* Board requested to authorize.
- C. Award of Invitation for Bid No. 8885, Low Speed Bull Gears.* Board requested to authorize.

3. ADMINISTRATION ITEMS

Director Blalock, Chairperson

- A. (CONTINUED from February 10, 2011, Board Meeting)
Customer Satisfaction Survey.* For information.

4. ENGINEERING AND OPERATIONS ITEMS

Director Fang, Chairperson

- A. (CONTINUED from February 10, 2011, Board Meeting)
Quarterly Performance Report, Second Quarter Fiscal Year - 2011 Service Performance Review.* For information.
- B. Update: Oakland Airport Connector Project.* For information.

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

Director Murray, Chairperson
NO ITEMS.

6. GENERAL MANAGER'S REPORT

NO REPORT

7. BOARD MATTERS

- A. Roll Call for Introductions.

8. GENERAL DISCUSSION AND PUBLIC COMMENT

9. CLOSED SESSION (Room 303, Board Conference Room)

A. (CONTINUED from February 10, 2011, Board Meeting)

CONFERENCE WITH REAL PROPERTY NEGOTIATOR.

Property: Property Located at the Millbrae BART Station
District Negotiators: Carter Mau, Executive Manager, Planning & Budget; and
Jeffrey P. Ordway, Manager, Property Development
Negotiating Parties: Justin Development, Republic Urban Properties/Green Valley
Corporation, TMG Partners, and San Francisco Bay Area
Rapid Transit District
Under Negotiation : Price and Terms
Gov't Code Section: 54956.8

B. (CONTINUED from February 10, 2011, Board Meeting)

PUBLIC EMPLOYMENT:

Title: Independent Police Auditor
Gov't Code Section: 54957

C. (CONTINUED from February 10, 2011, Board Meeting)

CONFERENCE WITH LABOR NEGOTIATORS - PUBLIC EMPLOYEE
PERFORMANCE EVALUATION:

Agency Negotiators: Directors Fang, Franklin, and Blalock
Title: Controller/Treasurer
Gov't Code Sections: 54957 and 54957.6



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>[Signature]</i>		GENERAL MANAGER ACTION REQ'D:		
DATE: c 2/16/11		BOARD INITIATED ITEM: No		
Originator/Prepared by: Abdulhaque Shaikh Dept: <i>[Signature]</i>	General Counsel <i>[Signature]</i> 2-15-11	Controller/Treasurer <i>[Signature]</i> []	District Secretary []	BARC <i>[Signature]</i> 2/16/11
TITLE:				

Award Contract No. 15EL-150 for Installation of DC Switchgear Load Measurement And Protection Equipment At Gap Breaker Stations CXE, MXP and Substation AFM

NARRATIVE:

PURPOSE:

To obtain Board authorization for the General Manager to award Contract No. 15EL-150 for Installation of DC Switchgear Load Measurement And Protection Equipment At Gap Breaker Stations CXE, MXP and Substation AFM to JDI Electrical Services, Inc.

DISCUSSION:

This Contract will replace original dc switchgear load measuring equipment at the District's core traction power stations with new District-furnished dc switchgear load measuring and protection equipment at gap breaker stations CXE, MXP and substation AFM.

The original auto load measuring equipment has been operating in revenue service since the mid-1970s and was provided by General Electric Co. (GE). This existing equipment is frequently failing. In-kind replacement from GE and spare parts are not available to maintain and repair the aging equipment.

The new District-furnished equipment, in addition to load-measuring controls, also includes over current and rate of current rise protection, contact rail voltage indication, and improved reclosing control logic. Also, the new equipment is equipped with high-speed data recording and remote data collection capabilities. The installation of this new equipment improves maintenance and fault-clearing capabilities of the dc switchgear of the core traction power stations, and frees critical spares needed for remaining existing equipment. Depending upon availability of capital funding, additional public works contracts will be issued for the replacement at the remaining traction power stations.

On December 6, 2010, the advance notice to bidders was mailed to sixty five (65) prospective bidders and Contract documents were sent to twenty two (22) plan rooms. The Contract was advertised on December 6, 2010. A pre-bid meeting and job site tour were conducted on December 20, 2010 with five (5) prospective bidders attending. There was one addendum issued for this Contract. The following three (3) bids were received and publically opened on January 18, 2011.

BIDDER		TOTAL BID
JDI Electrical Services, Inc.	Manteca, CA	\$247,958.00
Blocka Construction, Inc.	Fremont, CA	\$249,330.00
Steiny and Company, Inc.	Vallejo, CA	\$342,986.00
Engineer's Estimate		\$300,000.00

Bids were evaluated and staff determined that the apparent low Bid submitted by JDI Electrical Services, Inc., of Manteca, CA is responsive to this solicitation. Further examination of business experience and financial capabilities of JDI Electrical Services, Inc has resulted in determination that the Bidder is responsible and the Bid of \$247,958.00 submitted by JDI Electrical services is fair and reasonable based upon adequate price competition.

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.

FISCAL IMPACT:

Funding of \$247,958 for the award of Contract 15EL-150 is included in the total project budget for FMS #15EL – Traction Power Controls/Protection. 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 sources:

F/G 54G - FTA-CA-90-Y604 FY08 Capital Assistance

\$247,958

As of the month ending 1/2/2011, \$590,000 is available for commitment from this fund source for this project and BART has committed \$0 to date. There is a pending commitment of \$248,577 in BART's financial management system. This action will commit \$247,958 leaving an uncommitted balance of \$93,465 in this fund source.

There is no fiscal impact on available unprogrammed District Reserves.

ALTERNATIVE:

Reject all Bids and readvertise the Contract. It is staffs' opinion that rejecting the bids and readvertising the Contract would not result in better pricing, would delay this capially-funded critical ongoing Traction Power System renovation, and would incur additional cost for readvertising.

RECOMMENDATIONS:

On the basis of analysis and evaluation by staff, it is recommended that the Board adopt the following Motion.

MOTION:

The General Manager is authorized to award Contract No. 15EL-150, for Installation of DC Switchgear Load Measuring and Protection Equipment at Gap Breaker Stations CXE, MXP and Substation AFM to JDI Electrical Services, Inc. for the Bid price of \$247,958.00 pursuant to notification to be issued by the General Manager, subject to the District's protest procedures and FTA's requirements related to protest procedures.



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>Walter DelBue</i>		GENERAL MANAGER ACTION REQ'D: Approve and forward to the Board of Directors		
DATE: c 2/18/11		BOARD INITIATED ITEM: No		
Originator/Prepared by: Kirtland Smith Dept: RS&S <i>Kirtland Smith</i> Signature/Date: 2/16/2011	General Counsel <i>Douglass</i> 2/14/11	Controller/Treasurer <i>[Signature]</i> []	District Secretary []	BARC <i>Paul Verso</i> 2/17/11

Invitation for Bid No. 8885 - Low Speed Bull Gear

NARRATIVE:

PURPOSE: To obtain Board authorization to award Invitation for Bid (IFB) No. 8885 to Penn Machine Company of Blairsville, PA, in the amount of \$669,694.50 (inclusive of sales tax) for the purchase of low speed bull gears.

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

This is a twenty-four (24) 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 the availability of funding.

A Notice requesting Bids was published on December 29, 2010, and bid requests were mailed to eight (8) prospective bidders. Bids were opened on January 11, 2011, and four (4) bids were received.

Bidder	Unit Price (360 each)	Grand Total incl. 9.75% sales tax
Penn Machine Company (PA)	\$1,695.00	\$ 669,694.50
Acme Gear Company (NJ)	\$2,564.00	\$1,013,036.40
Strategic Sourcing LLC (KY)	\$2,774.00	\$1,096,007.40
Voith Turbo Inc. (PA)	\$2,918.58	\$1,153,130.96

Independent cost estimate by BART staff: \$ 806,059.54

Staff has determined that the apparent low bidder, Penn Machine Company, submitted a responsive bid. Staff has also determined that the bid pricing is fair and reasonable based on

Independent cost estimate by BART staff .

The District's 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: The purchase of the low speed bull gears are scheduled to be procured over the Contract's 24-month period at the following estimated annual costs:

FY2012	\$334,847.25
FY2013	\$334,847.25
Total	<hr/> \$669,694.50

Funding for the FY2012 expenditures of \$334,847.25 are currently available in the General Fund, Materials & Supplies Inventory build up account. Any additional orders of low speed bull gear over and above the currently available funds of \$334,847.25 will only be placed with Penn Machine Company upon certification by the Controller-Treasurer that funds are available.

ALTERNATIVE: Reject all bids and readvertise the Contract.

RECOMMENDATION:

On the basis of analysis by Staff, and certification by the Controller-Treasurer that the funds amounting to \$334,847.25 are available for the Fiscal Year 2012 expenditures, it is recommended that the Board adopt the following motion.

MOTION:

The Board authorizes the General Manager to award IFB No. 8885, an estimated quantity contract for Low Speed Bull Gears, To Penn Machine Company, for the price of \$669,694.50 (inclusive of sales tax), pursuant to notification to be issued by the General Manager, subject to compliance with the District's Protest Procedure.