

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

AGENDAS FOR BOARD AND COMMITTEE MEETINGS

March 8, 2007

9:00 a.m.

A regular meeting of the Board of Directors and regular meetings of the Standing Committees will be held on Thursday, March 8, 2007, commencing at 9:00 a.m. All meetings will be held in the BART Board Room, Kaiser Center 20<sup>th</sup> Street Mall – Third Floor, 344 – 20<sup>th</sup> Street, Oakland, California.

Members of the public may address the Board of Directors and Standing Committees regarding any matter on these agendas. 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” and “consent calendar addenda” 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 who wish to address BART Board matters. A request must be made within one and five days in advance of Board/Committee meetings, depending on the service requested. Please contact the Office of the District Secretary at (510) 464-6083 for information.

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 22, 2007.\* Board requested to authorize.
- B. Revision to 2007 Standing Committee and Special Appointments.\* Board requested to ratify.

## **RECESS TO STANDING COMMITTEES**

Immediately following the Standing Committee Meetings, the Board Meeting will reconvene, at which time the Board may take action on any of the following committee agenda items.

### **ALL COMMITTEES ARE ADVISORY ONLY**

#### ADMINISTRATION COMMITTEE

Immediately following the Board Meeting recess

Director Franklin, Chairperson

- A-1. Authorization to Execute Agreement No. 6M4026 with Security Life Insurance Company of America and Claremont Behavioral Services for Comprehensive Employee Assistance Program (EAP) Services.\* Board requested to authorize.
- A-2. Fiscal Year 2008 Budget: Review of Fiscal Year 2008 Pro Forma Operating Budget.\* For information.
- A-3. General Discussion and Public Comment.

#### PLANNING, PUBLIC AFFAIRS, ACCESS, AND LEGISLATION COMMITTEE

Immediately following the Administration Committee Meeting

Director Radulovich, Chairperson

- B-1. 2007 Customer Satisfaction Survey.\* For information.
- B-2. General Discussion and Public Comment.

#### ENGINEERING AND OPERATIONS COMMITTEE

Immediately following the Planning, Public Affairs, Access, and Legislation Committee Meeting

Director Fang, Chairperson

- C-1. Award of Contract No. 01VJ-110, Union City Intermodal Station: Phase I BART Site Improvements.\* Board requested to authorize.
- C-2. (CONTINUED from February 8, 2007, Engineering and Operations Committee Meeting)  
Smart Card Parking and Fare Solutions.\* For information.
- C-3. General Discussion and Public Comment.

### **RECONVENE BOARD MEETING**

#### **3. CONSENT CALENDAR ADDENDA**

Board requested to authorize as recommended from committee meetings above.

#### 4. REPORTS OF STANDING COMMITTEES

##### A. ADMINISTRATION COMMITTEE

- A-1. Authorization to Execute Agreement No. 6M4026 with Security Life Insurance Company of America and Claremont Behavioral Services for Comprehensive Employee Assistance Program (EAP) Services.\* Board requested to authorize.
- A-2. Fiscal Year 2008 Budget: Review of Fiscal Year 2008 Pro Forma Operating Budget.\* For information.

##### B. PLANNING, PUBLIC AFFAIRS, ACCESS, AND LEGISLATION COMMITTEE

- B-1. 2007 Customer Satisfaction Survey.\* For information.

##### C. ENGINEERING AND OPERATIONS COMMITTEE

- C-1. Award of Contract No. 01VJ-110, Union City Intermodal Station: Phase I BART Site Improvements.\* Board requested to authorize.
- C-2. (CONTINUED from February 8, 2007, Engineering and Operations Committee Meeting)  
Smart Card Parking and Fare Solutions.\* For information.

#### 5. GENERAL MANAGER'S REPORT

- A. Review of the Draft Agenda for the Capitol Corridor Joint Powers Board Meeting of March 21, 2007.\* For information.
- B. Status of California Intercity and High Speed Rail Programs.\* For information.

#### 6. BOARD MATTERS

- A. Report of the District Security Advocacy Ad Hoc Committee. For information.
- B. Report of the District Organizational Review Ad Hoc Committee. For information.
- C. Roll Call for Introductions.

#### 7. GENERAL DISCUSSION AND PUBLIC COMMENT

#### 8. CLOSED SESSION (Room 303, Board Conference Room)

##### A. CONFERENCE WITH LABOR NEGOTIATORS – PUBLIC EMPLOYEE PERFORMANCE EVALUATION:

Agency Negotiators:	Directors Keller, Sweet, and Ward Allen
Titles:	General Manager, General Counsel, Controller/Treasurer, District Secretary
Gov't. Code Sections:	54957 and 54957.6

# SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

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## MEMORANDUM

**TO:** Board of Directors

**DATE:** March 2, 2007

**FROM:** District Secretary

**SUBJECT:** 2007 Standing Committee and Special Appointments - Revised

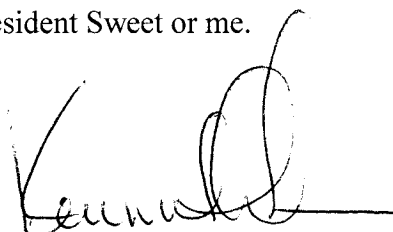
President Sweet is proposing a revision to the Standing Committee and Special Appointments for 2007.

The title of the Contra Costa Transportation Authority (CCTA) Liaison shall be changed to Representatives to the Contra Costa Transportation Authority. The membership shall remain the same. Vice President Murray will be designated the representative and Director Keller will be designated the alternate.

The revision to the Special Appointments is to improve the consistency between the District's designations and those of the CCTA.

Should you have any questions, please contact President Sweet or me.

Thank you.



Kenneth A. Duron

### Attachments

cc: Board Appointed Officers  
Deputy General Manager  
Executive Staff

RATIFICATION OF 2007 STANDING COMMITTEE  
AND SPECIAL APPOINTMENTS

REPRESENTATIVES TO THE  
CONTRA COSTA TRANSPORTATION AUTHORITY

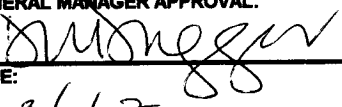
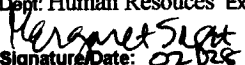
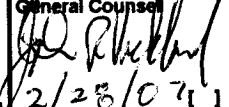

MOTION:

That the Board of Directors ratifies the proposed Representatives to the Contra Costa Transportation Authority.

Representative: Gail Murray  
Alternate: Joel Keller



## EXECUTIVE DECISION DOCUMENT

<b>GENERAL MANAGER APPROVAL:</b> 		<b>GENERAL MANAGER ACTION REQ'D:</b> Approve and forward to the Board		
<b>DATE:</b> 3/1/07		<b>BOARD INITIATED ITEM:</b> No		
<b>Originator/Prepared by:</b> Margaret Saget <b>Dept:</b> Human Resources Ext. 6198  <b>Signature Date:</b> 02/28/07	<b>General Counsel</b>  2/28/07 [ ]	<b>Controller/Treasurer</b>  2/29/07 [ ]	<b>District Secretary</b> [ ]	<b>BARC</b> [ ]

### NARRATIVE:

### APPROVAL OF A COMPREHENSIVE EMPLOYEE ASSISTANCE PROGRAM SERVICES AGREEMENT

#### PURPOSE:

To authorize the General Manager to execute Agreement No. 6M4026 to provide comprehensive Employee Assistance Program (EAP) services to BART employees and their families as well as substance abuse services for BART employees only. The Term of the Agreement will be for a period of five years.

#### DISCUSSION:

The District has provided Employee Assistance Program (EAP) services to BART employees and their family members since 1984. Employee Assistance Program services include counseling for employees and/or family members experiencing marriage or relationship problems, child or elder care issues, legal or financial difficulties, job stress and alcohol or drug problems. Substance abuse rehabilitation services have been provided for BART employees since 1990.

A Request for Proposals (RFP) to procure the services for EAP was mailed to eleven (11) potential proposers from a vendor list of known consultants with expertise in the field. The RFP was advertised in The Oakland Tribune and the Inter-City Express on May 9, 2006. A Pre-Proposal Meeting was conducted on May 22, 2006 and was attended by one company. On June 20, 2006, only one proposal was received; from Security Life Insurance Company of America (Security) and Claremont Behavioral Services (Claremont), who currently provide these services under a three-party agreement with the District.

A Selection Committee comprised of representatives from Human Resources, Transportation, Office of Civil Rights and Contract Administration conducted the proposal evaluation during the period June 27, 2006 through August 28, 2006. The Selection Committee determined that the proposal was responsive and met the minimum qualifications/technical requirements. Subsequently the price proposal was opened, showing a proposed contract price of \$5,206,317.

Staff revised the estimated quantity of services to more accurately reflect the recent utilization and submitted a revised price proposal form to Claremont and Security for their Best and Final Offer. Claremont and Security's subsequent price proposal reflected the same unit pricing as their original proposal. As a result of the reduction in estimated quantities for certain services, however, Claremont and Security's proposed price was reduced by 34% to \$3,410,952. The price is considered fair and reasonable based on staff analysis, which found that the unit price bid for substance abuse rehabilitation services is approximately equal to the California norm. Staff further determined that the neighboring AC Transit and Muni systems are paying similar costs for EAP services, which are provided to them by the same bidder.

## **EDD: APPROVAL OF A COMPREHENSIVE EMPLOYEE ASSISTANCE PROGRAM S**

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

### **FISCAL IMPACT:**

This agreement will provide EAP services, including substance abuse rehabilitation program services, for a period of five (5) years. The total anticipated cost for the five year period will not exceed \$3,410,952. Funds for the first year cost are included in the adopted Human Resources operating budget for FY07. Of the budgeted amount of \$472,003, \$247,800 remains available for the balance of FY07. Funds for subsequent fiscal years will be requested as part of the Human Resource's total budget.

### **ALTERNATIVE:**

Not enter into an agreement with Claremont Behavioral Services and Security at this time and seek other vendors. This alternative might compromise the District's ability to provide EAP and substance abuse rehabilitation program services, which it has agreed to provide to represented employees. Because of the wide distribution of the RFP and its limited response, staff believes that re-advertising the services is not likely to result in additional proposals.

### **RECOMMENDATION:**

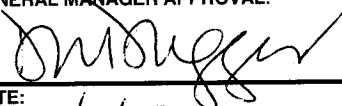
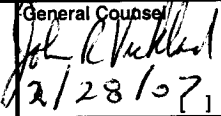
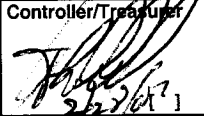
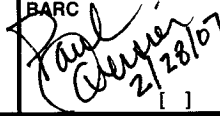
Adopt the following motion.

### **MOTION:**

The General Manager is authorized to enter into Agreement No. 6M4026 with Security Life Insurance Company of America and Claremont Behavioral Services for comprehensive Employee Assistance Program (EAP) services for BART employees and their families, as well as substance abuse rehabilitation services for BART employees, in an amount not to exceed \$3,410,952.00.



## EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: 		GENERAL MANAGER ACTION REQ'D: Approve and Forward to the March 8, 2007, E & O Committee Meeting		
DATE: 3/1/07		BOARD INITIATED ITEM: No		
Originator/Prepared by: Walt Sonnichsen Dept: TSD Ext. 7345 Signature/Date:	General Counsel  2/28/07	Controller/Treasurer  2/28/07	District Secretary [ ]	BARC  2/28/07

### NARRATIVE:

#### **Award of Contract No. 01VJ-110 Union City Intermodal Station, Phase 1 - BART Site Improvements**

**PURPOSE:** To obtain Board authorization for the General Manager to award Contract No. 01VJ-110 for site improvements at the Union City BART station to Top Grade Construction, Inc. of Livermore, CA.

**DISCUSSION:** Improvements to the Union City BART station are part of a long-range architectural master plan for a 50-acre transit-oriented mixed-use district centered on the BART station, encompassing both sides of the BART and Union Pacific Railroad (UPRR) tracks. Union City's Station District Master Plan of June 2001 envisions urban density housing, office, and retail, as well as community facilities and open spaces. Concepts being developed include a new double-sided intermodal facility that will establish a strong identity and focus for Union City's emerging mixed-use downtown; a flexible framework of amenable streets and city blocks that support development integrated with transit; the close proximity between transit modes to facilitate transfer; and the creation of new pedestrian and bicycle improvements, new development, open space, and community facilities that can become a positive front to transit.

The site improvements built under this Contract are the first phase of a general station renovation and expansion that is intended to create a new regional intermodal transit hub at Union City serving BART, AC Transit, Union City Transit, Dumbarton Express Bus, regional rail transit including the Capitol Corridor, ACE, the future Dumbarton Rail link to the peninsula, as well as potential future high speed rail service.

The site improvements will reconfigure parking areas and loop roads to improve traffic circulation and improve access for pedestrians, bicyclists, and bus riders in anticipation of a regional intermodal transit station.

A separate contract will be issued in spring of 2007 to build the station improvements including significant remodelling and expansion.

On December 14, 2006 the Advance Notice to Bidders was mailed to 180 prospective bidders, which included 73 Disadvantaged Business Enterprises, and various plan rooms. Contract Documents were sent to 20 plan rooms. The Contract was advertised on December 19, 2006 in



**EDD: Award of Contract No. 01VJ-110**

local publications. A total of 29 firms purchased copies of the Contract Documents. A pre-bid meeting and site visit were conducted on January 9, 2007 with 12 prospective bidders attending. Bids were publically opened on February 13, 2007.

The following bids were received:

<b><u>Bidder</u></b>	<b><u>Location</u></b>	<b><u>Total Bid</u></b>
Top Grade Construction, Inc.	Livermore, CA	\$6,988,000.00
Interstate Grading & Paving, Inc.	South San Francisco, CA	\$7,133,200.00
Bay Cities Paving & Grading, Inc.	Concord, CA	\$8,110,000.00
DeSilva Gates Construction, L.P.	Dublin, CA	\$8,167,000.00
RGW Construction, Inc.	Livermore, CA	\$8,389,999.00
Granite Construction Co.	Watsonville, CA	\$9,438,000.00

<b>Engineer's Estimate</b>	<b>\$10,688,000.00</b>
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The apparent low bid price submitted by Top Grade Construction, Inc. is \$6,988,000.00, which is 35% lower than the Engineer's Estimate of \$10,688,000.00. The Engineer's Estimate was based on a tight-bid situation with a three-bid scenario; but due to the rapid slump in the housing market, some contractors who usually do private work look to public projects such as this one. This favorable bidding environment would account for the receipt of a larger-than-expected number of competitive bids.

After review by District staff, the bid has been deemed to be responsive to the solicitation. Furthermore, staff's review of the low bidder's business experience and financial capabilities has resulted in a determination that the bidder is responsible and that the bid of \$6,988,000.00 submitted by Top Grade Construction, Inc. is fair and reasonable.

The City of Union City Redevelopment Agency Board and City Council on February 27, 2007 adopted resolutions approving the funding obligation and concurred with District staff's recommendation to award Contract No. 01VJ-110, Union City Intermodal Station, Phase 1 - BART Site Improvements to the low bidder, Top Grade Construction, Inc.

**FISCAL IMPACT:** Funding for \$6,988,000 for award of Contract No. 01VJ-110 is included in the total project budget for the FMS #01VJ, Union City Intermodal Station. The Office of the Controller/Treasurer certifies that funds are currently available to meet this obligation. The total cost of \$6,988,000 will be funded as follows:

<b><u>F/G 54C FTA CA-90-Y462</u></b>	<b><u>\$1,900,000</u></b>
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As of the month ending January 28, 2007, \$3,024,000 is available for the commitment from this fund source for this project and BART has committed \$132,441 to date. There are no pending commitments in BART's financial management system. This action will commit \$1,900,000, leaving an uncommitted balance of \$991,559 in this fund source.

**EDD: Award of Contract No. 01VJ-110**

F/G 55P STATE PTA (Union City)

\$5,088,000

As of the month ending January 28, 2007, \$10,507,000 is available for commitment from this fund source for this project and BART has committed \$0.00 to date. There are no pending commitments in BART's financial management system. This action will commit \$5,088,000, leaving an uncommitted balance of \$5,419,000 in this fund source.

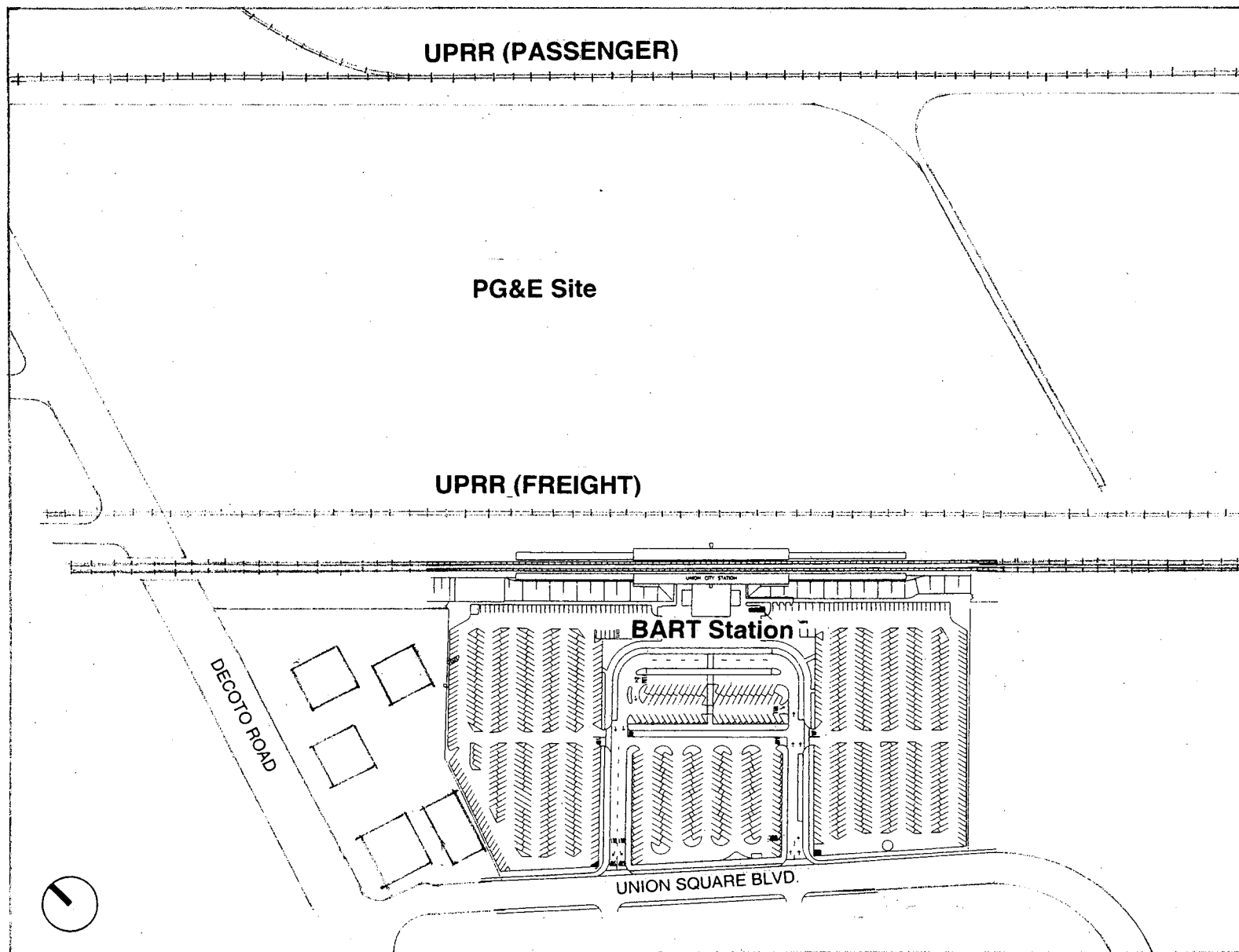
The City of Union City is the grantee of the F/G 54C and F/G 55P funds. The District is the sub-grantee of the funds.

There is no fiscal impact on available unprogrammed District Reserves.

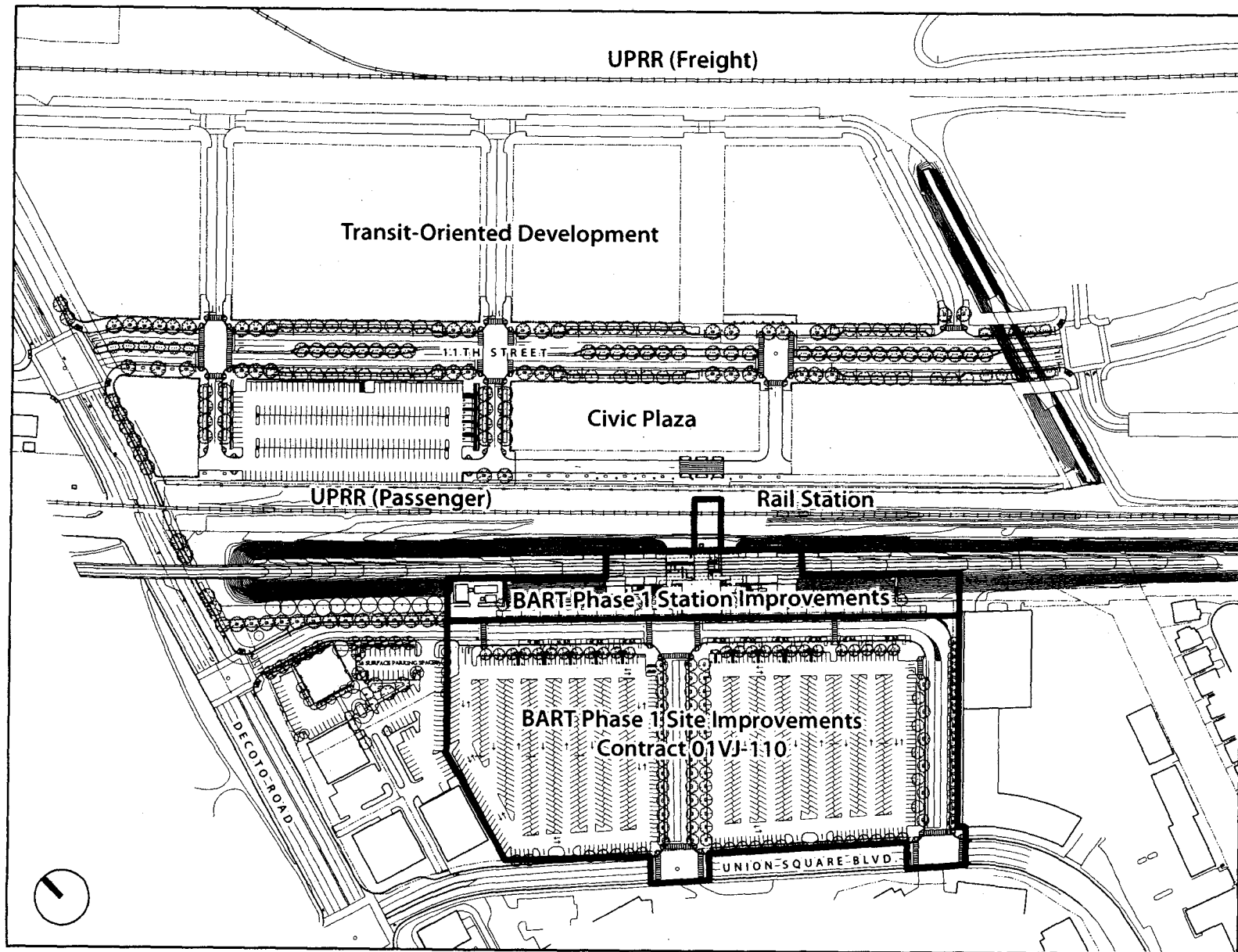
**ALTERNATIVES:** One alternative is not to award the Contract and not improve the site traffic and pedestrian circulation in preparation for a regional intermodal transit station. The other alternative is to rebid. Not awarding is not recommended as this project is the first phase of a master plan vision of future development for the City of Union City. Rebidding is also not recommended as the bid price for this Contract is fair and reasonable.

**RECOMMENDATION:** Based on staff analysis, it is recommended that the Board adopt the following motion:

**MOTION:** The General Manager is authorized to award Contract No. 01VJ-110 for the Union City Intermodal Station, Phase 1 - BART Site Improvements to Top Grade Construction, Inc. for the bid amount of \$6,988,000.00, pursuant to notification to be issued by the General Manager, subject to the District's protest procedures and FTA's requirements related to protests.



BEFORE



AFTER

# **CAPITOL CORRIDOR JOINT POWERS AUTHORITY**

## **MEETING OF THE CAPITOL CORRIDOR JOINT POWERS BOARD**

Wednesday March 21, 2007

10:00 a.m.

City Council Chambers

Suisun City Hall,

701 Civic Center Blvd., Suisun City, CA

(see attached map)

### **DRAFT AGENDA**

I. Call to Order

II. Roll Call and Pledge of Allegiance

III. Report of the Chair

IV. Minutes of November 15, 2006 Meeting

*Action*

V. Consent Calendar

*Action*

1. Second Phase of Quik Trak Ticket Vending Machine Project Installation: Budget Increase

VI. Action and Discussion Items (Executive Director)

1. Business Plan Update (FY 2007-08 – FY 2008-09)

*Action\**

2. Capitol Corridor Capitalized Track Maintenance Program - 2006 STIP

*Action*

3. Governor's Proposed FY 2007-08 Budget/Legislative Matters

*Action*

4. Managing Director's Report (Status of Service Performance)

*Info*

5. Work Completed

- a. Annual Performance Report (FY 06)

*Info*

- b. FY 06 CCJPA Independent Audit

*Info*

- c. Marketing Activities (November 2006 – February 2007)

*Info*

6. Work in Progress

- a. Purchase/Delivery of Security Cameras for Capitol Corridor Trains

*Info*

- b. Train Status Reporting: Call Center Interactive Voice Response System, CCJPA Website

*Info*

- c. Regional Measure 2 Projects: Bahia Crossover Project, Fairfield Vacaville Station

*Info*

- d. Automated Ticket Validation Pilot Program

*Info*

- e. Upcoming Marketing Activities

*Info*

VII. Board Member Reports

VIII. Public Comment

IX. CCJPA Board Vision Plan Update Workshop

X. Adjournment. Next Meeting Date: 10:00 a.m., April 18, 2007 at City Council Chambers, Suisun City Hall, 701 Civic Center Blvd., City of Suisun City, CA

#### Notes:

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Consent calendar items are considered routine and will be enacted, approved or adopted by one motion unless a request for discussion or explanation is received from a CCJPA Board Director or from a member of the audience.

\* Approval of the business plan requires an affirmative vote of at least two-thirds (11) of the appointed members.

The CCJPA Board provides services/accommodations upon request to persons with disabilities who wish to address Board matters. A request must be made within one and five days in advance of a Board meeting, depending on the service requested. Call (510) 464-6085 for information.