

**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 22, 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 22, 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.

A simultaneous teleconference location will be available at Granzella's Restaurant, 451 6th Street, Williams, 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 March 8, 2007.\* Board requested to authorize.
- B. Award of Contract No. 15QC-110, Repave Coliseum, Colma, and Rockridge BART Stations.\* Board requested to authorize.
- C. Award of Contract No. 17BJ-110, Construction of Radio Tower and Foundation/Supporting Facilities for New Radio Site at Oakland Shop.\* Board requested to authorize.
- D. Award of Invitation for Bid No. 8813, Fuse, Collector Shoe.\* Board requested to authorize.
- E. Award of Invitation for Bid No. 8819, Portable Radio System Equipment.\* Board requested to authorize.
- F. Approval of East Bay Paratransit Service Plan for Fiscal Year 2009 Measure B Claim.\* Board requested to authorize.
- G. Resolution Commending John R. Vickland.\* Board requested to adopt.

3. Public Comment on Items 3-A-1, 3-A-2, 3-B, 3-C, and 3-D only.

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

- A-1. CONFERENCE WITH REAL PROPERTY NEGOTIATORS: Oakland Airport Connector
  - Property: Oakland Airport Connector
  - District Negotiators: Teresa E. Murphy, Assistant General Manager – Administration; and Kathleen Mayo, Deputy Executive Manager – Transit System Development
  - Negotiating Parties: Port of Oakland and San Francisco Bay Area Rapid Transit District
  - Under Negotiation: Price and Terms
  - Government Code Section: 54956.8
- A-2. CONFERENCE WITH LABOR NEGOTIATORS: Oakland Airport Connector
  - Designated representatives: Thomas E. Margro, General Manager; and Teresa E. Murphy, Assistant General Manager – Administration
  - Employee Organizations: (1) Amalgamated Transit Union, Local 1555;  
(2) American Federation of State, County and Municipal Employees, Local 3993;  
(3) BART Police Officers Association;  
(4) BART Police Managers Association;  
(5) Service Employees International Union, Local 790; and  
(6) Service Employees International Union, Local 790, BART Professional Chapter
  - Government Code Section: 54957.6

- B. CONFERENCE WITH REAL PROPERTY NEGOTIATORS: eBART – East Contra Costa County Extension  
Property: Union Pacific Railroad right of way between Pittsburg, California, and Tracy, California (Mococo Line)  
District Negotiators: Thomas E. Margro, General Manager; and Ellen Smith, Division Manager, Planning  
Negotiating Parties: Union Pacific Corporation, Contra Costa Transportation Authority, and San Francisco Bay Area Rapid Transit District  
Under Negotiation: Terms of Agreement  
Government Code Section: 54956.8
- C. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION  
Name of Case: BART v. Homer J. Olsen; Alameda County Superior Court Case No. RG 06256371  
Government Code Section: 54956.9(a)
- D. 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

#### **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

Director Franklin, Chairperson

NO REPORT.

##### ENGINEERING AND OPERATIONS COMMITTEE

Immediately following the Board Meeting recess

Director Fang, Chairperson

B-1. On-Board Train Public Address Announcements Report.\* For information.

B-2. General Discussion and Public Comment.

PLANNING, PUBLIC AFFAIRS, ACCESS, AND LEGISLATION COMMITTEE  
Director Radulovich, Chairperson

NO REPORT.

**RECONVENE BOARD MEETING**

5. REPORTS OF STANDING COMMITTEES

A. ADMINISTRATION COMMITTEE

NO REPORT.

B. ENGINEERING AND OPERATIONS COMMITTEE

B-1. On-Board Train Public Address Announcements Report.\* For information.

C. PLANNING, PUBLIC AFFAIRS, ACCESS, AND LEGISLATION COMMITTEE

NO REPORT.

6. GENERAL MANAGER'S REPORT

NO REPORT.

7. BOARD MATTERS

A. Report of the District Security Advocacy Ad Hoc Committee. For information.

B. Report of the District Organizational Review Ad Hoc Committee: First Set of Actions Proposed by the Ad Hoc Committee.\* Board requested to concur.

C. Roll Call for Introductions.

8. GENERAL DISCUSSION AND PUBLIC COMMENT



## EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>[Signature]</i>		GENERAL MANAGER ACTION REQ'D: Approve and Forward to the Board		
DATE: 3/13/07		BOARD INITIATED ITEM: No		
Originator/Prepared by: Ersten Y Imaoka Dept: M & E Ext 6488 Signature/Date: <i>[Signature]</i> 3/2/07	General Counsel <i>[Signature]</i> 3/2/07 [ ]	Controller/Treasurer <i>[Signature]</i> 3/2/07 [ ]	District Secretary [ ]	PARC <i>[Signature]</i> 3/12/07 [ ]

NARRATIVE:

### Award Contract 15QC-110, Repave Coliseum, Colma and Rockridge Stations

#### PURPOSE:

To obtain Board authorization for the General Manager to award Contract 15QC-110, Repave Coliseum, Colma and Rockridge Stations, to Bay Cities Paving and Grading, Inc.

#### DISCUSSION:

This Contract, in general, consists of furnishing all labor, equipment, materials and services required to repave the surface parking lots of Coliseum, Colma and Rockridge Stations. Concrete, pavement restriping and marking, stall striping, stall numbering, signage and miscellaneous irrigation work are also part of the scope of this Contract.

Advance Notice to Bidders was mailed on January 23, 2007 to 119 prospective bidders. Contract Books were mailed to 20 plan rooms and Minority Assistance Organizations. The Contract was advertised on January 24, 2007. A Pre-Bid meeting was conducted on February 6, 2007, with four prospective bidders attending the meeting. The following five bids were received on February 20, 2007:

<u>Bidder</u>	<u>Location</u>	<u>Total Bid</u>
1. Bay Cities Paving and Grading, Inc	Concord	\$1,528,687
2. Granite Rock Co, dba Pavex Construction Division	San Jose	\$1,733,000
3. Interstate Grading & Paving, Inc	So SF	\$1,829,655
4. O.C. Jones & Sons, Inc	Berkeley	\$1,919,191
5. McGuire & Hester	Oakland	\$2,139,500

ENGINEER'S ESTIMATE

\$1,600,000

## **EDD: Award Contract 15QC-110**

District staff has determined that the apparent low bid submitted by Bay Cities Paving and Grading, Inc., is responsive to the solicitation, and the bidder's license, business experience, and financial capabilities indicate that the bidder is responsible. Staff has also determined that the bid of \$1,528,687, which is approximately 4% below the Engineer's Estimate, is fair and reasonable.

Staff has determined that this work is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Title 14, California Code of Regulations Section 15301 Existing Facilities, because it consists of the repair and minor alterations of an existing facility involving no expansion of use.

### **FISCAL IMPACT:**

Funding for this \$1,528,687 contract award is included in the total project budget for 15QC, Repave Parking Lots FY07. The Office of the Controller/Treasurer certifies that funds are currently available to meet this obligation.

**FY07 - 11 Capital Allocation**

**51W**

**\$1,528,687**

As of the period ending January 28, 2007, \$1,900,000 is available for commitment from this fund source for this project and \$291,908 has been committed to date by BART. There are no pending commitments in BART's financial management system. This action will commit \$1,528,687, leaving an uncommitted balance of \$79,405.

There is no fiscal impact on available unprogrammed District reserves.

### **ALTERNATIVES:**

The alternative is to reject all bids, which will result in deferral of pavement rehabilitation, further deterioration of the pavement surfaces, and more extensive and costlier repairs in the future.

### **RECOMMENDATION:**

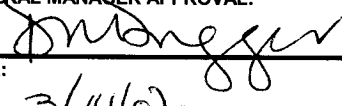
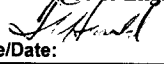
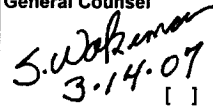
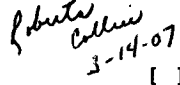
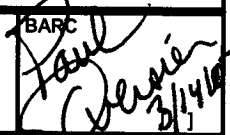
Adoption of the following motion:

### **MOTION:**

The General Manager is authorized to award Contract 15QC-110, Repave Coliseum, Colma and Rockridge Stations, to Bay Cities Paving and Grading, Inc., for the bid price of \$1,528,687, pursuant to notification to be issued by the General Manager and subject to compliance with the District's protest procedures.



## EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: 		GENERAL MANAGER ACTION REQ'D: Approve and Forward to the Board		
DATE: 3/14/07		BOARD INITIATED ITEM: No		
Originator/Prepared by: Thomas Herold Dept: Maintenance & Engineering Ext. 6535 Signature/Date:  3/14/07	General Counsel  3.14.07 [ ]	Controller/Treasurer  3-14-07 [ ]	District Secretary [ ]	BART  3/14/07

### NARRATIVE:

#### **Award of Contract No. 17BJ-110 For Construction of a Radio Tower and Foundation/Supporting Facilities for New Radio Site at Oakland Shops**

##### **PURPOSE:**

To authorize the General Manager to award Contract No. 17BJ-110 for Construction of a Radio Tower and Foundation/Supporting Facilities for New Radio Site at Oakland Shops, to TPI Acquisitions, Inc. of San Ramon, California.

##### **DISCUSSION:**

Due to the planned dismantling of the Lake Merritt Administration Building, a new radio site, to replace the existing radio site on top of the building, must be built and placed into service before the dismantling can begin. On April 27, 2006, the BART Board approved the Oakland Shops (OKS) Radio Site Project for construction of a new radio site at the Oakland Shops facility. This contract provides for that work.

On December 14, 2006, an Advance Notice to Bidders was sent to 44 construction firms possessing the required General Engineering License. Said notice was also sent to 24 Plan Rooms and Minority Assistance Organizations. On December 15, 2006, Contract No. 17BJ-110 was advertised in local newspapers and Construction Journals. Two Plan copies were sold. On December 19, 2006, District staff held a pre-bid meeting, with only 1 potential bidder attending.

No bids were received at the bid opening on January 9, 2007. Thereafter, the bid was extended to February 6, 2007. At that bid opening, the District received one bid as follows:

<u>Bidder's Name</u>	<u>Office Location</u>	<u>Total Bid Price</u>
TPI Acquisition, Inc.	San Ramon, CA	\$296,399.00

Engineer's Estimate:	\$260,000.00
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The contract bid form included a \$20,000 allowance which may be used only if differing site conditions from those described in the contract book are encountered during construction. Said allowance was not included in the Engineer's estimate. Without the

## **EDD: Award of Contract 17BJ-110**

\$20,000 allowance, the bid is within 6.3% of the Engineer's estimate.

District Staff has evaluated the bid, and has found it to be responsive to the terms of the Contract Book. Staff has determined that the bidder's licence, business experience, and financial capabilities indicate that the bidder is responsible. Staff has also determined that the bid price of \$296,399.00 is fair and reasonable.

### **FINANCIAL IMPACT:**

Funding for the \$296,399 contract is included in the total project budget for the FMS #17BJ, Lake Merritt Building Dismantling. The Office of the Controller/~~Treasurer~~ certifies that funds are currently available to meet this obligation.

### **F/G 01F Earthquake Safety General Obligation Bond**

**\$296,399**

As of the month ending January 28, 2007, \$7,000,000 is available for commitment from this fund source for this project and BART has committed \$2,165,878 to date. There are pending commitments of \$2,765,153 in BART's financial management system. This action will commit an additional \$296,399 leaving an uncommitted balance of \$1,772,570 in this fund source.

There is no fiscal impact on available unprogrammed District Reserves.

### **ALTERNATIVES:**

Not award the Contract. In the event that the Contract is not awarded, the District will be unable to replace the Lake Merritt radio site, and will thus be unable to undertake the dismantling of the Lake Merritt Administration Building.

### **RECOMMENDATIONS:**

Adoption of the following Motion.

### **MOTION:**

The General Manager is authorized to award Contract No. 17BJ-110 for Construction of a Radio Tower and Foundation/Supporting Facilities for New Radio Site at Oakland Shops, to TPI Acquisitions, Inc. of San Ramon, California for the bid price of Two Hundred Ninety Six Thousand Three Hundred Ninety Nine Dollars (\$296,399.00), pursuant to notification to be issued by the General Manager.



## EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>[Signature]</i>		GENERAL MANAGER ACTION REQ'D:		
DATE: 3/14/07		BOARD INITIATED ITEM: No		
Originator/Prepared by: Susan Presley Dept: Ext. 3/9/07	General Counsel <i>[Signature]</i> 3/9/07	Controller/Treasurer <i>[Signature]</i> 3-12-07	District Secretary	BARC <i>[Signature]</i> 3/12/07
Signature/Date: <i>[Signature]</i>	[ ]	[ ]	[ ]	[ ]

### NARRATIVE:

### Invitation for Bid No. 8813 - Current Collector Fuses

#### Purpose:

To obtain Board authorization to award Invitation for Bid No. 8813 to Alameda Electrical Distributors, Inc., Alameda, CA. in the amount of \$500,992.76, including sales tax, for the purchase of Current Collector Fuses.

#### Discussion:

The current collector fuse is the primary protection device for the transit vehicle. There are four (4) fuses on each vehicle. This fuse must be of the correct configuration, size, design, and specification for this purpose. As part of the Continuous Reliability Improvement Process, the District is replacing the existing shoe fuse assembly on 439 A2/B2 Cars. Purchase of this part is required to complete this modification.

A notice requesting bids was advertised on January 5, 2007. Bid requests were mailed to four (4) prospective bidders. Bids were opened on January 23, 2007 and one (1) bid was received.

<u>Bidder</u>	<u>1700 Each Unit Price</u>	<u>Total Including 8.75% Sales Tax</u>
Alameda Electrical Distribution, Inc.	\$270.99	\$500,992.76

Independent cost estimate by BART staff: \$517,000.00

Staff has determined that the apparent low bidder, Alameda Electrical Distributors, Inc., submitted a responsive bid. Staff has determined that the bid pricing is fair and reasonable based on previous purchases of this item.

#### Fiscal Impact:

Funding for FY08, in the amount of \$500,992.76, will be provided from the Rolling Stock and Shops Non-Inventory Materials Purchases, Account No. 680-030.

#### Alternative:

The Collector Shoe Fuse is the primary protection for the 1000 volt DC power system on the revenue vehicle. Failure to have fuses available will directly affect revenue service.

## **EDD: Invitation for Bid No. 8813 - Current Collector Fuses**

### **Recommendations:**

On the basis of analysis by staff it is recommended that the Board adopt the following motion.

### **Motion:**

The General Manager is authorized to award Invitation for Bid No. 8813 for the purchase of Current Collector Fuses, to Alameda Electrical Distributors Inc., Alameda, CA for the amount of \$500,992.76, including sales tax, pursuant to notification to be issued by the General Manager.



## EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>[Signature]</i>		GENERAL MANAGER ACTION REQ'D:	
DATE: <i>3/16/07</i>		BOARD INITIATED ITEM: No	
Originator/Prepared by: Anita C Sanchez Dept: Ext. Signature/Date:	General Counsel <i>S. Wakeman</i> <i>3-14-07</i> [ ]	Controller/Treasurer <i>Robert Collins</i> <i>3-14-07</i> [ ]	District Secretary <i>Paul [Signature]</i> <i>3/14/07</i> [ ]

### NARRATIVE:

#### Award of IFB No. 8819, Portable Radio System Equipment

**PURPOSE:** To request Board authorization to award Invitation For Bid # 8819 to High Desert Communication, Victorville, California in the amount of \$270,896.25 for the purchase of portable radios and supporting accessories.

**DISCUSSION:** The District's trunked radio system is used for routine and emergency wireless voice communications between the Operations Control Center and field personnel in trains, stations, and roaming supervisory staff. The trunked system operates using a proprietary protocol known as EDACS (Enhanced Digital Access Communications System), and all equipment using the trunked system must operate with this protocol. The Transportation & System Service Department seeks acquisition of 100 EDACS compliant handheld trunked radios with the necessary software and accessories (antennas, batteries and chargers) to replace radios that are no longer repairable.

A notice requesting bids was published on Nov 15, 2006 and bid requests were mailed to six (6) prospective bidders. Bids were opened on December 5, 2006 and two (2) bids were received.

<u>Bidder</u>	<u>Grand Total including 8.75 % Sales Tax</u>
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High Desert Communication	\$ 270,396.25
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Daily Wells Communication	\$ 290,444.06
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Independent cost estimate by BART staff: \$ 290,362.50

Staff has determined that **High Desert Communication** has submitted a responsive bid, and that the bid pricing is fair and reasonable based on a 30% discount from list price. The current pre-tax unit price of \$2,491 is less than the previous pre-tax unit price of \$2685.75.

**FISCAL IMPACT:** Funding for this acquisition, \$270,396.25 will be charged against the Transportation & System Service Department's FY 07 operating non-labor budget.

**ALTERNATIVE:** To not proceed with this acquisition will impede communication among field personnel if replacement equipment is not available when needed.

**RECOMMENDATION:** On the basis of analysis by staff it is recommended that the Board



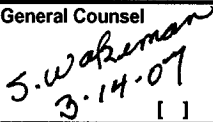
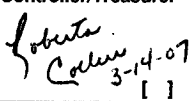
## **EDD: Award of IFB No. 8819, Portable Radio System Equipment**

adopt the following motion.

**MOTION:** The General Manager is authorized to award IFB No. 8819 for Portable Radios System Equipment to High Desert Communication for the amount of \$ 270,896.25 pursuant to notification to be issued by the General Manager and subject to compliance with the District's Protest Procedures.



## EXECUTIVE DECISION DOCUMENT

<b>GENERAL MANAGER APPROVAL:</b> 		<b>GENERAL MANAGER ACTION REQ'D:</b> Forward to Board for Approval March 22, 2007		
<b>DATE:</b> 3/14/07		<b>BOARD INITIATED ITEM:</b> No		
<b>Originator/Prepared by:</b> Susan Gallagher <b>Dept:</b> Customer Access Ext. X6184 <b>Signature/Date:</b>  3/14/07	<b>General Counsel</b>  3-14-07 [ ]	<b>Controller/Treasurer</b>  3-14-07 [ ]	<b>District Secretary</b> [ ]	<b>BARC</b> [ ]

### NARRATIVE:

#### Approval of East Bay Paratransit Service Plan for FY 2008 Measure B Claim

### PURPOSE

To approve a plan for East Bay Paratransit Consortium service in Alameda County in Fiscal Year 2008 to be submitted to Alameda County Transportation Improvement Authority (ACTIA) in order to secure funding from Alameda County's Measure B.

### DISCUSSION

In 2000, Alameda County residents adopted Measure B, a sales tax measure which will support transportation and transit projects from April 2002 through March 2022. The measure specifies that 1.49% of the annual net revenues are to be allocated to BART's provision of paratransit "services mandated by the Americans with Disabilities Act (ADA)" in Alameda County. As part of their process for claimants, ACTIA, the governing body for Measure B, requires that BART submit a plan for the use of the funds. The attached plan was prepared by staff for submittal with our claim for Fiscal Year 2008. AC Transit, which is also allocated paratransit funds through Measure B, will be submitting an identical plan. The plan emphasizes the federal requirements for ADA mandated service and specifies the ways in which East Bay Paratransit fulfills these requirements.

The plan was discussed with the Service Review Advisory Committee, which is the rider advisory committee to the East Bay Paratransit Consortium, on March 6, 2006. There were no requests for changes in the plan. The Service Review Committee of the East Bay Paratransit Consortium, consisting of representatives of the General Managers of BART and AC Transit, subsequently approved the plan for submittal to the BART and AC Transit Boards.

### FISCAL IMPACT

Following submittal of the plan and the General Manager's execution of a funding agreement, the District will receive 1.49% of the net revenues of Measure B, currently estimated to be \$1,736,237 in FY 2008. These funds, which are for the provision of paratransit in Alameda County, will offset approximately 18% of the District's paratransit program costs for East Bay Paratransit.

### ALTERNATIVES

Do not submit the plan and forgo the Measure B funds which will result in the District's need to contribute additional general funds to meet mandated ADA paratransit service obligations.

## **EDD: Approval of East Bay Paratransit Service Plan (FY 2008)**

### **RECOMMENDATION**

It is recommended that the Board adopt the following motion:

### **MOTION**

That the Board of Directors adopt the attached resolution approving the East Bay Paratransit Consortium Service Plan for FY 2008 to be submitted to Alameda County Transportation Improvement Authority as part of the process to claim Measure B funding for paratransit services in Alameda County mandated by the Americans with Disabilities Act .

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

In the Matter of Approving the  
East Bay Paratransit Service Plan  
For FY 2008 for

Submittal to Alameda County Transportation  
Improvement Authority

Resolution No. \_\_\_\_\_

WHEREAS, the Reauthorization of Measure B, approved by the voters of Alameda County in November 2000, authorized the extension of a half-cent sales tax for the purpose of funding transportation projects, and

WHEREAS, the Alameda County Transportation Improvement Authority (ACTIA) administers the sales tax proceeds from the Reauthorization, and

WHEREAS, ACTIA has established a specific process for disbursement of funds for "Special Transportation Services for Seniors and People with Disabilities", including those funds specified in the Measure as intended for paratransit services mandated by the Americans with Disabilities Act (ADA), and

WHEREAS, the Measure B expenditure plan provided that 1.49% of the net revenues of the half-cent sales tax be allocated to BART for provision of services mandated by the ADA in north and central Alameda County, and

WHEREAS, the process established by ACTIA requires the approval of an annual plan for the use of Measure B funds for the provision of paratransit services mandated by the ADA,

NOW, THEREFORE BE IT RESOLVED, that the Board of Directors of the San Francisco Bay Area Rapid Transit District hereby approves the East Bay Paratransit Service Plan For FY 2008 for submittal to ACTIA.

###

**Annual Program Submittal for Measure B Funding**

**--REVISED March 2007 --**

Two forms are required to be completed for this application, this cover sheet and your budget application, which is provided separately as an Excel spreadsheet. Answers can be entered into the fields on this form. Use the TAB key to move between fields. The fields will expand to allow as much room as needed for each answer. If you attach material, such as a driver training program, please provide a brief summary of the relevant information on this form.

**Application for Funding for Fiscal Year 2007/2008**

**1. Name of Jurisdiction**

San Francisco Bay Area Rapid Transit District (BART)

**2. Contact Person**

Name: Susan Gallagher

Title: Manager of Paratransit Programs

Address:

San Francisco Bay Area Rapid Transit District, 300 Lakeside Drive,  
16<sup>th</sup> floor, Oakland, CA 94612

Telephone: 510-464-6184

Fax: 510-464-6143

E-mail sgallag@bart.gov

**3. TYPE OF FUNDS APPLIED FOR (CHECK ONE)**

☒ Mandated

☐ Non-mandated

☐ Stabilization

☐ Minimum Service Level Gap Grant

**4. TOTAL AMOUNT OF FUNDS REQUESTED**

**1. Base Program: \$1,736,237**

**2. Minimum Service Levels Gap Grant:**

**5. GOVERNING BODY RESOLUTION AUTHORIZING SUBMITTAL OF THE PLAN**

☒ Copy attached

☐ Pending action on:

## 6. DESCRIPTION OF SERVICES TO BE PROVIDED

- Complete the Grid below

Service Component	Service Available? (Y/N)	Type of vehicle (van, sedan, bus, taxi)	Accessible? (Y/N)	Days/ hours of Service	Eligibility requirements	Service area limits	Fares	Provider average cost per trip	Rider cost per trip	Trip limits per year per rider
Same Day	N <sup>(1)</sup>									
Pre-scheduled	Y	Van or sedan	Y	Y	Y	Y	Y	\$39.49 <sup>(3)</sup>	\$3.00 to \$7.00	N
Shuttle	N									
Group Trips	N <sup>(2)</sup>									
EBP Tickets	N									

- Trips re-scheduled during the day, or “same day” trips are generally go-backs for riders not able to meet the originally schedule pick-up time.
- EBPC offers an extremely limited number of group trips to social service agencies.
- Calculated as follows: total provider costs less liquidated damages divided by total ADA passengers. Approximately 16% of passengers carried are attendants to the ADA passengers. If this is calculated as the provider cost per passenger carried, it would be \$33.65 (based on actual data July – December 2006).

**6A. DESCRIPTION OF SERVICE COMPONENTS AND PLANNED CHANGES**

Please provide a narrative description for each service component listed in Question 6 and describe any planned changes.

**Response:**

The East Bay Paratransit Consortium operates advance reservation service. Riders may call in as late as 5:00 pm today for service tomorrow. Reservations also are taken up to seven days in advance.

Trips are provided in sedans or accessible lift vans. Taxis are utilized occasionally for go backs or overflow.

Service operates the same days and hours as the fixed route services of AC Transit and BART and is available in the combined service area of AC Transit and BART in the East Bay, with through service into San Francisco, and along AC Transit service across the San Mateo Bridge.

Fares are distance based and are calculated as follows for each one-way trip:

For service in the East Bay		For service to / from San Francisco*	
Fare	Distance	Fare	Distance
\$3.00	0 – 8 miles	\$6.00	For destinations up to the Civic Center BART station
\$4.00	greater than 8 miles and up to 12 miles	\$7.00	For destinations beyond the Civic Center BART station
\$5.00	greater than 12 miles and up to 20 miles	*some San Francisco trips will require an additional MUNI charge of \$1.65	
\$6.00	greater than 20 miles		

EBPC does not impose limitations on the number of trips a rider can take, nor are trip requests prioritized.

## 7. VEHICLE FLEET

List separate vehicles that are lift/ramp equipped and those that are not. Specify "Lift", "Ramp", or "None" in the "Capacity" column.

Type of Vehicle	Lift/Ramp Equipment	Capacity (ambulatory and Wheelchair)		Number of Vehicles	Own/ contractor provided
Ford Crown Victorias	Sedans	4 seats		76	Provided by contractors
		Maximum ambulatory passengers	Maximum Passengers Using w/c's		
Chevy or Ford	Lift vans	14 amb/1 wc	2 amb/ 5 wc	48	Provided by contractors
Ford	Lift vans	14 amb/1 wc	2 amb/ 4 wc	40	Owned by AC Transit
Ford	Lift vans	11 amb/1 wc	2 amb/ 4 wc	5	Provided by contractors
Ford	Lift vans	18 amb/1 wc	2 amb/ 7wc	13	Provided by contractors
Ford	Lift van	16 amb/ 2 wc	16 amb/ 2 wc	1	Provided by contractor

**Total Lift Vans    107**  
**Total Sedans        76**  
**Total Vehicles    183**

## 7. OBJECTIVES

Identify objectives for the proposed services. As much as possible these should be measurable in numerical terms, and should be accompanied by a baseline measure for the existing service. For example, you might target increasing the number of trips provided from 10,000 projected in the current year to 15,000 in the plan year. Use the following table, expanding the boxes vertically as needed.

### Response:

The primary objective of EBPC is to deliver high quality, cost effective paratransit that meets the six service criteria of the ADA. The ADA-required criteria are intended to ensure that access to, and the quality of, ADA paratransit service is adequate to be considered comparable to fixed route bus or rail transit service.

**Alameda County Transportation Improvement Authority**  
**Special Transportation for Seniors and People with Disabilities**

<b>Objective</b>	<b>Baseline</b>	<b>Target for 06-07</b>
Service Area	Service is offered to all points within the combined service area of AC Transit and BART.	Continue
Response Time	Provide next day service.	Continue
Fares	Charge fares no more than twice the undiscounted fixed route fare	Continue
Trip Purpose	Accept requests for all types of trips without prioritization.	Continue
Hours and days of service	Operate during the same hours as AC Transit and BART.	Continue
Capacity Constraints	Allow no pattern or practice of denials, untimely pick-ups, missed trips, or excessively long trips.	Continue

Determination as to whether an agency has met the service criteria is made by the Federal Transit Administration (FTA) Office of Civil Rights or the U.S. Department of Justice, which conducts periodic ADA paratransit compliance assessments and respond to complaints.

#### **9. MEAL DELIVERY SERVICE**

Provide information about your program's meal delivery service in the table below, including funding allocations in the current fiscal year and next year (claim year), the length (in years) that you have used Measure B funds for meal delivery, and how you plan to fund your program if faced with revenue shortfalls.

**Not Applicable**

Measure B Funding for Meal Delivery Service- current year	\$
Estimated Measure B Funding for Meal Delivery Service – next fiscal year	\$
Length (in years) of Measure B Funding for meal delivery	<b>Years</b>
When faced with revenue shortfalls, how do you balance meal delivery with trip requests? Please explain:	

#### **10. DRIVER TRAINING**

Describe your driver training program.

**Response:**

Each Service Provider operates a driver-training program that complies with requirements of the EBPC. The contract language is as follows:

SERVICE PROVIDERS are required to develop a training program that addresses all staff positions including drivers. The program is approved by the BROKER prior to implementation. The training program shall include but not be limited to the following areas:

- Job function
- Operation of equipment
  
- Driver training that meets Federal and State requirements for ADA service and vehicle type
- ADA requirements: defensive and safe driving, passenger assistance; First-aid, and CPR training
- EBP history and policies
- Disability and aging awareness and sensitivity
- Diversity awareness and sensitivity, including cultural, racial, sexual orientation, age, and gender
- Recognizing and reporting sexual harassment

Training shall be repeated as often as is necessary to ensure adequate performance and knowledge and to meet local, state, and federal requirements.

Trainings are periodically audited by the Broker and Program Coordinator. Members of the consumer advisory group have also participated in the trainings from time to time.

## **11. ON-TIME PERFORMANCE**

Describe your policies concerning timely pick-ups or drop offs, including what window is allowed, if there is a standard for the percentage of pick-ups or drop offs that must occur within the window, the policy concerning early pick-ups, and whether there is a maximum amount of lateness after which a provider no-show or missed trip is counted.

### **Response:**

At the time the client makes a reservation, whether they have requested a particular pick-up or drop-off time, they are given a 30 minute pick-up window within which to expect their vehicle. When a client requests a drop-off for a particular time, a pick-up time is computed, based on expected travel time and time spent picking up and dropping off other passengers enroute. The East Bay Paratransit scheduling software and staff schedule the trip on a run to fit the specified pick-up window. Service providers are required to operate their service so as to pick-up the client within that window. Pick-ups made within the window are considered to be on-time. Pick-ups made after the window are considered to be late, even if they exceed the window by only a few minutes. If a driver arrives earlier than the window, the client may board the vehicle voluntarily, but is not required to board until the beginning of the window. Therefore, pick-ups made early are also considered on-time.

Missed trip or “provider no-shows” are reported for those trips where no ride takes place due to the fault of the service provider or broker. This may be a truly missed trip where the service provider does not make a scheduled pick-up. It can also occur when the service provider is late, even by a few minutes, and the rider refuses to board. In that case, there is no penalty to the rider. Very late trips are those where a ride is taken but the pick-up is 60 or more minutes past the scheduled pick-up window.

EBP has contractual standards in the agreement with the Broker to provide for an incentive to the Broker when overall on time performance is better than 93% as measured by AC Transit and BART. A disincentive is assessed when on-time performance drops below 91% for two months in a row. A disincentive of \$5000 is assessed the second month that the percentage of very late trips exceeds 0.2%.

The Broker’s contracts with the Service Providers also provide for financial penalties charged directly to the Service Providers for late trips, in the form of liquidated damages.

## **12. RIDE TIME POLICY**

Describe your policies concerning the maximum time a rider may be on a vehicle. Indicate if there is a maximum time, and if there is a standard for the percentage of trips that must be completed within this maximum time.

### **Response:**

Because of its large service area and variability in ride distance, EBPC does not have a maximum ride time limit. The expectation is that paratransit ride will take no more time than an equivalent trip by bus, including access and transfers.

Mean and median ride times are calculated and monitored monthly as part of the on-time performance tracking system. Ride time for individual trips is tracked via complaint. In general when complaints have been received, the paratransit trip has been found to take less time than an equivalent trip by bus.

## **13. RESERVATION POLICIES**

What are your policies for reserving trips? Describe these for each type of trip below. What advance notice is required or allowed? Are there limits on availability?

**Individual Trip Reservations:** All trips are by reservation. The reservation telephone center is open from 7:00 am to 7:00 p.m. daily, seven days per week. There is a 5:00 p.m. cut-off for next day service. Reservations are taken up to 7 days in advance.

**Subscriptions (Standing orders):** Standing order reservations are made for recurring trips. However, per ADA requirements, standing orders are limited to 50% of the service during times when there may be any denials due to capacity limitations. Requests for standing orders during constrained periods are placed on a first come/first served waiting list. Riders

**Alameda County Transportation Improvement Authority**  
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waiting for their desired time to open may make individual daily reservations up to one-week in advance.

**Same day trips:** Same day trips are generally provided only when necessary to meet medical “go backs” (e.g. the rider was unable to meet their original pick-up due to a late running doctor’s appointment).

**Group/program trips:** An extremely limited group trip program is available to Social Service Agencies. Certain restrictions apply and agencies scheduling group trips on this program must request the trip seven days in advance and provide written trip details.

#### **14. CANCELLATIONS AND NO SHOWS**

How far in advance is a rider required to cancel a trip before a no show is counted? What is your policy concerning riders with repeated no shows or late cancellations?

**Response:**

Cancellations must be made more than one hour prior to the beginning of the pick-up window. Cancellations made less than one hour before the pick-up window are counted as “no-shows” unless the cancellation is due to circumstances beyond the rider’s control, e.g. illness. The number of late cancels and other no-shows which are the rider’s fault are tracked. Riders may be suspended for 30 days for incurring more than six per quarter. There is an established procedure for such suspensions, including an appeals process. No-show and suspension policies are clearly spelled out in the Rider’s Guide given to all riders at the time of certification

#### **15. PROGRAM ENROLLMENT**

What is the maximum and average time between receiving an application and enrolling an applicant in the program?

**Response:**

The average processing time for applications for ADA paratransit eligibility at EBPC is 19 days. The ADA requirement is that if an eligibility determination has not been made within 21 days of receipt of a completed application, the agency must provide presumptive eligibility and service for that applicant until the process is complete. EBPC complies with this requirement, therefore 21 days is the maximum an eligible person waits for service, once their application is complete.

#### **16. WAITING LIST**

Is there a waiting list? If so, what are the policies that apply to it? How many people are on it? What is the average wait?

**Response:**

Waiting lists are prohibited by the ADA. There is no waiting list for service from EBPC.

## 17. CUSTOMER SATISFACTION

Describe how you will measure customer satisfaction, for example, by participating in a county-wide rider survey, tracking customer comments, or other means?

### **Response:**

EBPC measures customer satisfaction in several ways:

EBPC contracts for an independent annual telephone survey of a random sample of 400+ riders. This survey asks questions about many aspects of the service including overall customer satisfaction. The next survey is tentatively scheduled for April 2007.

Comment cards are available in the vehicles. These comments are almost always positive. If positive, they are tracked and reported monthly as commendations. If negative, they are processed like all other complaints.

EBPC has a Ride Reporter program where an individual rider from each of the four parts of our service area reports their travel experiences to the Program Coordinator. Ride Reporters' identities are not known to other staff. Although this is a small number of trips, the Program Coordinator uses information from the Ride Reporters as a double check on other methods.

## 18. COMPLAINTS AND COMMENDATIONS

Describe your complaint and commendation process. Please describe your process from beginning to end, including instructions provided to customers for filing complaints or commendations, your documentation procedures, your follow up and any changes you have made to your program as a result of customer complaints and commendations.

### **Response:**

Customer complaints received by the Broker's Office by telephone, letter, or in person are responded to and tracked by type. The numbers of complaints are reported to staff and to the SRAC by category. Complaint statistics and details are used to determine areas of the service needing attention from staff. Information uncovered in the complaint process is used to improve the service most often through specific attention to individual employees or through modification of service practices. The Broker's Operations Manager regularly reviews complaints and their responses to identify trends and issues.

Commendations are received at the Broker's office, logged, tabulated, and distributed to the employee.

## 19. PLANNING PROCESS

- A. List all activities undertaken in connection with this plan, including consumer or public meetings, meetings with other agencies, presentations to boards, commissions or committees, and provide general dates for these activities.
- B. Indicate whether this plan has been reviewed by a local paratransit advisory committee.
- C. Describe any surveys or analysis conducted and staff reports.
- D. Describe how the planning process is connected to the service plan: how do the services planned correspond to the results of the planning process?

### A. Public Meetings and Dates:

EBPC's Rider Advisory Committee, the Service Review Advisory Committee (SRAC), along with the EBPC executive committee, the Service Review Committee or SRC, reviewed the FY 07-08 application for Measure B funding at their combined March 6, 2007 meeting and took action to approve it. The agenda and minutes from that meeting are attached.

BART's Board of Directors reviewed the plan March 22, 2007. The Board resolution is attached.

### B. Has this plan been reviewed by a local paratransit advisory group? Yes.

**Committee Name:** Service Review Advisory Committee

**Meeting Date:** March 6, 2007

### Narrative Responses for C and D above:

EBPC is designed to fully meet the ADA paratransit obligations of BART and AC Transit in their combined service area. The FY 07-08 Measure B application maintains the agencies' objectives to meet all requirements of the ADA.

## 20. NEEDS IDENTIFICATION

- What needs or priorities have been identified that will be met by proposed service changes?
- What needs or priorities will still not be met even after implementing proposed service changes?
- How many potential riders do you estimate will use this service this coming fiscal year?

### Response:

EBPC provides paratransit transportation for persons with disabilities who cannot use fixed route transit throughout Alameda County as well as other parts of the combined AC Transit and BART service area. The design meets the service criteria required under the ADA.

All ADA-required priorities are met by EBPC services. When individuals have needs that cannot be met by an ADA paratransit service, EBPC attempts to refer that person to other appropriate community services or paratransit systems.

EBPC has approximately 28,000 riders certified as eligible to use the ADA program as of December 2006. Of these, about 60% or 16,800 schedule at least one trip per year.

## **21. COORDINATION**

Describe how services will be coordinated with other Measure B paratransit services and/or mandated ADA paratransit services so that trips can be made throughout Alameda County. Examples of coordination may include (but are not limited to) reciprocal fare agreements, reciprocal agreements to provide trips into adjoining areas, arrangements for clients to ride on other systems, and transfer arrangements. Attach copies of agreements or memoranda of understanding for coordination.

### **Response:**

EBPC is one of three ADA paratransit services in Alameda County. The other two are LAVTA and Union City's services. Between the three services, travel is available for all eligible riders throughout the county and to adjoining areas. EBPC has on staff a full time regional trip coordinator to assist riders in placing reservations for travel into the service areas of adjacent operators.

There is frequent communication between staff of the cities operating local paratransit programs in Alameda County and EBPC, both informally and through ACTIA's Technical Advisory Committee meetings. This ongoing interaction has enhanced understanding and coordination between EBPC's ADA program and the local paratransit program offerings.

## **22. PERFORMANCE MEASUREMENT**

- How will you obtain and/or track necessary financial and operating information for program management and reporting?
- If private vendors or contractors are providing the information, what steps will you take to verify or check the accuracy of the information?
- If performance data is collected by sampling, what steps will be taken to ensure that samples are representative and randomized?

### **Response:**

A variety of financial and operation information is compiled, verified, and reviewed monthly by the Program Coordinator's office and agency staff. In addition, a quarterly performance

report of key indicators is available for public review and is distributed in conjunction with quarterly SRAC mailings.

On time performance is verified by a review of 100% of the driver manifests on five sample days, per month selected randomly, by the Program Coordinator's office.

EBPC data is audited by MTC (TDA Performance), and the BART internal audit department conducts periodic reviews. EBPC is also included in the FTA's Triennial Review of the individual transit agencies. In addition, EBPC underwent an FTA Paratransit Compliance Assessment in February 2003 during which no significant compliance issues were found.

### **23. PUBLIC INFORMATION AND OUTREACH**

Describe planned outreach to ensure that potential users of the services (including coordinated services) learn about them.

#### **Response:**

EBPC informs potential users of our service through brochures and Rider's Guides which have been widely distributed to individuals and Senior Centers, social workers, dialysis centers, city program managers, adult day health centers and others.

Information about EBPC is included on both BART's and AC Transit's websites and in written materials about the agencies. EBPC is included in MTC's Welfare to Work information.

Staff meets with its Service Review Advisory Committee on a quarterly basis. EBPC staff also organizes or participates in numerous rider outreach meetings, discussions with Social Service agency representatives, senior and disabled fairs, and paratransit and public transportation forums.

EBPC staff also participates regularly in paratransit rider based committees, such as ACTIA's Technical Advisory Committee and Paratransit Advisory and Planning Committee, AC Transit's Accessible Service Committee, and the BART Accessible Task Force.

### **24. BUDGET AND OPERATING PLAN AND FUND BALANCE RESERVE**

Use the spreadsheet provided to show past, current, and planned financial and operating information. If the budget shows funds being carried over from the budget year to future years, explain below the purpose of this planned carryover in the space provided below.

#### **Explanation of Fund Balance Reserve:**

Total Measure B Fund Balance Reserve (includes designated and undesignated funds): **\$0.00**

**Alameda County Transportation Improvement Authority  
Special Transportation for Seniors and People with Disabilities**

Total Measure B Designated Funds* – Capital	\$
Total Measure B Designated Funds* – Operations	\$
Total Measure B Undesignated Funds	\$
Total Measure B Fund Balance Reserve	\$
Designated Capital Funds have been carried over for three years or less	<input type="checkbox"/> Yes <input type="checkbox"/> No
Date when Capital Funds originally designated	/ /

Please describe how you plan to use your designated Capital funds\*:

Additional explanation of any notable accounting, contracting, or performance measurement practices that would affect program statistics not noted on the budget spreadsheet:

*\*Please see "Measure B Budget and Reporting Definitions" for a description of appropriate uses of designated funds. Designated Capital funds must be expended within three years of original designation.*

## 25. FTA SECTION 5310 FUNDS

Do you intend to apply for 5310 funds in the next fiscal year? ☐ Yes ☒ No.

## 26. MINIMUM SERVICE LEVEL (MSL) GAP GRANT FUNDS

The following questions are applicable if you intend to apply for minimum service level gap grant funding for the next fiscal year.

**We are applying for minimum service level gap grant funding for this next fiscal year:**

☐ Yes ☒ No, not applicable to ADA paratransit programs, only to city programs.

If "yes", please complete the table below.

**Alameda County Transportation Improvement Authority**  
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<b>Minimum Service Level (MSL)</b>	<b>Please describe how your program exceeds, meets or falls below each minimum service level</b>	<b>Program Requesting Minimum Service Level Gap funds to close this gap?</b>
<p><u><b>WHO PROGRAM SERVES</b></u></p> <ul style="list-style-type: none"> <li>• People 18 and above with disabilities who are unable to use fixed route services.</li> <li>• Seniors 80 and above without proof of disability</li> </ul> <p><b><i>YOUR PROGRAM EXCEEDS THIS MSL IF IT SERVES:</i></b></p> <ul style="list-style-type: none"> <li>• Minors with disabilities</li> <li>• Seniors under 80 without proof of disability.</li> </ul>	Not applicable to ADA paratransit programs.	<input type="checkbox"/> Yes
<p><u><b>TYPE OF SERVICE PROGRAM PROVIDES</b></u></p> <ul style="list-style-type: none"> <li>• Accessible individual demand-responsive service</li> </ul> <p><b><i>YOUR PROGRAM EXCEEDS THIS MSL IF:</i></b>  It offers additional services such as group trips or meal delivery.</p>	Not applicable to ADA paratransit programs.	<input type="checkbox"/> Yes
<p><u><b>FARES FOR SERVICE</b></u></p> <ul style="list-style-type: none"> <li>• Fares comparable to EBP and equated to distance for van/sedan trips</li> <li>• Fares for taxi trips not to exceed 50% of total cost of the trip</li> </ul> <p><b><i>YOUR PROGRAM EXCEEDS THIS MSL IF:</i></b>  If a rider pays less than they would for an EBP trip of equal distance or the rider subsidy is less than 50% of the cost of the trip for a taxi trip.</p>	Not applicable to ADA paratransit programs.	<input type="checkbox"/> Yes

**Alameda County Transportation Improvement Authority**  
**Special Transportation for Seniors and People with Disabilities**

Minimum Service Level (MSL)	Please describe how your program exceeds, meets or falls below each minimum service level	Program Requesting Minimum Service Level Gap funds to close this gap?
<u>INTERIM SERVICE FOR INDIVIDUALS APPLYING FOR OR AWAITING ADA CERTIFICATION</u> <ul style="list-style-type: none"> <li>• Interim service provided within three business days upon receipt of application</li> <li>• Interim service provided at the request of a health care or ADA provider.</li> </ul> <p><b><i>YOUR PROGRAM EXCEEDS THIS MSL IF:</i></b>  It provides interim service in less than three business days.</p>	Not applicable to ADA paratransit programs.	<input type="checkbox"/> Yes
<u>PROGRAM RESERVATIONS PERIOD</u> <ul style="list-style-type: none"> <li>• Program accepts reservations between 8 am and 5 pm Monday – Friday</li> </ul> <p><b><i>YOUR PROGRAM EXCEEDS THIS MSL IF:</i></b>  It accepts reservations before 8 am and/or after 5 pm or on weekends.</p>	Not applicable to ADA paratransit programs.	<input type="checkbox"/> Yes

Additional Questions to determine minimum service levels gap grant funding:

1. Please explain how input from your local community has impacted your ability to meet/not meet minimum service levels?
2. Does your program provide ADA equivalent service to those outside the ADA service corridor in your jurisdiction?
3. If MSL gap funding were to not become available in future years, what other funding sources would you use?
4. To what extent have you explored and documented other transportation options for seniors and people with disabilities provided by non-profit organizations in your community that might also close this service gap?

The above questions are not applicable to ADA paratransit programs.

## **27. ANNUAL AUDIT**

Date Annual Program Compliance report submitted to ACTIA: **December 20, 2006**

## **28. APPROVALS AND ASSURANCES**

Attach:

- A copy of a governing body resolution authorizing submittal of the plan, or a statement that the governing body has such an item on a forthcoming agenda.
- Resolution or comments from the relevant local consumer advisory group.
- Copies of agreements or memoranda of understanding for coordination.

The March 6, 2007 SRAC/SRC minutes and agenda are attached.

BART's Board resolution from their March 22, 2007 meeting is attached.

Before the Board of Directors of the  
San Francisco Bay Area Rapid  
Transit District

Resolution Commending  
John R. Vickland /

Resolution No. \_\_\_\_\_

Whereas, John R. Vickland has assisted in protecting the legal interests of the San Francisco Bay Area Rapid Transit District with exceptional skill and insight for over thirty-three years, and

Whereas, John R. Vickland has helped advance the District's goals during his career, including playing a key role as senior attorney on the East Bay and San Francisco Airport extensions of the system, and

Whereas, John R. Vickland has functioned ably in all his capacities during his career with the District, culminating with more than seven years as Associate General Counsel, and

Whereas, John R. Vickland is highly regarded by his colleagues and clients for his thoroughness, legal expertise, professionalism, problem solving ability and compassion, and

Whereas, John R. Vickland has provided wise counsel and advice to Directors, officers and employees of the District, and

Whereas, John R. Vickland's valuable service to the District is held in high esteem by the Board of Directors, officers and employees, and

Whereas, John R. Vickland has announced his well-earned retirement from the District effective April, 2007,

Now, Therefore, Be It Resolved that the Board of Directors of the San Francisco Bay Area Rapid Transit District does hereby take public cognizance of the immeasurable contribution that John R. Vickland has made to the BART organization and wishes him a long and satisfying retirement, and

Be It Further Resolved that a suitably engrossed copy of this Resolution be tendered to John R. Vickland as a token of the high esteem in which he is held by the members of the San Francisco Bay Area Rapid Transit District Board of Directors.

Adopted by the Board of Directors  
of the San Francisco Bay Area Rapid Transit District  
March 22, 2007

ATTEST:

\_\_\_\_\_  
Kenneth A. Duron  
District Secretary

\_\_\_\_\_  
Lynette Sweet  
President

# MEMORANDUM

## Enclosures

**MOTION:**

The Board of Directors concurs with the first set of actions proposed by the District Organizational Review Audit Ad Hoc Committee, dated March 16, 2007, regarding the recommendations contained in the *Organizational Audit and Review of the Bay Area Rapid Transit District - Final Report* prepared by the Doolittle & Associates Team.

	<b>Doolittle Report Recommendations</b>	<b>Proposed Action</b>	<b>Funding Plan</b>	<b>Remarks</b>
	<p><b>Group Interviews</b> <span style="float: right;">Page 7</span></p> <p>1 Develop program of quarterly meetings with changing groups of employees.</p> <p>2 Provide more feedback to employees who are passed over for promotions.</p> <p>3 Provide adequate cleaning supplies and spare equipment.</p> <p>4 Alert Transportation employees of efforts to improve radio system.</p> <p>5 Investigate if additional portable batteries should be provided to train operators.</p> <p>6 Re-introduce low cost incentive programs.</p> <p>7 Communicate existing training opportunities to employees more broadly.</p> <p>8 Streamline current suggestion program.</p>	<p>Communication program to be launched in FY08.</p> <p>Human Resources has started an improvement process that will continue into FY08.</p> <p>Employees should bring any concerns of this nature to their supervisor or union rep.</p> <p>Continue communication on this issue until the radio re-banding project is complete.</p> <p>Currently exploring additional avenues for train operators to charge their batteries including terminal zones, yards and reporting locations.</p> <p>A manager advisory committee is currently researching options for an incentive program.</p> <p>Part of the FY08 work plan.</p> <p>Program will be re-vamped in FY08.</p>	<p>Utilize existing resources.</p> <p>Utilize existing resources.</p> <p>Utilize existing resources.</p> <p>Utilize existing resources.</p> <p>Utilize existing resources.</p> <p>Proposed FY08 Budget</p> <p>Utilize existing resources.</p> <p>Utilize existing resources.</p>	<p><i>A written response will go to each participant.</i></p> <p>May include some combination of surveys, focus groups and random meetings.</p> <p>Two articles have been placed in Ops in a Flash and future articles are planned. Direct communication with radio users is planned as the District gets closer to the change over to new radio band.</p> <p>By FY08, charging stations will be made available at these locations.</p> <p>This recommendation refers to an employee recognition program.</p> <p>Updated program will have defined award limits and program parameters.</p>

16-Mar-07

P2	<b>Doolittle Report Recommendations</b>	<b>Proposed Action</b>	<b>Funding Plan</b>	<b>Remarks</b>
9	Communications training for management staff.	Part of the management development curriculum being implemented by Human Resources.	Proposed FY08 Budget	See Human Resources item #24.
10	Identify consultants working at BART for long periods and assess if hiring BART staff would better serve the District.	See attachment.	NA	The District uses seconded employees on a very limited, project specific basis. Secured employees receive direction and have their work managed by BART staff.
11	Review and improve info provided to passengers related to fare changes.	Extensive communication and outreach to passengers regarding fare/schedule changes will continue.	Utilize existing resources.	More information regarding why fares/schedules are changing will be included in future flyers and printed material.
<b>Transportation Recommendations</b> Page 13				
12	Maintain current number of Foreworkers in terminals and towers	Agree.		
13	Redefine Foreworkers' classification to exclude Foreworkers' classification to exclude Line Foreworkers positions.	Meet and confer with unions in FY08.	To be determined (tbd).	Recommendations 13-19 might be accomplished by negotiating new side letters with the unions; however, these may need to become part of the collective bargaining agreement negotiation process in FY09.
14	Reallocate Line Foreworkers' positions to a new classification composed of line Foreworkers, Transportation Supervisors and Line Technicians	Meet and confer with unions in FY08.	tbd	" "
15	Split up Foreworkers into Tower Operator, Terminal Foreworker and Line Foreworkers.	Meet and confer with unions in FY08.	tbd	" "

16-Mar-07

P3	<b>Doolittle Report Recommendations</b>	<b>Proposed Action</b>	<b>Funding Plan</b>	<b>Remarks</b>
16	Combine Line Foreworker position with Line Tech and Transportation Supervisors for a single new multi-functional position.	Meet and confer with unions in FY08.	tbd	" "
17	Train/qualify Tower Operators and Terminal Foreworkers on one location at a time.	Meet and confer with unions in FY08.	tbd	" "
	<b>Rolling Stock &amp; Shops Recommendation</b> <b>Page 15</b>			
18	Combine classifications of Main Line Tech, Line Foreworker and Transportation Supervisor to create a single class.	Meet and confer with unions in FY08.	tbd	" "
	<b>M&amp;E Recommendations</b> <b>Page 16</b>			
19	Strive to negotiate changes in work rules to allow mgmt to increase people working on weekends.	Meet and confer with unions in FY08.	tbd	" "
20	BART should follow the model of its elevator/escalator training program in other technical disciplines.	Management has and will continue to work with union leadership in an effort to model other programs after its elevator/escalator program.	tbd	
	<b>Ops Training &amp; Support and Ops Planning</b> <b>Page 17</b>			
21	Operations should consider combining three analytical groups.	<b><i>Not recommended for implementation under current circumstances.</i></b>	NA	

16-Mar-07

P4	Doolittle Report Recommendations	Proposed Action	Funding Plan	Remarks
22	Migrate to a suite of computerized tools to schedule trains and operators, assign runs, develop public timetables and feed on-trip planning system.	Phase I, currently underway, will be implemented during FY07/FY08. Phase II will be implemented in FY09.	Will be a FY09 Budget proposal.	Phase I is being implemented with new software. Phase II will require acquisition and development of additional software to perform some or all of the automated scheduling and assignment functions and to produce products compatible with BAP.
	<b>Human Resources Recommendations</b> <b>Page 35</b>			
23	BART should support the Human Resources Manager in implementing improvements including, upgrading the skills of HR staff and making the department's services more effective.	Propose additional resources in FY08 to help attract and retain excellent employees and to offer better efficient and effective services to District employees.	Proposed FY08 Budget	Three additional positions are proposed as part of the FY08 budget to support Departmental improvements identified in #23, 24, 27 and 28.
24	HR should take the lead in a "Grow Your Own" management & technical development program designed to assure development & career advancement at all levels.	Develop and implement a proactive agenda of career development and management learning programs.	Proposed FY08 Budget	Plans include an internship initiative for future managers and selected developmental experiences for front line employees.
25	Postpone elimination of the personnel analyst as recommended by BAP Organizational Impact Assessment.	Agree	NA	
26	Do not eliminate 2 positions in Classification as recommended by BAP.	Agree	NA	
27	Create performance measures that are tabulated and tracked that measure work days lost to workers' comp, FMLA, AB109, disability and other non-sick days leaves. Identify goals and programs to achieve reductions.	Fully utilize PeopleSoft's capability to manage District investment in labor. Develop queries and other reporting & analytical strategies for more effective monitoring and forecasting patterns of labor utilization.	Proposed FY08 Budget	

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P5	Doolittle Report Recommendations	Proposed Action	Funding Plan	Remarks
28	Establish criteria for use of temp and contract employees, and maintain list of all such employees, justification for their use, and their cost.	Develop criteria in FY08 and monitor, as indicated.	Utilize existing resources.	On-going.
Labor Relations Recommendations Page 28				
29	Adapt internal operations to reflect new Grievance Tracking System under BAP.	Data will be input into the BAP system in FY08.	Utilize existing resources.	On-going.
30	Fill Department's vacant positions.	Currently in process now that the new manager is on-board.	Utilize existing resources.	Two positions will be filled in FY07. A new position is proposed as part of the FY08 Preliminary Budget.
31	Move TSSD Operations Supervisor from Operations to Labor Relations.	FY08 is a transition year with both departments sharing the Operations Supervisor half-time.	Utilize existing resources.	
32	Keep current Labor Relations reporting relationship.	Current reporting relationship will continue.	NA	
33	Develop and promulgate policies and procedures and related roles and responsibilities.	These are job responsibilities of the new Labor Relations Manager.	Utilize existing resources.	Currently underway.
34	Define standard for responding to operating units' requests. Track how fast how well Labor Relations staff are responding.	These are job responsibilities of the new Labor Relations Manager.	Utilize existing resources.	Currently underway.
35	Create a Manager's Guide for ATU and Police.	Planned for FY08.	Proposed FY08 Budget	SEIU Manager's Guide may be complete by the end of FY07.
36	Purchase Grievance Guide and make it required reading by staff involved in discipline or contract interpretation.	Copies are being purchased and reviewed in FY07, prior to wider distribution.	Utilize existing resources.	

16-Mar-07

P6	Doolittle Report Recommendations	Proposed Action	Funding Plan	Remarks
37	Modify Beneficial Practices provision to identify only those practices recognized by both labor and mgmt.	Begin compiling a list of known beneficial past practices and their estimated dollar value in FY08.	tbd	Will meet and confer in FY08. Will pursue as a collective bargaining issue in FY09.
38	Modify SEIU contract provision related to union review of job descriptions so BART can reorganize by meeting & conferring.	Meet and confer with union in FY08.	tbd	
39	Conduct thorough analysis before proceeding with arbitrations.	Review methods of current practices and implement improvements, as indicated.	Utilize existing resources.	Currently underway. On-going.
40	Train management staff and provide more comprehensive reference info for daily use than included in Guideline #21 (positive discipline).	Labor Relations and Human Resources will implement this recommendation as part of the comprehensive management training program being developed by Human Resources.	Proposed FY08 Budget	
<b>Partial List: Controller-Treasurer Recommendations</b> Pages 63-64				
41	Consider outsourcing station collection functions, outsourcing cash room operations.	<i>Not recommended for implementation under current circumstances.</i>	NA	
42	Shift oversight of Money Purchase Plan assets from Human Resources to the Controller Division, or include the Controller on the oversight committee.	<i>Not recommended for implementation under current circumstances.</i>	NA	

16-Mar-07

Position	Current Project	TSD Group	Approximate Continuous Service (months)	Prime Consultant	Remarks	Potential Union Affiliation	Est. Current Assignment Completion
Planning Engineer	AFC/OAC / WSX	AFC	60	BAH	Seconded	AFSCME	2007
Rep Engineer	AFC	AFC	36	BAH	Seconded	None	2007
Rep Engineer	OAC	AFC	36	Earth Tech	Seconded	None	2010
Consultant Lead	OAC	AFC	36	Lea Elliott			2008
Rep Engineer	AFC	AFC	36	BAH	Seconded	None	2007
Rep Engineer	AFC	AFC	36	BAH	Seconded	None	2007
Rep Engineer	AFC	AFC	36	BAH	Seconded	None	2007
Cost Scheduler	ESP	ESP	18	Bechtel			
Contracts Specialist	ESP	ESP	18	Bechtel			
Engineering Manager	ESP	ESP	20	Bechtel			
Rep Engineer	ESP	ESP	20	Bechtel	Seconded (6mos)	None	2007
Construction Manager	ESP	ESP	36	Bechtel			
Rep Engineer	ESP	ESP	12	Bechtel			
Inspector	ESP	ESP	18	Bechtel			
Document Mgr	ESP	ESP	21	Bechtel			
Structural Engineer	ESP	ESP	15	Bechtel			
Team Manager	ESP	ESP	36	Bechtel			
Contracts Manager	ESP	ESP	40	Bechtel			
Cost Controls Mgr	ESP	ESP	21	Bechtel			
Document Spec.	ESP	ESP	21	Bechtel			
Contracts Specialist	ESP	ESP	18	Bechtel			
Structural Engineer	ESP	ESP	24	Bechtel	HNTB		
Urban Design Mgr	ESP	ESP	12	Bechtel	HNTB		
Systems Coord/Engr	ESP	ESP	24	Bechtel	HNTB		
Structural Engineer	ESP	ESP	12	Bechtel	HNTB		
Structural Mgr-Aerials	ESP	ESP	36	Bechtel	HNTB		
Urban Design Mgr	ESP	ESP	12	Bechtel	HNTB		
Structural Lead	ESP	ESP	24	Bechtel	MG		
Specialist	ESP	ESP	12	Bechtel	Allen Group		

Chart only includes contract employees who work full-time and have been with the District for more than 12 months.

direction and have their work managed by BART staff.

**Project Key:** X=Warm Springs Extension  
ESP=Earthquake Safety Program  
LMA=Lake Merritt Admin Building Dismantle  
AATC=Advanced Automatic Train Control  
OAC=Oakland Airport Connector

	Current Project	TSD Group (Cont'd)	Approximate Continuous Service (months)	Prime Consultant	Remarks	Potential Union Affiliation	Est. Current Assignment Completion
ch	ESP	ESP	36	The Allen Group			
ch	WSX, ESP & LMA	ESP	24	The Allen Group			
	Multiple	Stations	12	Earth Tech	Seconded	None	2010
	eBART	Stations	12	PGH Wong			
	eBART	Stations	12	PGH Wong			
	Multiple	Stations	12	PGH Wong	Seconded	None	2010
	eBART	Stations	12	PGH Wong			
in	eBART	Stations	12	PGH Wong			
	Union City Intermodal	Stations	48	Jacobs Civil	Seconded	None	2012
r	Multiple	tations/WS	36	Earth Tech	Seconded	None	2010
	AATC & Other	Systems	48	Jacobs Civil	Seconded	SEIU	2012
	AATC & Other	Systems	48	Jacobs Civil	Seconded	None	2012
n	WSX/LMA Dismantle	WSX	12	WK	Seconded	SEIU	2012
	Current Project	M&E	Approximate Continuous Service (months)	Prime Consultant	Remarks	Potential Union Affiliation	Est. Current Assignment Completion
	Traction Power	M&E	52	PGH Wong	Seconded	None	2010
	Crossover & Others	M&E	36	Jacobs Civil	Seconded	None	2009
dmin.	Crossover & Others	M&E	36	Jacobs Construction	Seconded	SEIU	2010
visor	Telecom Rev Gen Prog	M&E	36	Jacobs Construction	Seconded	None	2007
ig	Station Mux	M&E	12	Jacobs Civil	Seconded	None	2007
ig	Station Mux	M&E	18	Jacobs Civil	Seconded	None	2007
ce	PM Procedures	M&E	18	B&C Transit Consultants	Seconded	None	2007

s contract employees who work full-time and have been with the District for more than 12 months.

\*Secunded employees receive direction and have their work managed by BART staff.