

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

BOARD MEETING AGENDA

August 11, 2016
9:00 a.m.

A regular meeting of the Board of Directors will be held at 9:00 a.m. on Thursday, August 11, 2016, in the BART Board Room, Kaiser Center 20th Street Mall – Third Floor, 344 – 20th Street, Oakland, California.

Members of the public may address the Board of Directors regarding any matter on this agenda. Please complete a “Request to Address the Board” form (available at the entrance to the Board Room) and hand it to the Secretary before the item is considered by the Board. If you wish to discuss a matter that is not on the agenda during a regular meeting, you may do so under Public Comment.

Any action requiring more than a majority vote for passage will be so noted.

Items placed under “consent calendar” are considered routine and will be received, enacted, approved, or adopted by one motion unless a request for removal for discussion or explanation is received from a Director or from a member of the audience.

Please refrain from wearing scented products (perfume, cologne, after-shave, etc.) to these meetings, as there may be people in attendance susceptible to environmental illnesses.

BART provides service/accommodations upon request to persons with disabilities and individuals who are limited English proficient who wish to address BART Board matters. A request must be made within one and five days in advance of Board meetings, depending on the service requested. Please contact the Office of the District Secretary at 510-464-6083 for information.

Rules governing the participation of the public at meetings of the Board of Directors and Standing Committees are available for review on the District's website (<http://www.bart.gov/about/bod>), in the BART Board Room, and upon request, in person or via mail.

Meeting notices and agendas are available for review on the District's website (<http://www.bart.gov/about/bod/meetings.aspx>), and via email (https://public.govdelivery.com/accounts/CATRANBART/subscriber/new?topic_id=CATRANBART_1904) or via regular mail upon request submitted to the District Secretary. Complete agenda packets (in PDF format) are available for review on the District's website no later than 48 hours in advance of the meeting.

Please submit your requests to the District Secretary via email to BoardofDirectors@bart.gov; in person or U.S. mail at 300 Lakeside Drive, 23rd Floor, Oakland, CA 94612; fax 510-464-6011; or telephone 510-464-6083.

Kenneth A. Duron
District Secretary

Regular Meeting of the
BOARD OF DIRECTORS

The purpose of the Board Meeting is to consider and take such action as the Board may desire in connection with:

1. CALL TO ORDER

- A. Roll Call.
- B. Pledge of Allegiance.
- C. Introduction of Special Guests.
 - i. BART Teams from the 2016 American Public Transportation Association International Rail Rodeo.

2. CONSENT CALENDAR

- A. Approval of Minutes of the Meetings of June 23, 2016, and July 14, 2016.* Board requested to authorize.
- B. Extend the Term of the Services Provided by Acquia, Inc., for Website Platform Management Software.* Board requested to authorize.
- C. Extend the Term of the Services Provided by GovDelivery, Inc., for Digital Subscription Management Software.* Board requested to authorize.
- D. Fixed Property Tax Rates Fiscal Year 2016-2017 General Obligation Bonds.* Board requested to authorize.
- E. Award of Contract No. 15QH-160, Site Improvements at Various Stations – Phase IV.* Board requested to authorize.
- F. Award of Invitation for Bid No. 8980B, Standby Mobile Engine Generators with Trailers.* Board requested to authorize.
- G. Award of Invitation for Bid No. 8985, A2 & C Car Vehicle Automatic Train Control (VATC) Antenna Kits.* Board requested to authorize.
- H. Award of Invitation for Bid No. 9004, Vertical Shock Absorbers.* Board requested to authorize.
- I. Award of Invitation for Bid No. 9008, Multi-Protection Relay Complete Kits.* Board requested to authorize.
- J. Award of Invitation for Bid No. 9010, Recorder, Hybrid DVR.* Board requested to authorize.
- K. Award of Invitation for Bid No. 9011, Camera, Box, NTSC.* Board requested to authorize.

- L. Resolution of Project Compliance and Initial Project Summary Regarding Bridge Toll Funds for Additional Environmental Phase Activities for the Proposed Livermore Extension Project.* Board requested to adopt.

3. PUBLIC COMMENT – 15 Minutes

(An opportunity for members of the public to address the Board of Directors on matters under their jurisdiction and not on the agenda. An additional period for Public Comment is provided at the end of the Meeting.)

4. ADMINISTRATION ITEMS

Director Saltzman, Chairperson

- A. Award Agreement 6M4496: Oracle Hyperion Planning for Public Sector Implementation.* Board requested to authorize.
- B. Travel Pass for Attendees of 2016 Rail~Volution and California Transit Association Annual Conferences.* Board requested to authorize.

5. ENGINEERING AND OPERATIONS ITEMS

Director McPartland, Chairperson

- A. Agreement with Jacobs Project Management Company for Construction Management for the TransBay Tube (Agreement No. 6M8114).* Board requested to authorize.
- B. Change Order to Contract No. 15EK-125, Traction Power Substation Replacement RRY Installation, with Blocka, Inc., for Installation of District-Furnished DC Traction Power Cables (C.O. No. 009).* Board requested to authorize.
- C. Change Order to Contract No. 15NL-120, Elevator Flooring Replacement, with Rodan Builders, Inc., for Design Changes (C.O. No 2).* Board requested to authorize.
- D. Sole Source Procurement with Knorr Brake Corporation for Brake, Split Disc Assembly.* Board requested to authorize. (TWO-THIRDS VOTE REQUIRED.)
- E. Quarterly Performance Report, Fourth Quarter Fiscal Year 2016 - Service Performance Review.* For information.

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

Director Raburn, Chairperson

- A. Underground Station Public Restrooms Pilot Update.* For information.
- B. Lake Merritt Station Plaza Design and New Operations Control Center Update.* For information.

- C. Late Night Bus Update.* For information.
 - i. Late Night Travel Survey.
 - ii. San Francisco Late Night Transportation Working Group Update.

7. GENERAL MANAGER’S REPORT

- A. Report of Activities, including Updates of Operational, Administrative, and Roll Call for Introductions Items.

8. BOARD MATTERS

- A. Proposed Revision to Rules of the Board of Directors: Chapter III, Section 2, Board Meetings.* Board requested to authorize. (Director Keller’s request.)
- B. Board Member Reports.
(Board member reports as required by Government Code Section 53232.3(d) are available through the Office of the District Secretary. An opportunity for Board members to report on their District activities and observations since last Board Meeting.)
- C. Roll Call for Introductions.
(An opportunity for Board members to introduce a matter for consideration at a future Committee or Board Meeting or to request District staff to prepare items or reports.)
- D. In Memoriam.
(An opportunity for Board members to introduce individuals to be commemorated.)

9. PUBLIC COMMENT

(An opportunity for members of the public to address the Board of Directors on matters under their jurisdiction and not on the agenda.)

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

- A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Names of Cases:	Daniels et al. vs. BART; and McComish v. Liston
Government Code Section:	54956.9(a)
- B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Name of Case:	Con J Franke Electric vs. West Bay; West Bay vs. BART, Consolidated Case No. RG13702903
Government Code Section:	54956.9(a)

C. CONFERENCE WITH LABOR NEGOTIATORS:

Designated representatives: Grace Crunican, General Manager; Carter Mau, Assistant General Manager, Administration and Budget; and Carol Isen, Chief Employee Relations Officer

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 1021;
and
(6) Service Employees International Union, Local 1021, BART Professional Chapter
(7) Unrepresented employees (Positions: all)

Government Code Section: 54957.6

11. OPEN SESSION

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

Board of Directors
Minutes of the 1,766th Meeting
June 23, 2016

A regular meeting of the Board of Directors was held June 23, 2016, convening at 9:08 a.m. in the Board Room, 344 20th Street, Oakland, California. President Radulovich presided; Kenneth A. Duron, District Secretary.

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

Absent: None.

President Radulovich called for Introduction of Special Guests. Director Blalock recognized the District's graduates from the Mineta Transportation Institute's Masters in Transportation Management program Alma Basurda, Rachel Russell, and Bernadette Lambert. Director Blalock introduced and welcomed Ms. Basurda and Ms. Lambert. Ms. Basurda and Ms. Lambert addressed the Board. Director Blalock welcomed former Director Carole Ward Allen.

President Radulovich announced that the order of agenda items would be changed.

Consent Calendar items brought before the Board were:

1. Approval of Minutes of the Meetings of May 26, 2016, and June 9, 2016.
2. Appointment of BART Police Citizen Review Board Members.
3. Award of Contract No. 15NA-110, BART ADA Pilot Projects, Hearing Loop.
4. Agreement with Kyungmi Shin for Public Art at El Cerrito Del Norte Station (Agreement No. 05HA001-ARTIST.001).

Director Murray made the following motions as a unit. Director Blalock seconded the motions, which carried by unanimous electronic vote. Ayes – 9: Directors Blalock, Josefowitz, Keller, Mallett, McPartland, Murray, Raburn, Saltzman, and Radulovich. Noes - 0.

1. That the Minutes of the Meetings of May 26, 2016, and June 9, 2016, be approved.
2. That the Board of Directors ratify the appointment of the following individuals to the BART Police Citizen Review Board for the term of 2 years that expires on June 30, 2018: Benjamin Douglas, District 1; William White, District 3; Sharon Kidd, District 7; George Perezvelez, District 9; and Cydia Garrett, Public-at-Large; and that the Board ratify the appointment of Cathryn Freitas to the BART Police Citizen Review Board

to fill the vacancy that exists in the seat representing BART District 2, with a term that expires on June 30, 2017.

3. That the General Manager be authorized to award Contract No. 15NA-110, BART ADA Pilot Projects, Hearing Loop, to Exaro Technologies Corporation, for the Bid price of \$219,999.00, pursuant to notification to be issued by the General Manager, and subject to the District's protest procedures and Federal Transit Administration's requirements related to protest procedures.
4. That the General Manager or the General Manager's designee be authorized to negotiate and execute Agreement No. 05HA001-ARTIST.001 with Kyungmi Shin (dba Shin-Gray Studio, Inc.) for the design, fabrication and supervision of the installation of a two-mosaic mural at El Cerrito del Norte station, in an amount not to exceed \$180,000.00.

President Radulovich called for Public Comment. No comments were received.

Director Raburn, Chairperson of the Planning, Public Affairs, Access, and Legislation Committee, brought the matter of West Oakland Station Development: Extension of Exclusive Negotiating Agreement, before the Board. Mr. Robert Powers, Assistant General Manager, Planning, Construction, and Development; Mr. Sean Brooks, Department Manager, Real Estate and Property Development; Mr. Paul Voix, Principal Property Development Officer; and Ms. Hannah Lindelof, Principal Planner, presented the item.

The following individuals addressed the Board.

Alan Dones

Jun Ji

Director Mallett moved that the General Manager or her designee be authorized to extend the Exclusive Negotiating Agreement with China Harbour Engineering Company, Ltd., for development at the West Oakland BART Station, for a period through June 30, 2017. The item was discussed. Director Josefowitz requested the motion be amended to include compliance with the District's Transit Oriented Development Policy and Transit Oriented Development guidelines. Discussion continued. Director Josefowitz made a substitute motion to include compliance with the District's Transit Oriented Development Policy, with discussion with the developer of compliance with the District's Transit Oriented Development future guidelines to occur at a later date. Director Saltzman seconded the substitute motion. Discussion continued. The substitute motion carried by unanimous electronic vote. Ayes – 9: Directors Blalock, Josefowitz, Keller, Mallett, McPartland, Murray, Raburn, Saltzman, and Radulovich. Noes - 0.

Director Raburn brought the matter of Systemwide Bicycle Program Update before the Board. Mr. Steve Beroldo, Manager of Access Programs, presented the item. The item was discussed.

Director Raburn brought the matter of Millbrae Station Transit Oriented Development before the Board. Ms. Ellen Smith, Planning Division Manager, and Mr. Brooks gave a presentation on the Project Status Report.

The following individuals addressed the Board.

Michael Van Every
 James Ruigomez
 Chris Neale
 Mike Conklin

The item was discussed. Director Keller moved that after review and consideration of the Final Environmental Impact Report (EIR) certified by the City of Millbrae on February 9, 2016, the Board 1) Adopts the Findings, Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program for the Transit Oriented Development (TOD) #2 Project; 2) Finds that changes or alterations have been required in, or incorporated into, the project which mitigate or avoid significant effects on the environment; 3) Finds that for the significant and unavoidable effects of the TOD #2 Project identified in the Final EIR, specific economic, legal, social, technological or other considerations make mitigation measures or alternatives identified in the EIR infeasible and specific overriding economic, legal, social, technological or other benefits of the project outweigh the significant effects on the environment, as identified in the Final EIR and the Statement of Overriding Considerations; 4) Approves the TOD #2 Project; and 5) Delegates to the General Manager or her designee the decision to approve or disapprove any modifications to the TOD #2 Project as described in the Project Description contained in the Final EIR, based upon the General Manager or her designee's determination that appropriate environmental analysis of such modifications has been performed by the City of Millbrae as lead agency pursuant to the California Environmental Quality Act, and that such environmental analysis concludes that the modifications will not result in any new significant environmental effects not considered in the Final EIR or a substantial increase in the severity of previously identified significant effects. Directors Murray and McPartland seconded the motion. Discussion continued. The motion carried by electronic vote. Ayes – 7: Directors Blalock, Keller, Mallett, McPartland, Murray, Raburn, and Saltzman. Noes – 2: Directors Josefowitz and Radulovich.

President Radulovich announced that the Board would enter into closed session under Item 12-A (Conference with Real Property Negotiators) of the regular Meeting agenda, and that the Board would reconvene in open session at the conclusion of that closed session.

The Board Meeting recessed at 12:17 p.m.

The Board Meeting reconvened in closed session at 12:26 p.m.

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

Absent: None.

The Board Meeting recessed at 1:34 p.m.

The Board Meeting reconvened in open session at 1:37 p.m.

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

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

President Radulovich announced there were no announcements to be made on Item 12-A.

Director Blalock, Vice Chairperson of the Engineering and Operations Committee, brought the following Engineering and Operations Committee items before the Board.

1. Award of Invitation for Bid No. 8990, Trucks, Hirail, Non-Hirail, (Sewer) Vacuum
2. Award of Contract No. 15PJ-130A, BART Earthquake Safety Program Fruitvale Station and Coliseum Station.
3. Change Order to Contract No. 01RQ-110, Hayward Maintenance Complex Project Maintenance Facilities, with Clark Construction, for Upgrades to the Electrical Distribution and Overcurrent Protection Systems (C.O. No. 5).
4. Change Order to Contract No. 15EK-120, Traction Power Substation Replacement, ASL/KTE Installation, with Aldridge Electric, Inc., for Early Termination of Contract (C.O. No. 2).

Director Murray entered the Meeting.

Director McPartland entered the Meeting and assumed the gavel.

Directors Raburn and McPartland requested that Item 5-B, Award of Contract No. 15PJ-130A, BART Earthquake Safety Program Fruitvale Station and Coliseum Station, be considered separately. Director Keller made the following motions as a unit.

1. That the General Manager be authorized to award Invitation for Bid No. 8990, for the procurement of Trucks, Hirail and Non-Hirail, (Sewer) Vacuum, four each, to Golden Gate Truck Center, Oakland, California, in the amount of \$2,351,974.06, including all applicable sales tax, pursuant to notification to be issued by the General Manager, subject to compliance with the District's protest procedures and Federal Transit Administration's requirements related to protests.
2. That the General Manager be authorized to execute Change Order No. 5, Electrical and Overcurrent Protection Upgrades, to Contract No. 01RQ-110, Hayward Maintenance Complex Project Maintenance Facilities, for an amount not to exceed \$1,300,000.00, with Clark Construction.
3. That the General Manager be authorized to execute Change Order No. 2, Early Termination of Contract, to Contract No. 15EK-120, Traction Power

Substation Replacement, ASL/KTE Installation, for an amount not to exceed \$855,051.00

Director Saltzman seconded the motions, which carried by unanimous electronic vote. Ayes – 9: Directors Blalock, Josefowitz, Keller, Mallett, McPartland, Murray, Raburn, Saltzman, and Radulovich. Noes – 0.

Director McPartland brought the matter of Award of Contract No. 15PJ-130A, BART Earthquake Safety Program Fruitvale Station and Coliseum Station, before the Board. The item was briefly discussed. Director McPartland moved that the General Manager be authorized to award Contract No. 15PJ-130A, Earthquake Safety Program Fruitvale Station and Coliseum Station, to Federal Solutions Group, Inc., for the Base Bid amount of \$13,446,650.00, pursuant to notification to be issued by the General Manager and subject to the District's protest procedures and Federal Highway Administration's requirements related to protests; and that the General Manager be authorized to exercise Option A, Bid Price of \$275,000.00 and Option B, Bid Price of \$375,000.00, subject to availability of funds. Director Blalock seconded the motion, which carried by unanimous electronic vote. Ayes – 9: Directors Blalock, Josefowitz, Keller, Mallett, McPartland, Murray, Raburn, Saltzman, and Radulovich. Noes – 0.

Director McPartland brought the matter of Draft Policy for Enforcement of Ordinance No. 2016-1, Prohibiting Patrons from Utilizing More Than One Seat during Commute Hours, before the Board. Chief of Police Kenton Rainey presented the item. The item was discussed.

President Radulovich called for the General Manager's Report. General Manager Grace Crunican reported on steps she had taken and activities and meetings she had participated in, and reminded the Board of upcoming events. Mr. Paul Oversier, Assistant General Manager, reported on the recent incident where a small plane crashed in the Hayward Yard. Mr. Oversier briefed the Board on upcoming system maintenance closures. Ms. Crunican reported BART's Maintenance team had performed well at the American Public Transportation Association Rail Rodeo.

President Radulovich called for the Quarterly Report of the Office of the Independent Police Auditor before the Board. Mr. Russell Bloom, Interim Independent Police Auditor, gave the report. The report was discussed.

President Radulovich called for the Quarterly Report of the Controller/Treasurer for the Period Ending March 31, 2016. Ms. Rose Poblete, Controller/Treasurer, presented the report.

President Radulovich brought the matter of Supplemental Funding for West Contra Costa High-Capacity Transit Study before the Board. Director Mallett presented the item. The item was discussed. Director Mallett moved that the General Manager or her designee be directed and authorized to coordinate with the West Contra Costa Transportation Advisory Committee (WCCTAC) to financially supplement the West Contra Costa High-Capacity Transit Study for the purpose of adding Alternative 7A, as defined by the study, to the second phase of the alternatives evaluation; and that these funds, which are not to exceed \$125,000.00, be limited in use to costs that are attributable to adding Alternative 7A to the second phase of the alternatives evaluation. Director Keller seconded the motion. Director Murray requested that the motion be amended to include that if WCCTAC does not accept the funding as intended, the funds will be retained by the District. Directors Mallett and Keller accepted the amendment. The amended

motion carried by electronic vote. Ayes – 5: Directors Blalock, Keller, Mallett, McPartland, and Murray. Noes – 4: Directors Josefowitz, Raburn, Saltzman, and Radulovich.

President Radulovich called for Board Member Reports and Roll Call for Introductions.

Director Raburn reported he had attended the Temescal Street Fest and the Island Jam Street Fest, and that the East Bay Paratransit Service Review Advisory Committee had appointed new members.

Director Saltzman requested a report to the Board on the number of attacks on frontline workers, the reporting process for attacks, and what the District is doing to address these attacks. Director Murray seconded the request.

Director Murray requested a response to the idea of encouraging building in the airspace over stations, as is done in several international transit systems, considering the opportunities, obstacles, and if the idea can be pursued as part of the District's TOD program. Director Saltzman seconded the request.

Director Blalock reported he had attended Diridon Station Area Joint Policy Advisory Board meeting, the graduation event at the Mineta Transportation Institute, and a ribbon-cutting event for Amtrak.

Director Keller reported he had attended the APTA Rail Conference.

Director Mallett reported he had attended the APTA Rail Conference.

President Radulovich called for In Memoriam, and requested that the Meeting be adjourned in honor of the 49 people who had been killed in the Pulse nightclub in Orlando, Florida.

President Radulovich called for Public Comment. No comments were received.

The Meeting was adjourned at 3:32 p.m. in honor of the Pulse nightclub victims.

Kenneth A. Duron
District Secretary

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

Board of Directors
Minutes of the 1,768th Meeting
July 14, 2016

A regular meeting of the Board of Directors was held July 14, 2016, convening at 9:05 a.m. in the Board Room, 344 20th Street, Oakland, California. President Radulovich presided; Kenneth A. Duron, District Secretary.

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

Absent: None.

President Radulovich called for a moment of silence for all those who had lost their lives to violence in the past two weeks.

Consent Calendar items brought before the Board were:

1. Approval of Minutes of the Meeting of July 5, 2016 (Special).
2. Recruitment and Relocation for the Positions of Department Manager, Human Resources, Deputy Police Chief, and General Superintendent, eBART Operations.
3. Services for Recruitment of Candidates for District Positions.
4. Award of Contract No. 15QH-200, Site Improvements at Castro Valley Station.
5. Award of Invitation for Bid No. 9001, Stainless Steel Capped Aluminum Contact Rail.
6. Appointments to the AB716 Transit Security Advisory Committee.

Director Mallett requested that Item 2-B, Recruitment and Relocation for the Positions of Department Manager, Human Resources, Deputy Police Chief, and General Superintendent, eBART Operations, be voted on separately. Director Murray made the following motions as a unit. Director Blalock seconded the motions, which carried by unanimous electronic vote. Ayes – 9: Directors Blalock, Josefowitz, Keller, Mallett, McPartland, Murray, Raburn, Saltzman, and Radulovich. Noes - 0.

1. That the Minutes of the Meeting of July 5, 2016 (Special), be approved.
2. That the General Manager or her designee be authorized, in conformance with established District procedures governing the procurement of professional services, to obtain District recruitment sourcing services, to identify qualified candidates for positions identified by the Human

Resources Department, with the cost of the sourcing services not to exceed an aggregate amount of \$500,000.00.

3. That the General Manager be authorized to award Contract No. 15QH-200, Improvements at Castro Valley Station, to Golden Bay Construction, Inc., for the Bid Price of \$988,891.00, pursuant to notification to be issued by the General Manager, and subject to the District's protest procedures.
4. That the General Manager be authorized to award Invitation for Bid No. 9001, for Stainless Steel Capped Aluminum Contact Rail, to Conduct-Wampfler, for an amount of \$543,446.42, pursuant to notification to be issued by the General Manager, subject to compliance with the District's protest procedures and Federal Transit Administration's requirements related to protests.

(The foregoing motion was made on the basis of analysis by the staff and certification by the Controller/Treasurer that funds are available for this purpose.)

5. That the Board approve the appointments to the Transit Security Advisory Committee of Sergeant Michael Williamson, BART Police Department, to replace Lieutenant Tyrone Forte, and Chaplain Sue Kuipers, to replace Chaplain Jasper Lowery, for a term effective July 14, 2016, to June 30, 2018.

Recruitment and Relocation for the Positions of Department Manager, Human Resources, Deputy Police Chief, and General Superintendent, eBART Operations was brought before the Board. Director Raburn moved that the General Manager or her designee be authorized, in conformance with established District procedures governing the procurement of professional services, to obtain executive search services to identify suitable candidates both inside and outside of California for the positions of Department Manager, Human Resources, Deputy Police Chief, and General Superintendent, eBART Operations; and that the General Manager be authorized to enter into a relocation agreement, if necessary, in an amount not to exceed \$18,000.00 for each position, in accordance with Management Procedure Number 70, New Employee Relocation Expense Reimbursement. Director Blalock seconded the motion, which carried by electronic vote. Ayes – 8: Directors Blalock, Josefowitz, Keller, McPartland, Murray, Raburn, Saltzman, and Radulovich. Noes - 0. Abstain – 1: Director Mallett.

President Radulovich called for Public Comment. Alan Smith addressed the Board.

Director Saltzman, Chairperson of the Administration Committee, brought the matter of Agreement with San Francisco State University (SFSU) to Offer BART Fare Discount Program to SFSU Students before the Board. Ms. Pamela Herhold, Department Manager, Financial Planning, presented the item.

The following individuals addressed the Board.

Katrina Rill

Celia LoBuono Gonzalez

Jacqueline Foley

Michael Overby
Jason Porth
Alison Sanders
Miguel Guerrero
Nameemah Charles

The item was discussed. Director Josefowitz moved that the General Manager be authorized to execute an agreement with SFSU for the implementation of a program that would offer SFSU students using SFSU Clipper ® cards a 25 percent fare discount on trips to or from Daly City Station, and whereby SFSU would reimburse BART for the value of the 25 percent fare discount applied to such trips. Director Raburn seconded the motion, which carried by unanimous electronic vote. Ayes – 9: Directors Blalock, Josefowitz, Keller, Mallett, McPartland, Murray, Raburn, Saltzman, and Radulovich. Noes - 0.

Director Saltzman announced that the Agreement with Toshiba Business Solutions, for Rental of Digital Monochrome Copy Machines (Agreement No. 6M4493), would be continued to a future meeting.

Director Josefowitz exited the Meeting.

Director Saltzman brought the matter of Agreement with Securian Financial Group, Inc., for Life and Accidental Death and Dismemberment Insurance (Agreement No. 6M4500), before the Board. Ms. Diane Iwata, Compensation and Analytics, presented the item. Director Blalock moved that the General Manager be authorized to execute Agreement No. 6M4500, with Securian Financial Group, Inc., to provide life and accidental death and dismemberment insurance, in the amount not to exceed \$16,472,642.00. Director Murray seconded the motion, which carried by electronic vote. Ayes – 7: Directors Blalock, Keller, McPartland, Murray, Raburn, Saltzman, and Radulovich. Noes - 0. Abstain – 1: Director Mallett. Absent – 1: Director Josefowitz.

Director Saltzman brought the matter of Resolution of Intention to Amend CalPERS Contract to Include Purchases of Service Credit before the Board. Ms. Iwata presented the item. Director Blalock moved adoption of Resolution No. 5325, Resolution of Intention to Approve an Amendment to Contract between the Board of Administration California Public Employees' Retirement System and the Board of Directors of the San Francisco Bay Area Rapid Transit District. Director Murray seconded the motion, which carried by unanimous electronic vote. Ayes – 8: Directors Blalock, Keller, Mallett, McPartland, Murray, Raburn, Saltzman, and Radulovich. Noes - 0. Absent – 1: Director Josefowitz.

Director Saltzman brought the matter of Amendment to Legal Services Agreement with Glynn & Finley before the Board. Mr. Matthew Burrows, General Counsel, presented the item. Director Blalock moved that the Board approve the amendment of an agreement with Glynn & Finley to continue its representation of the District to handle environmental claims brought by the District Attorneys of Alameda, Contra Costa, and San Mateo counties and for employment and construction related claims as necessary. Director Murray seconded the motion, which carried by unanimous electronic vote. Ayes – 8: Directors Blalock, Keller, Mallett, McPartland, Murray, Raburn, Saltzman, and Radulovich. Noes - 0. Absent – 1: Director Josefowitz.

Director Josefowitz re-entered the Meeting.

Director McPartland, Chairperson of the Engineering and Operations Committee, brought the matter of Award of Contract No. 15IF-130A, Powell Street Station Ceiling Upgrades, before the Board. Ms. Shirley Ng, Group Manager, Stations Engineering and Construction, presented the item.

The following individuals addressed the Board.

Alex Lantsberg

Maria Icenogle

The item was discussed. Director Blalock moved that the General Manager be authorized to award Contract No. 15IF-130A, Powell Street Station Ceiling Upgrades, to Icenogle Construction Management, Inc., for the Bid Price of \$7,497,788.00, pursuant to notification to be issued by the General Manager, and subject to the District's protest procedures. President Radulovich seconded the motion, which carried by electronic vote. Ayes – 8: Directors Blalock, Keller, Mallett, McPartland, Murray, Raburn, Saltzman, and Radulovich. Noes - 0. Abstain – 1: Director Josefowitz.

Director McPartland brought the matter of Agreement with International Contact, Inc., for Language Translation and Interpretation Services (Agreement No. 6M5107), before the Board. Ms. Jennella Sambour-Wallace, Senior Administrative Analyst, Office of Civil Rights, presented the item.

Norma Armon addressed the Board.

The item was discussed. Director Raburn moved that the General Manager be authorized to award Agreement No. 6M5107 to International Contact, Inc., for the proposed price of \$863,400.00, pursuant to notification to be issued by the General Manager, and subject to compliance with the District's protest procedures and Federal Transit Administration's requirements related to protest procedures; and that the General Manager be authorized to exercise the options to extend the term of the Agreement for two (2) additional years, for the proposed price of \$286,600.00 for each option year, subject to availability of funds. Directors Blalock and Murray seconded the motion, which carried by unanimous electronic vote. Ayes - 9: Directors Blalock, Josefowitz, Keller, Mallett, McPartland, Murray, Raburn, Saltzman, and Radulovich. Noes - 0.

Director McPartland brought the matter of Change Orders to Contract No. 15PE-120, Earthquake Safety Program R Line P-377 to P380 Structure Upgrade, with Zovich & Sons, for Differing Site Conditions (C.O. No. 14 and C.O. No. 15), before the Board. Mr. Thomas Horton, Group Manager, Earthquake Safety Program, presented the item. Director Raburn moved that the General Manager be authorized to execute Change Order No. 14, in an amount not to exceed \$240,000.00, and Change Order No. 15, in an amount not to exceed \$900,000.00, to Contract No. 15PE-120, Earthquake Safety Program R Line P-377 to P-380, with Zovich & Sons, Inc. Director Blalock seconded the motion, which carried by unanimous electronic vote. Ayes - 9: Directors Blalock, Josefowitz, Keller, Mallett, McPartland, Murray, Raburn, Saltzman, and Radulovich. Noes - 0.

Director McPartland brought the matter of Change Order to Contract No. 79HM-120, SFTS MB, with Manson Construction Company, Inc., for Modification of Structural Anchorages (C.O. No. 20, Part 2), before the Board. Mr. Horton presented the item. Director Mallett moved that the General Manager be authorized to execute Change Order No. 20, Part 2, Modify Structural

Anchorage, in the not-to-exceed amount of \$251,459.00, to Contract No. 79HM-120, SFTS MB, with Manson Construction Company, Inc. Director Murray seconded the motion, which carried by unanimous electronic vote. Ayes - 9: Directors Blalock, Josefowitz, Keller, Mallett, McPartland, Murray, Raburn, Saltzman, and Radulovich. Noes – 0.

Director McPartland brought the matter of Warm Springs Extension Project: Semi-Annual Project Update, before the Board. Mr. Paul Medved, Project Manager, Warm Springs Extension Program, presented the item. The item was discussed.

Director McPartland exited the Meeting.

Director Raburn, Chairperson of the Planning, Public Affairs, Access, and Legislation Committee, brought the matter of BART Art Program Update before the Board. Ms. Jennifer Easton, Art Program Manager, presented the item. The item was discussed.

President Radulovich called for the General Manager's Report. General Manager Grace Crunican reported on steps she had taken and activities and meetings she had participated in, ridership, outstanding Roll Call for Introductions items, and reminded the Board of upcoming events.

Mr. Paul Oversier, Assistant General Manager, Operations, gave a report on planned closures for system maintenance and upgrades.

President Radulovich brought the matter of Proposed Revision to Rules of the Board of Directors: Chapter III, Section 2, Board Meetings, before the Board. Director Keller presented the item. The item was discussed.

President Radulovich called for Board Member Reports and Roll Call for Introductions.

Director Raburn reported he had toured the new Uber/Uptown Station building at the 19th Street Station, and that he had attended a Northern California Power Association meeting.

Director Murray reported she had attended a tour of the eBART cars in Antioch.

Director Blalock reported he had attended a mayors' conference in Hayward.

Director Keller reported he had attended the tour of the eBART cars in Antioch.

President Radulovich called for In Memoriam, and read the following statement.

We send our sincere condolences and support to the families and friends of officer Brent Thompson at our sister agency Dallas Area Rapid Transit, and those of the other Dallas Police officers injured and killed during the recent horrifying events there. We, like the rest of the country, are deeply saddened by their loss and pain, and unequivocally condemn senseless violence against either law enforcement or civilians. The names of the other officers are Senior Corporal Lorne Ahrens, Officer Michael Krol, Sergeant Michael Smith, Officer Patrick Zamarripa of the Dallas Police Department. There were also two civilians killed in gun violence, Alton Sterling and Philando Castile. The Meeting will be adjourned in remembrance of these seven people.

President Radulovich called for Public Comment. No comments were received.

President Radulovich announced that the Board would enter into closed session under Item 10-A (Public Employment), Item 10-B (Conference with Negotiators), Item 10-C (Conference with Labor Negotiators), and 10-D (Conference with Legal Counsel) of the regular Meeting agenda, and that the Board would reconvene in open session at the conclusion of that closed session.

The Board Meeting recessed at 12:04 p.m.

The Board Meeting reconvened in closed session at 12:14 p.m.

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

Absent: Director McPartland.

The Board Meeting recessed at 2:02 p.m.

The Board Meeting reconvened in open session at 2:09 p.m.

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

Absent: Director McPartland.

President Radulovich announced that the Board had appointed Russell Bloom as Independent Police Auditor, subject to completion of a background investigation, and that the vote had been as follows. Ayes - 8: Directors Blalock, Josefowitz, Keller, Mallett, Murray, Raburn, Saltzman, and Radulovich. Noes - 0. Absent - 1: Director McPartland.

President Radulovich announced there were no announcements to be made on Items 10-B, 10-C, and 10-D.

President Radulovich brought the matter of Compensation and Benefits for Independent Police Auditor before the Board. Director Murray moved that the Board approve the following terms of employment for Russell Bloom, which shall be incorporated in a mutually satisfactory written employment agreement prepared by the General Counsel for execution by Mr. Bloom and the Board President: Service for an indefinite term at the pleasure of the Board; base salary of \$182,072 per year; 12 months' severance pay for involuntary termination unless a result of death or gross misconduct; mandatory arbitration of employment disputes; benefits afforded to non-represented management employees and retirees; and, upon retirement, option to participate in alternative retiree medical, dental, or vision plan if Mr. Bloom relocates to an area which is not within the service area of a District-sponsored plan, provided the alternative plan is comparable in both cost and coverage to the District-sponsored plan. Director Raburn seconded the motion, which carried by electronic vote. Ayes - 7: Directors Josefowitz, Keller, Mallett, Murray,

Raburn, Saltzman, and Radulovich. Noes – 1: Director Blalock. Absent – 1: Director McPartland.

Mr. Bloom addressed the Board.

The Meeting was adjourned at 2:14 p.m. in honor of Brent Thompson, Lorne Ahrens, Michael Krol, Michael Smith, Patrick Zamarripa, Alton Sterling and Philando Castile.

Kenneth A. Duron
District Secretary



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>Marcia DeLauder</i>		GENERAL MANAGER ACTION REQ'D:		
DATE: 8/3/16		BOARD INITIATED ITEM: No		
Originator/Prepared by: BART Webmaster Dept: Office of the CIO <i>FM</i>	General Counsel <i>[Signature]</i> 8/3/16 []	Controller/Treasurer <i>[Signature]</i> 8/3/16 []	District Secretary []	BARC <i>[Signature]</i> 8-7-16 []
SIGNATURE/DATE:				

TITLE:

Issue Purchase Order to Acquia, Inc. for Website Platform Management Software

NARRATIVE:

PURPOSE:

To obtain Board authorization for the General Manager to issue a Purchase Order to Acquia, Inc. for Website Platform Management Software in the amount of \$444,248.00.

DISCUSSION:

The District operates several public websites including bart.gov, m.bart.gov and bartable.bart.gov which attracts more than 30 million visitors annually. BART's latest customer satisfaction survey ranks bart.gov among the District's most important and most highly rated services.

Managing and securing the District's high-traffic, high-availability websites require a significant level of investment. Website infrastructure is physically located in a cloud data center outside of California to ensure availability during localized disasters (e.g. earthquake) and to minimize security liability associated with hosting high-traffic Internet services on internal networks. The website is designed to accommodate peak traffic loads through redundant bandwidth connections that exceed in-house network capacity. The website also requires around-the-clock proactive monitoring, standby engineering expertise, and rapid provisioning capabilities that the District does not possess.

In 2013, the District competitively procured Website Platform Management Services and selected Acquia, Inc., as the most qualified provider for a three-year term. Acquia is a commercial open-source software company providing products, services, and technical support for the Drupal content management framework. Acquia has a proven track record managing high profile government websites, including whitehouse.gov and fema.gov. In addition, Acquia complies with more cloud security protection standards and regulations than any other vendor surveyed.

The District has made a significant investment in deploying the Acquia environment onto its websites. Beyond custom code deployment, BART websites integrate with a number of enterprise and third-party systems. In addition, the Acquia environment has been security, load and penetration tested and District staff has been trained on Acquia-specific tools that simplify site management. The Office of the Chief Information Officer (OCIO) has evaluated these services and concluded that it would be in the best interest of the District to enter into a long term agreement with Acquia. Acquia's proposal of \$111,062.00 a year is \$14,738 lower than FY16

Issue Purchase Order to Acquia, Inc. for Website Platform Management Software

and priced up to \$18,675.00 less than other services in the marketplace.

FISCAL IMPACT:

Funding in the amount of \$111,062.00 in FY17 is included in the budget of the Office of the CIO. Funding for FY 2018 through FY 2020 will be requested in future operating budgets of the Office of the CIO, subject to future board approval.

ALTERNATIVE:

Do not authorize the issuance of this Purchase Order. The OCIO would need to request additional budgetary resources to procure a new system and to redeploy, reconfigure and retest websites in the new environment.

RECOMMENDATION:

It is recommended that the Board adopt the following motion.

MOTION:

The General Manager is authorized to issue a Purchase Order to Acquia, Inc. for Website Platform Management Software in the amount of \$444,248.00.



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>Marcia deKruken</i>		GENERAL MANAGER ACTION REQ'D:		
DATE: 8/3/16		BOARD INITIATED ITEM: No		
Originator/Prepared by: BART Webmaster Dept: Office of the CIO <i>Jmic</i>	General Counsel <i>[Signature]</i> 8/3/16 []	Controller/Treasurer <i>[Signature]</i> 8/3/16 []	District Secretary []	BARC <i>[Signature]</i> 8-3-16 []
TITLE:				

Extend the term of the services provided by GovDelivery, Inc., for Digital Subscription Management Software

NARRATIVE:

PURPOSE:

To obtain Board authorization for the General Manager to issue a Purchase Order to GovDelivery, Inc., for Digital Subscription Management Software, in the amount of \$399,792.

DISCUSSION:

The District uses digital subscription management (DSM) software, called GovDelivery, to send important and timely information to the public via email, text message, social media and data feeds. Text messaging is particularly effective because it is so ubiquitous and can immediately transmit "real time" alerts about BART services. Text messaging also enables "push" communications that free customers from constantly checking a website or email inbox. Text messaging is mobile-friendly for customers on the go. It is also effective for on-demand services (e.g. text "BART Powell" to 468311 to receive real time arrivals at Powell Street Station). BART does not charge customers for text messaging services, but individual carrier rates may apply depending on each recipient's mobile plan.

Last year the District successfully delivered more than 13.3 million text messages to subscribers on seven opt-in lists. This 109% annual increase can be attributed to two factors: (1) The number of text subscriptions grew 13% to 114,781, and (2) the number of service and escalator advisories increased 34% to 4,417. On-demand text messaging also increased 16% with 54,035 messages delivered.

To reliably deliver text messages at this volume to the numerous mobile telecommunications networks used by BART customers, GovDelivery is integrated with a Short Message Service (SMS) "Gateway." Telecommunications networks charge fees to access an SMS Gateway, and those fees are calculated on a per-message basis. Therefore, when message counts increase, SMS Gateway fees increase and are passed through to the District.

Because SMS Gateway fees are so high, the District limits text message services to "real time" updates. Staff has investigated less expensive "email to SMS" gateways, but they introduce latency (a delay in message delivery) that is not suitable for real time messaging. Staff is exploring the creation of more granular updates in an effort to decrease overall message volume (e.g. delays advisories with custom time ranges, elevator advisories by station, etc.).

Extend the term of the services provided by GovDelivery, Inc., for Digital Subscription Management Software

In addition to SMS Gateway integration, GovDelivery DSM software helps coordinate message triggers and workflows across email, text, social media and data feeds. It integrates with BART Application Programming Interfaces (APIs) to ensure timely updates from the Operations Control Center. It securely stores email, phone number and other information of customers who opt-in to receive messages from BART. The District has made a significant investment in GovDelivery integration, configuration and testing, and has trained more than 40 editors who manage 36 separate lists covering a range of topics, from the BART Board to BART Open Data.

In 2015, the District entered into an agreement with GovDelivery to provide proprietary digital subscription management software for a period of one year, with the option to renew for an additional two-year term, for an amount that was within the GM's authority. Staff has evaluated these services and concluded that it would be in the best interest of the District to enter into a longer term agreement that requires Board action.

GovDelivery's proposal of \$133,264 a year includes \$33,264 for use of the DSM software and \$100,000 for SMS Gateway fees, to accommodate the District's increased utilization, at a cost of .005 cents per message up to 20 million messages. These Gateway fees are in line with quotes from other SMS Gateway providers, none of which provide the same DSM software or security certifications as GovDelivery.

GovDelivery is the only comprehensive DSM platform designed exclusively for the public sector. It is used by more than 1,000 government organizations including U.S. Department of Defense, County of Alameda and Dallas Area Rapid Transit (DART). GovDelivery is the only digital communication solution to achieve Federal Risk and Authorization Management Program (FedRAMP) compliance at the program's highest level to protect customer data.

FISCAL IMPACT:

Funding in the amount of \$133,264 in FY17 is included in the budget of the Office of the CIO. Funding for FY 2018 through FY 2019 will be requested in future operating budgets of the Office of the CIO, subject to future board approval.

ALTERNATIVE:

SMS Gateway fees would be a consistent pass-through cost of any DSM solution. Therefore, the most effective way to reduce overall cost is to reduce, or eliminate, SMS messaging services for BART customers.

RECOMMENDATION:

It is recommended that the Board adopt the following motion:

MOTION:

The General Manager is authorized to extend the term of the services provided by GovDelivery, Inc., for Digital Subscription Management Software, in the amount of \$399,792.



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>Barbara DeBenedictis</i>		GENERAL MANAGER ACTION REQ'D:		
DATE: 8/4/16		BOARD INITIATED ITEM: No		
Originator/Prepared by: Michaela Morales Dept. Controller-Treasurer <i>Michaela Morales</i> Signature/Date: 8/1/16 []	General Counsel <i>[Signature]</i> 8/1/16 []	Controller/Treasurer <i>[Signature]</i> 8/3/16 []	District Secretary []	BARC <i>[Signature]</i> 8-4-16 []

TITLE:

FIXED PROPERTY TAX RATES FY 2016-17 - GENERAL OBLIGATION BONDS

NARRATIVE:

PURPOSE:

Fixing the rate of property taxes for BART in San Francisco, Alameda and Contra Costa Counties for Fiscal Year 2017 as required by Public Utilities Code Section 29126 to pay for the debt service on the District's General Obligation Bonds.

DISCUSSION:

The net debt service required on the District's General Obligation Bonds for Fiscal Year 2017 is \$46,109,640.73 as determined by BART's financial staff.

The net debt service tax rate required by the District for Fiscal Year 2017 is .0080 percent which equates to \$8.00 per one hundred thousand dollars of assessed valuation for the three counties within the District as determined by their Auditor-Controller's Offices.

Last year's tax rate of \$2.60 per hundred thousand dollars in assessed valuation reflects the use of capitalized interest (CAP I) funds generated from the issuance of the Series C General Obligation Bond in 2013. CAP I proceeds paid a large portion of last year's debt service and resulted in substantial savings to our District property taxpayers.

FISCAL IMPACT:

Revenues collected on the basis of the above tax rate will be sufficient for the debt service requirements for the General Obligation Bonds for Fiscal Year 2017.

ALTERNATIVES:

None.

RECOMMENDATION:

It is recommended that the tax rate fixed for Fiscal Year 2017 be approved.

MOTION:

Adopt attached Resolution.

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

In The Matter of Fixing The Rate of Taxes
For San Francisco Bay Area Rapid Transit
District for Fiscal Year 2016/17

Resolution No. _____

WHEREAS, this Board desires to fix the rate of taxes for the District, for the fiscal year July 1, 2016 to June 30, 2017, and make valid assessments of property and valid levies of taxes in accordance with Public Utilities Code Section 29126; and

WHEREAS, Section 93(c) of the Revenue and Taxation Code authorizes the District to levy an ad valorem property tax in order to produce revenues in an amount equal to the amount needed to make annual payments of principal and interest on the General Obligation Bonds which were approved by over two-thirds vote of the District's voters on November 2, 2004; and

WHEREAS, this Board has determined the tax rate for the District taxes for the counties in the District for the fiscal year 2016/17 from the budget of the District for the fiscal year 2016/17 and from the values of property transmitted to this Board by County Auditors;

NOW, THEREFORE, BE IT RESOLVED that the rate of taxes of the San Francisco Bay Area Rapid Transit District, for the fiscal year July 1, 2016 to June 30, 2017, is hereby fixed at .0080 percent, which equates to \$8.00 per one hundred thousand dollars of assessed value of property, AND BE IT FURTHER RESOLVED that the Secretary shall immediately after the effective date of this resolution transmit to the County Auditor of the Counties in which the District is situated a statement of such tax rate. The effective date of this resolution is August ____, 2016.

Adopted: _____

Kenneth A. Duron, District Secretary



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>Marcia DeVaughn</i>		GENERAL MANAGER ACTION REQ'D: Approve and forward to August 11, 2016 E&O Committee Meeting		
DATE: 8/3/16		BOARD INITIATED ITEM: No		
Originator/Prepared by: Hamed T Tafaghodi Dept: M&E <i>Hamed Tafaghodi</i> Signature/Date: 7/19/16	General Counsel: <i>[Signature]</i> 7/19/16 []	Controller/Treasurer: <i>[Signature]</i> 7/19/16 []	District Secretary: []	BARC: <i>[Signature]</i> 8/1/16 []

TITLE:

Award of Contract No. 15QH-160 Site Improvement at Various Stations- Phase IV

NARRATIVE:

PURPOSE: To obtain the Board's authorization for the General Manager to award Contract No. 15QH-160 Site Improvement at Various Stations- Phase IV to Golden Bay Construction, Inc. of Hayward, California for the Bid Price of \$1,346,869.00.

DISCUSSION: The work in this Contract consists of providing all labor, equipment, materials, and services required for site improvement at three M-Line stations. At the BART Daly City Station, the parking lot adjacent to De Long Street will be reconfigured to accommodate a layover area for MUNI and SamTrans buses and will be repaved and restriped. Selected sidewalks and driveways in the Station area will be repaired and repaved. At the BART Balboa Park Station, pick-up drop off lanes between Geneva Avenue and San Jose Avenue will be repaved. At the BART Millbrae Station, the sunken driveway leading to the parking garage will be repaired. The existing pavement has reached the end of its useful life or is in need of repairs to make it safe.

The District provided advance notice to sixty- four (64) prospective Bidders, and plans were sent to twenty-two (22) Plan Rooms. The Contract was advertised on April 28, 2016. A total of four (4) firms purchased copies of the Contract Documents. A pre-Bid meeting was held on May 18, 2016 with two (2) prospective Bidders in attendance. One Addendum was issued for this Contract. Bids were publicly opened on June 14, 2016. A total of two (2) Bids were received as follows:

No.	BIDDER	LOCATION	TOTAL BID
1	Golden Bay Construction, Inc.	Hayward, CA	\$1,346,869.00
2	LC General Engineering & Construction, Inc.	San Francisco, CA	\$1,833,526.00
	Engineer's Estimate		\$1,513,689.61

After review by District staff, Golden Bay Construction Inc.'s (Golden Bay) Bid was deemed to be the lowest Bid that was responsive to the solicitation. Examination of Golden Bay's license, business experience, and financial capabilities has resulted in a determination that the Bidder is responsible. Staff has also determined that the Bidder's Bid of \$ 1,346,869.00 is fair and

reasonable.

Pursuant to the District's Non-Discrimination for Subcontracting Program, the availability percentages for this Contract are 23% for Minority Business Enterprises (MBEs) and 12% for Women-owned Business Enterprises (WBEs). The Bidder committed to 100% MBE and 13% WBE.

Pursuant to the District's Non-Federal Small Business Program, the Office of Civil Rights set a 5% prime preference for this Contract for small businesses certified by the California Department of General Services. The responsive low Bidder, Golden Bay Construction, is a certified small business. Since Golden Bay Construction is the lowest responsive Bidder, the application of the Small Business Program will not alter the award.

District 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 existing facilities involving no expansion of use.

FISCAL IMPACT: Funding of \$1,346,869 for award of Contract No. 15QH-160 is included in total project budget for FMS #15QH000 – Repair Sidewalks SWD. The Office of Controller/Treasurer certifies that funds are currently available to meet this obligation. The following table depicts funding assigned to the referenced project and is included in totality to track funding history against spending authority. Funds needed to meet this request will be expended from a combination of these sources as listed. As of June 23, 2016, \$16,559,522 is available for this project from the following sources:

Fund Group	Amounts
Various State & Local Grand Sources	\$1,886,407
BART Operating Allocation to Capital	\$14,673,115
Total	\$16,559,522

BART has expended \$7,976,687, committed \$639,880 and reserved \$1,017,934 to date for other action. This action will commit \$1,346,869 leaving an available fund balance of \$5,578,152 in this project. There is no fiscal impact on available unprogrammed District Reserves

ALTERNATIVE: The Board may reject all Bids and authorize Staff to re-advertise the Contract. There is no assurance that new Bids would yield lower prices. Failure to proceed with the Contract would delay the repaving work.

RECOMMENDATION: It is recommended that the Board adopt the following motion:

MOTION: The General Manager is authorized to award Contract No. 15QH-160, Site Improvement at Various Stations- Phase IV to Golden Bay Construction, Inc. for the Bid Price of \$1,346,869.00, 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: <i>Marcia DeLeon</i>		GENERAL MANAGER ACTION REQ'D:		
DATE: 8/5/16		BOARD INITIATED ITEM: No		
Originator/Prepared by: Luis Leon	General Counsel	Controller/Treasurer	District Secretary	BARC
Dept: []	[]	[]	[]	[]
Signature/Date: <i>[Signature]</i>	<i>[Signature]</i> 8/4/16 []	<i>[Signature]</i> 8/4/16	[]	<i>[Signature]</i> 8/5/16

TITLE:

Award of IFB No. 8980B, Generators, Standby Mobile Engine with Trailers

NARRATIVE:

PURPOSE:

To request Board authorization to award Invitation For Bid (IFB) No. 8980B to Cummins Pacific, LLC, San Leandro, CA in the amount of \$1,273,704.00, including all applicable sales tax, for the purchase of Generators, Standby Mobile Engine with Trailers, three (3) pairs of two hundred kilowatt (200kW) and two (2) pairs of two hundred seventy-five kilowatt (275kW), both types synchronized to run in parallel.

DISCUSSION:

The District relies on portable standby mobile engine generators to provide backup power to operate lights and electrical equipment in stations and other structures, and to ensure the uninterrupted operation of fire pumps, fans and critical equipment during power outages and emergencies. Backup power is essential to maintaining life safety systems and equipment that support evacuations as needed throughout the District, especially for the Oakland vent structure, Transbay tube and subways.

IFB No. 8980B succeeds IFB No's. 8980A and 8980. IFB No. 8980A advertised on April 22, 2016 was a re-advertisement of IFB No. 8980 except for increased quantities. IFB No. 8980A awarded to CD & Power on June 9, 2016 Martinez, CA was terminated for cause after BART Staff was informed by the awardee on July 1, 2016 that it could not comply with requirements of the IFB Contract. IFB No. 8980 had advertised on February 9, 2016, for the purchase of two (2) sets of two hundred kilowatt (200kW) generators. IFB 8980 received a single bid rejected by the Board on March 10, 2016 due to misinterpretation as to what was required to meet the Technical Specification for the IFB.

Currently three (3) generators rated 300kW and one (1) generator rated 675kW are available to provide portable emergency power. As the new 200kW generators are placed in service, the 300kW units which require a large truck and a commercially licensed operator to move will be redesignated to supply power in BART railyards. Weighing less than ten thousand pounds the new trailer mounted units can be towed by small truck driven by a non-commercially licensed driver. The 675kW unit purchased in 1975 uses a four (4) cycle diesel engine which no longer meets CA carbon emission requirements, and will be retired following this procurement. The new generators have two (2) cycle, tier four (4) final diesel powered engines and can transit to emergency sites with faster response times.

A notice requesting bids was published on July 20, 2016 and bids were mailed to four (4) prospective bidders. Bids were opened on August 2, 2016 and one (1) bid was received.

<u>Bidder</u>	<u>Unit Price Including 9.5 % Sales Tax</u>	<u>Quantity</u>	<u>Total Including 9.5 % Sales Tax</u>
Cummins Pacific LLC	\$ 226,884.00	200kW (3 pairs)	\$ 680,652.00
San Leandro, CA	\$ 296,526.00	275kW (2 pairs)	\$ 593,052.00
Total:			\$1,273,704.00

The independent cost estimate by BART Staff is: \$1,350,000, including 9.5% sales tax.

Staff has determined that the apparent low bidder, Cummins Pacific LLC, San Leandro, CA submitted a responsive bid. Staff has also determined the price to be fair and reasonable based upon the independent cost estimate by BART staff.

Pursuant to the revised DBE Program, the Office of Civil Rights is utilizing race and gender neutral efforts for Procurement contracts. Therefore, no DBE goal was set for this contract.

FISCAL IMPACT:

Funding of \$1,273,704 for the award of Invitation for Bid No. 8980B is included in the total project budget for FMS #15EK200 – Traction Power Substation - Procurement. The Office of Controller/Treasurer certifies that funds are currently available to meet this obligation. The following table depicts funding assigned to the referenced project and is included in totality to track funding history against spending authority. Funds needed to meet this request will be expended from a combination of these sources as listed.

As of August 3, 2016, \$27,385,262 is available for this project from the following sources:

Fund Group	Amount
Various FTA Grant Sources	\$21,862,555
Local Area Bridge Toll	\$3,599,767
BART Funds	\$1,922,940
Total	\$27,385,262

BART has expended \$14,392,150, committed \$1,556,069, and reserved \$743,264 to-date for other action. This action will commit \$1,273,704 leaving an available fund balance of \$9,420,075 in this project.

There is no fiscal impact on available unprogrammed District Reserves.

ALTERNATIVE:

Reject the bid and re-advertise the Contract. This is not likely to lead to increased competition or improved response time to access standby power during outages and emergencies.

RECOMMENDATION:

Award of IFB No. 8980B, Generators, Standby Mobile Engine with Trailers

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

MOTION:

The General Manager is authorized to award Invitation For Bid No. 8980B for the procurement of Generators, Standby Mobile Engine with Trailers, three (3) pairs of 200kW and two (2) pairs of 275 kW generators, to Cummins Pacific LLC, San Leandro, CA in the amount of \$1,273,704.00, including all applicable sales tax, pursuant to notification to be issued by the General Manager.



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>Marcia DeBurger</i>		GENERAL MANAGER ACTION REQ'D: Approve and forward to the Board	
DATE: 8/3/16		BOARD INITIATED ITEM: No	
Originator/Prepared by: Randy Labeske Dept: Rolling Stock and Shops <i>RL</i> 8/3/16	General Counsel <i>[Signature]</i> 8/3/16 [1]	Controller/Treasurer <i>[Signature]</i> 8/3/16 [1]	District Secretary <i>[Signature]</i> 8/3/16 [1]
Status: Approved		Date Created: 07/29/2016	

TITLE:

Invitation for Bid No. 8985 – Procurement of KIT, A-2 & C-Car VATC Antenna

NARRATIVE:

PURPOSE: To request Board Authorization to Award Invitation for Bid (IFB) No. #8985 to Quest Rail, LLC in the amount of \$579,942.00 (includes all taxes) for the purchase of Kit, A-2 & C-Car VATC Antenna.

DISCUSSION: The District’s fleet of A2 and C-Car revenue vehicles are each equipped with a set of Vehicle Automatic Train Control (VATC) antennas. These antennas are used to interpret the speed of the train, to slow and stop the train, open and close the doors and to transmit the identification of the train. These functions are accomplished through various frequencies received and transmitted to and from these antennas. Over time, due to wear and tear and the location of where these antennas are mounted on the revenue vehicle, in addition to occasional antenna strikes on mainline, these assemblies require replacement.

This is a twenty four (24) month standard contract. Delivery of Kit, A2 Car VATC Antenna shall be delivered at a rate of five (5) per month. Delivery of Kit, C Car VATC Antenna shall be delivered at a rate of ten (10) per month.

A notice requesting Bids was published on May 12, 2016 and Bid requests were mailed to two (2) prospective Bidders. One (1) Bid was received and publicly opened on June 7, 2016. Staff determined the bid to be fair and reasonable.

<u>Bidder</u>	<u>Unit Price each</u>	<u>Total</u>	<u>Grand Total including 10% Sales Tax</u>
Quest Rail LLC	\$6,705.00 (A2 Car)	\$134,100.00	
	\$6,552.00 (C Car)	\$393,120.00	
			\$579,942.00

Independent Cost Estimate: \$576,000.00
(including 10% sales tax)

The District's Non Discrimination for Subcontracting Program does not apply to Emergency Contracts, Sole Source Contracts and Contracts under \$50,000 or to any IFB. As such, the Office of Civil Rights did not set availability percentages for this Contract.

Pursuant to the District's Non-Federal Small Business Program, the District conducted an analysis and determined that there are no certified Small Businesses available for bidding this Contract. Therefore, no Small Business prime preference was set for this Contract.

Pursuant to the IFB provisions, Quest Rail shall submit First Articles of the Kit, A2 Car and Kit, C Car (30) days following a Notice of Award of this Contract. Upon approval of the First Articles, the initial delivery of the assemblies to BART shall take place within twenty (20) days of the District's approval of the first article.

FISCAL IMPACT

Expenditures for this Contract in the amount of \$579,942.00, including sales tax, will be funded initially by the General Fund, Materials & Supply Inventory build-up account (#140-010). As assemblies are issued to Operations, subsequent funding for this Contract will be provided under the Rolling Stock and Shops (RS&S) Maintenance, Repair and Other account (#680-230). Funding for the out year portions (if necessary) of the Contract will be requested in future RS&S operating budgets and proposed expenditures are subject to future board approval.

ALTERNATIVE: The alternative to awarding this contract would be to reject the bid received and re-advertise the Contract. Staff does not believe that this would result in a better price or increased competition.

RECOMMENDATION: Adopt the following motion.

MOTION: The General Manager is authorized to award IFB 8985, a standard contract to Quest Rail LLC of Wellington, MO for the bid price of \$579,942.00 including sales tax, pursuant to notification to be issued by the General Manager.



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>Marcia DeVaux</i>		GENERAL MANAGER ACTION REQ'D: Approve and forward to the Board		
DATE: 8/3/16		BOARD INITIATED ITEM: No		
Originator/Prepared by: Randy Labeske Dept: Rolling Stock and Shops <i>RL</i> 8/3/16	General Counsel <i>W.B.</i> 8/3/16	Controller/Treasurer <i>M. M. M.</i> 8/3/16	District Secretary	BARC <i>Paul</i> 8/3/16
Signature/Date:		[]	[]	[]
Status: Approved		Date Created: 07/29/2016		

TITLE: Award of Invitation for Bid No. 9004 – Procurement of Vertical Shock Absorbers

NARRATIVE:

PURPOSE: To request Board Authorization to Award Invitation for Bid (IFB) No. 9004 to ITT Koni of Hebron, KY for the bid price of \$223,039.30 (including all applicable sales taxes) for the purchase of Vertical Shock Absorbers.

DISCUSSION: Each of the District’s six hundred and sixty nine (669) revenue vehicles has four (4) vertical shock absorbers installed. The shock absorbers, which are mounted to the two truck assemblies under the revenue vehicle, dampen the movement of the vehicles suspension system thus providing a more comfortable ride for the District’s patrons. Over time, due to the constant movement of the shocks, they are required to be replaced do to wear.

This is a two (2) year estimated quantity Contract. Pursuant to the terms of the District’s standard estimated quantity Contract provisions, the District is required to purchase a minimum amount of fifty percent (50%) of the Contract Bid price from the supplier during the term of the Contract. Upon Board approval of this Contract, the General Manager will also have the authority to purchase up to one hundred and fifty percent (150%) of the Contract Bid price, subject to availability of funding.

A notice requesting Bids was published on May 24, 2016 and Bid requests were mailed to four (4) prospective Bidders. One (1) Bid was received and publicly opened on June 14, 2016.

<u>Bidder</u>	<u>Unit Price</u>	<u>Quantity</u>	<u>Grand Total including 10% Sales Tax</u>
ITT Koni	\$184.33	1100	\$223,039.30

Independent Cost Estimate by BART Staff: \$302,500.00 (including 10% sales tax)

BART Staff has determined that ITT Koni submitted a responsive Bid. Staff has also determined the Bid price to be fair and reasonable based in comparison to the independent cost estimate. Furthermore, examination of ITT Koni’s business experience and financial capabilities demonstrates that they are also a responsible Bidder.

Pursuant to the IFB provisions, ITT Koni shall submit First Articles of the Vertical Shock Absorber within eight (8) weeks following a Notice of Award of this Contract. First delivery shall be in the amount of two hundred and seventy five (275) Vertical Shock Absorbers each the first month followed by two hundred seventy five (275) each every three months thereafter.

The District's Non Discrimination Program for Subcontracting is not applicable to IFB's. Accordingly, the Office of Civil Rights did not set Minority Business Enterprise or Women Business Enterprise Availability Percentages for this Contract.

Pursuant to the District's Non-Federal Small Business Program, the District conducted an analysis and determined that there are no certified Small Businesses certified by the California Department of General Services available for bidding this Contract. Therefore, no Small Business Prime Preference was set for this Contract.

FISCAL IMPACT

Funding for this Contract in the amount of \$223,039.30, including sales tax, will be funded initially by the General Fund, Materials & Supply Inventory build-up account (#140-010). As assemblies are issued to Operations, subsequent funding for this Contract will be provided under the Rolling Stock and Shops (RS&S) Maintenance, Repair and Other account (#680-230). Funding for the out year portions of the Contract will be requested in future RS&S operating budgets and proposed expenditures are subject to future Board approval.

ALTERNATIVE: Reject the bid received and re advertise the Contract. This however, is not likely to lead to increased competition or lower prices and will result in a delay to the replacement of the existing Vertical Shock Absorbers.

RECOMMENDATION: It is recommended that the Board adopt the following motion.

MOTION: The General Manager is authorized to award IFB No. 9004 for the procurement of Vertical Shock Absorbers to ITT Koni for the bid price of \$223,039.30 including all applicable sales taxes, pursuant to notification to be issued by the General Manager and subject to the District's Protest Procedures.



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>Warcis DeVauger</i>		GENERAL MANAGER ACTION REQ'D: Approve and forward to the board	
DATE: 8/3/16		BOARD INITIATED ITEM: No	
Originator/Prepared by: Zeeshan Ali Dept: Maintenance and Engineering 8/1/16 Signature/Date: <i>Zeeshan Ali</i>	General Counsel <i>V. B. Ali</i> 8/1/16 []	Controller/Treasurer <i>App White</i> 8/1/16 []	District Secretary BART <i>Paul C. ...</i> 8/3/16 []
Status: Approved		Date Created: 07/11/2016	

TITLE: Award Invitation for Bid No. 9008, Multi-Protection Relay Complete Kits

NARRATIVE:
PURPOSE:

To request Board authorization to award Invitation for Bid (IFB) No. 9008 to VG Controls, Inc. of Oakland, New Jersey, for the bid price of \$628,705.20, including all applicable sales tax, for the purchase of 80 Multi-Protection Relay (MPR) Complete Kits.

DISCUSSION:

The District initiated a program, approximately ten years ago, to install Multifunction Protection Relays (MPRs) on 1000V DC feeder breakers to protect the DC switchgears. The scope of this Contract is to procure MPRs for L-line and C-line DC Switchgear Protection. The equipment procured will be installed by BART personnel and will replace existing protection equipment on feeder circuit breakers at L and C line traction power substations and gap breaker stations.

The existing auto load measuring equipment is fifteen years old and equipment malfunctions are on the rise significantly. Spare parts to repair the existing equipment are not available in the market as the technology of the existing equipment is obsolete and manufacturing has been phased out. The new equipment will include over current and rate of current rise protection, contact rail voltage indication and improved reclosing control logic. In addition, the new equipment will be equipped with high-speed data recording and remote data collection capabilities. This will improve the fault-clearing capabilities of the existing feeder circuit breakers and maintenance efficiency and thus will improve the overall reliability and extend the life of the traction power system. The installation of the new equipment in phases will also ensure availability of spare parts for the existing equipment until the replacement is complete, expected to be within the next three years.

This is a one (1) year estimated quantity contract. Pursuant to the terms of the District's standard estimated quantity contract, during the term of the Contract the District is required to purchase from the supplier a minimum amount of 50% of the Contract bid price. Upon Board approval of this Contract, the General Manager will also have the authority to purchase up to 150% of the Contract bid price, subject to availability of funding.

A notice requesting bids was published on April 26, 2016 and bid requests were mailed to four (4) prospective bidders. Bids were opened on May 17, 2016 and two (2) bids were received.

<u>Bidder</u>	<u>Grand Total including 10% Sales Tax</u>
VG Controls, Inc.	\$628,705.20
Siemens Industry	\$694,054.80

Independent cost estimate by BART Staff: \$621,960.00

BART Staff has determined that the lowest Bid submitted by VG Controls is a responsive Bid. Staff has also determined that the Bid price is fair and reasonable based on the independent cost estimate. Furthermore, examination of VG Control’s business experience and financial capabilities shows a satisfactory condition.

DBE GOAL:

Pursuant to the District’s Disadvantaged Business Enterprise (DBE) Program, the Office of Civil Rights is utilizing race and gender neutral efforts for IFB contracts. Therefore, no DBE goal was set for this Contract.

FISCAL IMPACT:

Funding of \$628,705 for the award of IFB No. 9008 is included in the total project budget for FMS #15EL100 – Traction Power Control – MPR/NGD. The Office of Controller/Treasurer certifies that funds are currently available to meet this obligation. The following table depicts funding assigned to the referenced project and is included in totality to track funding history against spending authority. Funds needed to meet this request will be expended from a combination of these sources as listed.

As of June 13, 2016, \$19,461,919 is available for this project from the following sources:

Fund Group	Amount
Various FTA Grant Sources	15,644,613
MTC - Local Area Bridge Toll	1,480,956
BART Operating Allocation to Capital	2,336,350
Total	19,461,919

BART has expended \$16,209,968, committed \$279,105 and reserved \$1,149,771 to-date for other action. This action will commit \$628,705 leaving an available fund balance of \$1,194,369 in this project.

There is no fiscal impact on available unprogrammed District Reserves.

ALTERNATIVE:

Reject all Bids and re-advertise the Contract. This, however, is not likely to result in increased competition or lower prices and would delay the critical ongoing replacement of the MPR.

RECOMMENDATION:

It is recommended that the Board adopt the following motion:

MOTION:

The General Manager is authorized to award IFB No. 9008, for the Procurement of Multi-Protection Relay (MPR) to VG Controls of Oakland, New Jersey in the amount of \$628,705.20, including all applicable sales tax, pursuant to notification to be issued by the General Manager, subject to the District's Protest Procedures and the Federal Transit Administration's requirements related to protest procedures.



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>Marcia DeVaughn</i>		GENERAL MANAGER ACTION REQ'D: Approve and forward to the Board	
DATE: 8/3/16		BOARD INITIATED ITEM: No	
Originator/Prepared by: Randy Labeske Dept: Rolling Stock and Shops <i>R. Labeske</i> 8/3/16	General Counsel <i>[Signature]</i> 8/3/16 []	Controller/Treasurer <i>[Signature]</i> 8/3/16 []	District Secretary <i>[Signature]</i> 8/3/16 []
Status: Approved		Date Created: 07/29/2016	

TITLE:

Invitation for Bid No. 9010 - Procurement of Recorder, Hybrid DVR

NARRATIVE:

PURPOSE: To obtain Board Authorization for the General Manager to award Invitation for Bid No. 9010 to iLink Professionals, Inc. of Atlanta, GA in the amount of \$214,555.00 (includes all taxes) for the purchase of Recorder, Hybrid DVR.

DISCUSSION: The District currently has cameras and DVRs installed in two hundred three (203) of its six hundred and sixty-nine (669) revenue vehicles. In an ongoing effort to improve the safety of the District's patrons and employees, Rolling Stock and Shops is currently installing cameras and DVRs in each of the District's revenue vehicles.

This is a twelve (12) month estimated quantity Contract. Pursuant to the terms of the District's standard estimated quantity Contract provisions, the District is required to purchase a minimum amount of 50 percent of the Contract Bid price from the Supplier during the term of the Contract. Upon Board approval of this Contract, the General Manager will also have the authority to purchase up to 150 percent of the Contract Bid price, subject to availability of funding.

A notice requesting Bids was published on June 28, 2016 and Bid requests were mailed to five (5) prospective Bidders. Five (5) Bids were received and publicly opened on July 19, 2016.

<u>Bidder</u>	<u>Unit Price</u> <u>470 each</u>	<u>Grand Total including</u> <u>10% Sales Tax</u>
Vidtek Assoc. NV Inc.	\$197.45*	\$102,081.65
iLink Professionals, Inc.	\$415.00	\$214,555.00
Eagle Eye Security and Fire, Inc.	\$449.05*	\$232,158.85
Vidtek Assoc. Inc.	\$451.45*	\$233,399.65
Universal Security & Fire, Inc.	\$453.26*	\$234,335.42

Independent Cost Estimate: \$242,473.00

(including 10% sales tax)

*This price includes the shipping Unit Price the the Bidder erroneously included as a separate Bid Item.

Upon review, Staff has determined that the apparent low Bid submitted by Vidtek Associates NV, Inc. is non responsive. Staff has determined that the second low Bid submitted by iLink Professionals, Inc. is responsive to the solicitation and the Bid price is fair and reasonable based upon prior purchases and the Independent Cost Estimate.

The District's Non Discrimination for Subcontracting Program does not apply to Emergency Contracts, Sole Source Contracts and Contracts under \$50,000 or to any Invitation for Bid. Pursuant to the Program, the Office of Civil Rights did not set availability percentages for this Contract.

Pursuant to the District's Non-Federal Small Business Program, the Office of Civil Rights set a 5% prime preference for this Contract. The responsive Bidder is not a certified Small Business and therefore is not eligible for the 5% Small Business Preference.

Pursuant to the IFB provisions, a First Article shall be submitted to the District within three (3) weeks after award of this Contract. The initial delivery of 75 units shall be made within thirty (30) calendar days after District approval of the First Article. Each additional delivery shall be a minimum of one hundred (100) units every thirty (30) calendars days until completion.

FISCAL IMPACT

Expenditures for this Contract in the amount of \$214,555.00, including sales tax, will be charged to the Rolling Stock & Shops Non Inventory Material Usage Account (680-030). The budget for this project was not included in the FY17 operating budget for Rolling Stock and Shops.

ALTERNATIVE: The alternative to awarding this Contract would be to reject the Bids received and re-advertise the Contract. Staff does not believe that this would result in a better price or increased competition.

RECOMMENDATION: Adopt the following motion.

MOTION: The General Manager is authorized to award IFB No. 9010, an estimated quantity contract for Recorder, Hybrid DVR for the Bid price of \$214,555.00 including sales tax, pursuant to notification to be issued by the General Manager and subject to the District's protest procedures.



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>Marcia DelBue</i>		GENERAL MANAGER ACTION REQ'D: Approve and forward to the Board	
DATE: 8/3/16		BOARD INITIATED ITEM: No	
Originator/Prepared by: Randy Labeske Dept: Rolling Stock and Shops <i>RL</i> 8/3/16	General Counsel <i>[Signature]</i> 8/3/16 []	Controller/Treasurer <i>[Signature]</i> 8/3/16 []	District Secretary BARC <i>[Signature]</i> 8/3/16 []
Status: Approved		Date Created: 07/29/2016	

TITLE:

Invitation for Bid No. 9011 – Procurement of Camera, Box, NTSC

NARRATIVE:

PURPOSE: To obtain Board authorization for the General Manager to award Invitation for Bid No. 9011 to B&H Foto & Electronics Corporation (B&H Foto) of New York, NY in the amount of \$249,194.00 (includes all taxes) for the purchase of Camera, Box, NTSC.

DISCUSSION: The District currently has cameras installed in two hundred and three (203) of its six hundred and sixty-nine (669) revenue vehicles. In an ongoing effort to improve the safety of the District’s patrons and employees, Rolling Stock and Shops is currently installing cameras in each of the District’s revenue vehicles.

This is a twelve (12) month estimated quantity Contract. Pursuant to the terms of the District’s standard estimated quantity Contract provisions, the District is required to purchase a minimum amount of 50 percent of the Contract Bid price from the Supplier during the term of the Contract. Upon Board approval of this Contract, the General Manager will also have the authority to purchase up to 150 percent of the Contract Bid price, subject to availability of funding.

A notice requesting Bids was published on June 28, 2016 and Bid requests were mailed to five (5) prospective Bidders. Two (2) Bids were received and publicly opened on July 19, 2016.

<u>Bidder</u>	<u>Unit Price</u> <u>1880 each</u>	<u>Grand Total including</u> <u>10% Sales Tax</u>
A1 Security Camera	\$116.71	\$241,356.28*
B&H Foto	\$120.50	\$249,194.00

Independent Cost Estimate: \$370,172.00
(including 10% sales tax)

Upon review, Staff has determined that the apparent low Bid submitted by A1 Security Cameras is non-responsive. Staff has determined that the second apparent low Bid submitted by B&H Foto is responsive to the solicitation and the Bid price is fair and reasonable based upon the Independent Cost Estimate.

The District's Non Discrimination for Subcontracting Program does not apply to Emergency Contracts, Sole Source Contracts and Contracts under \$50,000 or to any Invitation for Bid. Pursuant to the Program, the Office of Civil Rights did not set availability percentages for this Contract.

Pursuant to the District's Non-Federal Small Business Program, the Office of Civil Rights set a 5% prime preference for this Contract. The responsive Bidder is not a certified Small Business and therefore is not eligible for the 5% Small Business Preference.

Pursuant to the IFB provisions, a First Article shall be submitted to the District within three (3) weeks after award of the Contract. The first delivery of 300 units shall be made within thirty (30) calendar days after District approval of the First Article. Thereafter, seven additional deliveries with a minimum of 200 units and a final delivery of 180 units shall be made every thirty days.

FISCAL IMPACT

Expenditures for this Contract in the amount of \$249,194.00, including sales tax, will be charged to the Rolling Stock & Shops Non Inventory Material Usage Account (680-030). The budget for this project was not included in the FY17 operating budget for Rolling Stock and Shops.

ALTERNATIVE: The alternative to awarding this Contract would be to reject the Bids received and re-advertise the Contract. Staff does not believe that this would result in a better price or increased competition.

RECOMMENDATION: Adopt the following motion.

MOTION: The General Manager is authorized to award IFB No. 9011, an estimated quantity contract for Camera, Box, NTSC to B&H Foto & Electronics Corporation for the Bid price of \$249,194.00 including sales tax, pursuant to notification to be issued by the General Manager and subject to the District's protest procedures.



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>Marcia DeVaughn</i>		GENERAL MANAGER ACTION REQD:		
DATE: 8/3/16		BOARD INITIATED ITEM: No		
Originator/Prepared by: Andrew Tang Dept: Strategic and Policy Planning <i>AT</i> 1 Aug 2016	General Counsel <i>[Signature]</i> 8/2/16 []	Controller/Treasurer <i>[Signature]</i> 8/1/16 []	District Secretary []	BART <i>[Signature]</i> Aug 1, 2016 []

TITLE:
Approval of Resolution of Project Compliance and Initial Project Report Summary for Bridge Toll Funds for Additional Environmental Phase Activities for the Proposed BART to Livermore Extension Project

NARRATIVE:

Purpose:

To obtain BART Board approval of an application for a total of \$2,106,600 in AB1171 and Regional Measure 1 ("RM1") bridge toll funds for the proposed BART to Livermore Extension project (the "Proposed Project"). The application includes a Resolution of Project Compliance ("Resolution") and an Initial Project Report ("IPR"), as described in the attached IPR Summary. This application is a request to provide funding for additional project-level environmental documentation & development activities.

Discussion:

A Program Environmental Impact Report ("Program EIR") for the BART to Livermore extension was completed in July 2010. The purpose of the Program EIR was to highlight the differences among ten proposed alternatives and to allow BART, after considering comments from local public agencies and the public, to select a preferred alignment as a focus for more detailed engineering efforts and more detailed project-level environmental review. The completion of the Program EIR represented a major milestone in extending BART service to Livermore.

On February 9, 2012 the Board of Directors unanimously approved a motion directing staff to advance the Proposed Project to the next level of project development, including environmental review, conceptual engineering, development of a Ridership Development Plan, and Title VI analysis, as appropriate. The Board also directed staff to seek external funding sources which may be available to advance the Proposed Project with no impact on funding for essential BART capital needs. In response, in Fall 2012 BART initiated the environmental scoping process for the Proposed Project. BART is currently developing an environmental impact report ("EIR") to analyze and evaluate the Proposed Project which consists of a 4.8-mile BART extension along I-580 to a station in the vicinity of the Isabel Avenue/I-580 Interchange incorporating an efficient bus-to-BART transfer; and also includes express bus services linking inter-regional rail service, and Priority Development Areas (PDAs) in Livermore. In addition, the EIR will analyze and consider other project alternatives including a No Build alternative; a Diesel Multiple Unit (DMU)/Electric Multiple Unit (EMU) alternative; an Express Bus/Bus Rapid Transit alternative including direct freeway bus ramps at the existing Dublin/Pleasanton station; and an Enhanced

Bus alternative.

On January 23, 2013, the Metropolitan Transportation Commission ("MTC") approved an allocation of \$8,600,000 of AB1171 bridge toll funds to complete planning, conceptual engineering, and environmental documentation for the Proposed Project. Since that time, the scope needed to complete this work has expanded beyond what was originally anticipated. The added scope includes analyses and coordination to:

- Reach agreement on alternatives;
- Clarify Proposed Project definition details;
- Integrate with the City of Livermore's specific area plan at the potential future Isabel station;
- Respond to numerous design issues and requests from stakeholder agencies; and
- Account for expanded Proposed Project footprint.

The cost of the additional scope is \$4,213,200. Staff proposes for MTC to fund half of the cost (\$2,106,600) using bridge toll funds and for ACTC to fund the other half using Measure BB funds. MTC has committed \$111 million of bridge toll funds to the Proposed Project. The ACTC Measure BB expenditure plan includes \$400 million of funds for the Proposed Project.

MTC requires that a project sponsor approve a Resolution and IPR when the project sponsor requests an allocation of bridge toll funds. Staff has prepared the IPR and IPR Summary for this portion of the Proposed Project and a Resolution for adoption by the BART Board of Directors to meet MTC's requirement for allocation of a total of \$2,106,600 of AB1171 and RM1 bridge toll funding.

Approval of the IPR and Resolution is a requirement for the application for AB1171 and RM1 bridge toll funds. It is expected that the MTC will approve this application in December 2016.

Fiscal Impact:

Approval of the IPR and Resolution is a requirement for the District to receive an allocation of \$2,106,000 in AB1171 and RM1 bridge toll funds from the MTC.

Alternatives:

Do not approve the Resolution and IPR. Failure to approve the Resolution and IPR would likely result in schedule delays and cost increases for the Proposed Project.

Motion:

The Board of Directors approves the attached Resolution of Project Compliance and Initial Project Report dated August 11, 2016 for AB1171 and RM1 bridge toll Funds for the proposed BART to Livermore Extension Project, as described in the attached IPR Summary, and delegates authority to the General Manager or her designee to make non-substantive changes or minor amendments to the Initial Project Report deemed appropriate.

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

**In the Matter of the Approval
Of a Resolution of Project Compliance
And Initial Project Report Summary for
Bridge Toll Funds for Additional
Environmental Phase Activities for the
Proposed BART to Livermore Extension Project**

Resolution No. _____

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

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

Whereas, Regional Measure 1 (“RM1”) bridge toll funds, also known as “90 percent Rail Extension Reserves,” approved by the voters of the San Francisco Bay Area in March 1988, provide bridge toll revenue funds from the San Francisco Bay Bridges for use in projects that extend passenger rail service in the San Francisco Bay Area (SHC Sections 30912(b) and 30914(a)(4)); and

Whereas, pursuant to SHC Section 31010(b), funds (generally referred to as “AB1171 bridge toll funds”) generated in excess of those needed to meet the toll commitments as specified in paragraph (4) of subdivision (b) of Section 188.5 of the SHC shall be available to BATA for funding projects consistent with SHC Code Sections 30913 and 30914; and

Whereas, MTC adopted Resolution 3434, Revised, which establishes commitments of AB1171 and RM1 bridge toll funds to specific projects and corridors; and

Whereas, MTC has established a process whereby eligible transportation project sponsors may submit allocation requests for RM1 and AB1171 bridge toll funds; and

Whereas, allocation requests to MTC must be submitted consistent with such process as outlined in Regional Measure 2 Policy and Procedures; and

Whereas, BART is the sponsor of the proposed BART to Livermore Extension Project (the "PROJECT"); and

Whereas, the PROJECT is eligible for 90 percent Rail Extension Reserves RM1 funds; and

Whereas, the PROJECT is also eligible for consideration of AB1171 bridge toll funds; and

Whereas, the allocation request, sponsored by BART, in the Initial Project Report ("IPR") dated August 11, 2016 and incorporated herein as though set forth at length, lists the purpose, schedule, budget, expenditure and cash flow plan for which BART is requesting that MTC allocate RM1 and/or AB1171 bridge toll funds for the PROJECT;

NOW, THEREFORE, BE IT RESOLVED that:

1. BART, and its agents, agree to comply with the provisions of MTC's Regional Measure 2 Policy Guidance (MTC Resolution No. 3636) for the drawdown of AB1171 and RM1 bridge toll funds.
2. BART certifies that the PROJECT is consistent with the Regional Transportation Plan (RTP).
3. The PROJECT phase or segment to be funded with RM1 and/or AB1171 bridge toll funds is fully funded.
4. BART approves the IPR dated August 11, 2016 as described in the attached IPR Summary (Summary).
5. BART approves the cash flow plan described in the IPR dated August 11, 2016, as described in the attached Summary.
6. BART has reviewed the PROJECT's needs and has adequate staffing resources to deliver and complete the PROJECT within the schedule set forth in the IPR Summary.
7. BART is authorized to submit an application for RM1 bridge toll funds for the PROJECT in accordance with SHC Sections 30912(b) and 30914(a)(4).
8. The PROJECT is eligible for receipt of AB1171 bridge toll funds consistent with SHC Section 31010(b).
9. BART certifies that the purposes for which RM1 and/or AB1171 bridge toll funds are being requested are consistent with the requirements of the California Environmental Quality Act (Public Resources Code Section 21000

et seq.), and with the State CEQA Guidelines (14 California Code of Regulations Section 15000 et seq.).

10. There is no legal impediment to BART's making allocation requests for RM1 and AB1171 bridge toll funds.
11. There is no pending or threatened litigation which might in any way adversely affect the PROJECT, or the ability of BART, to deliver the PROJECT.
12. BART agrees to comply with the requirements of MTC's Transit Coordination Implementation Plan as set forth in MTC Resolution 3866.
13. BART agrees to indemnify and hold harmless MTC, its Commissioners, representatives, agents, and employees from and against all claims, injury, suits, demands, liability, losses, damages, and expenses, whether direct or indirect (including any and all costs and expenses in connection therewith), incurred by reason of any act or failure to act of BART, its officers, employees or agents, or subcontractors or any of them in connection with its performance of services under this allocation of RM1 and/or AB1171 bridge toll funds. In addition to any other remedy authorized by law, so much of the funding due under this allocation of RM1 and/or AB1171 bridge toll funds as shall reasonably be considered necessary by MTC may be retained until disposition has been made of any claim for damages.
14. BART agrees that if any revenues or profits from any non-governmental use of property (or PROJECT) are collected by BART, that those revenues or profits shall be used exclusively for the public transportation services provided by BART, including but not limited to services for which the PROJECT was initially approved, either for capital improvements or maintenance and operational costs, otherwise the MTC is entitled to a proportionate share equal to MTC's percentage participation in the PROJECT.
15. BART agrees that assets purchased with RM1 and AB1171 bridge toll funds, including facilities and equipment shall be used for the public transportation uses intended, and should said facilities and equipment cease to be operated or maintained for their intended public transportation purposes for its useful life, that the MTC shall be entitled to a present day value refund or credit (at MTC's option) based on MTC's share of the Fair Market Value of the said facilities and equipment at the time the public transportation uses ceased, which shall be paid back to MTC in the same proportion that RM1 and AB1171 bridge toll funds were originally used.
16. BART authorizes its General Manager, or her designee to execute and submit an allocation request for the environmental review phase of the PROJECT with MTC for RM1 and/or AB1171 bridge toll funds in the amount of

\$2.1066 million for the PROJECT purposes and amounts included in the attached IPR Summary.

17. BART's General Manager, or her designee is hereby delegated the authority to make non-substantive changes or minor amendments to the IPR dated August 11, 2016 as she deems appropriate.
18. A copy of this Resolution shall be transmitted to MTC in conjunction with the filing of the IPR dated August 11, 2016 referenced herein.

#

Proposed Livermore Extension Project
Initial Project Report Summary – August 11, 2016

Project Description

In July 2010, BART certified a Final Program Environmental Report (FPEIR) for the BART to Livermore Extension, analyzing ten alternatives that provided different combinations of alignment, station and maintenance facility locations. The DEIR currently under development for the proposed BART to Livermore Extension Project will be a project-level EIR following the FPEIR. The Proposed Project is a 4.8-mile extension of the BART line from the existing Dublin/Pleasanton Station within the I-580 Corridor freeway alignment to a station in the vicinity of the I-580/Isabel Avenue Interchange incorporating an efficient bus to BART transfer. A network of express bus service linking inter-regional rail service and Priority Development Areas in Livermore are also part of the Proposed Project. In addition to the Proposed Project, the project alternatives currently under consideration include a No Build alternative, a Diesel Multiple Unit (DMU)/Electric Multiple Unit (EMU) alternative, an Express Bus/Bus Rapid Transit alternative and an Enhanced Bus alternative. The Proposed Project as well as the DMU/EMU alternative will include tail tracks and maintenance facilities as needed for effective operations.

Current Allocation Request

Amount Requested	Phase Requested
\$2,106,600	Environmental

Project Schedule

Phase-Milestone	Planned	
	Start Date	Completion Date
Environmental Document	FY12	FY18
Environmental Studies, Preliminary Eng. (ENV / PE / PA&ED)	TBD	TBD
Final Design - Plans, Specifications & Estimates (PS&E)	TBD	TBD
Right-of-Way Activities /Acquisition (R/W)	TBD	TBD
Construction (Begin – Open for Use) / Acquisition / Operating Service (CON)	TBD	TBD

Project Budget

Phase	Total Amount - Escalated - (Thousands)
Environmental Studies & Preliminary Eng (ENV / PE / PA&ED)	\$12,814
Final Design - Plans, Specifications and Estimates (PS&E)	\$TBD
Right-of-Way Activities /Acquisition (R/W)	\$TBD
Construction / Rolling Stock Acquisition (CON)	\$TBD
Total Project Budget (in thousands)	\$TBD

Cashflow (\$000s)

Fiscal Year	2013/14	2014/15	2015/16	2016/17	2017/18
Amount	1,351	1,754	3,883	3,884	1,942



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>Marcia de la Cruz</i>		GENERAL MANAGER ACTION REQ'D:		
DATE: 8/3/16		BOARD INITIATED ITEM: No		
Originator/Prepared by: Monina Salonga Dept: Office of the CIO	General Counsel	Controller/Treasurer	District Secretary	BARC
Signature/Date: <i>Monina Salonga</i> 8/1/16	<i>[Signature]</i> 8/1/16 []	<i>[Signature]</i> 8/2/16 []	[]	<i>[Signature]</i> 8-3-16 []
Status: Routed		Date Created: 07/20/2016		

TITLE:

Award of Professional Services Agreement No. 6M4496, Oracle Hyperion Planning for Public Sector Implementation Project

NARRATIVE:

Purpose:

To authorize the General Manager to award Professional Services Agreement No. 6M4496, Oracle Hyperion Planning for Public Sector Implementation Project, to InnoFin Solutions in the amount of \$695,760.00.

Discussion:

This Agreement is for the implementation of the Oracle Hyperion Planning for Public Sector Software to support the District’s financial management, budgeting, planning and forecasting needs. The proposed system will replace the current system which is no longer able to adequately support the Operating Budget and Capital Project planning processes and annual budget cycle requirements.

The Oracle Hyperion project will consolidate and centralize financial information to produce more accurate budgets and perform ‘what-if’ scenario analyses. This functionality will provide a flexible approach to strategic financial modeling to assist management in developing strategic plans. The System integrates with reporting and analytical tools to establish and organize key performance indicators and trend analytics to improve business predictability.

The immediate goals and benefits of the Oracle Hyperion Planning for Public Sector System include the following:

1. Reduces planning, budgeting and forecasting cycles by weeks or months;
2. Improves accuracy of plans and forecasts;
3. Enables macro level changes to budget development (i.e. mid-year rate changes for all represented District positions); and
4. Eliminates time lag when plans are updated and reports refreshed.

Office of the Civil Rights. Four (4) firms submitted Proposals as follows:

<u>Proposer</u>	<u>Proposed Price</u>
Sierra-Cedar	\$539,960.00
InnoFin Solutions	\$695,760.00
The Hackett Group	\$1,172,826.00
Linium	\$1,226,820.00

These Proposals were reviewed and evaluated by a selection committee chaired by the Office of the Chief Information Officer (CIO) with representatives from Operating Budget, Capital Development and Control, Financial Planning and Planning Development and Construction departments. The committee determined that the Proposal submitted by InnoFin provided the best overall value to the District based on its technical score and proposed price. The selection committee's technical scores were based on the Vendors' proposals, the capability to provide the services specified and experience in implementing the Oracle Hyperion Planning for Public Sector application. The committee found the following:

- InnoFin demonstrated specialized expertise in implementing Oracle Hyperion for Public Sector;
- InnoFin demonstrated an understanding of BART Budget and Financial processes superior to the other vendors;
- Although Sierra-Cedar submitted the lowest price, it took a number of exceptions to the District's Standard Agreement that BART considered unacceptable from a risk standpoint; and
- The proposals submitted by Hackett Group and Linium were priced higher and had lower technical scores than InnoFin and Sierra-Cedar.

Pursuant to the District's Non-Discrimination for Subcontracting Program, the availability percentages for this Agreement are 16% for Minority Business Enterprises and 20% for Women-owned Business Enterprises. The proposer will not be subcontracting any work and will do all work with its own forces. Therefore, the District's Non-Discrimination for Subcontracting Program does not apply.

Pursuant to the District's Non-Federal Small Business Program, the Office of Civil Rights set a 5% prime preference for this Agreement for Small Businesses certified by the California Department of General Services. The recommended proposer, InnoFin Solutions, is not a certified Small Business and therefore is not eligible for the 5% small business preference.

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

Fiscal Impact:

Funding of \$695,760 for the award of Agreement No. 6M4496 is included in the total project budget for Project 65FB000 – Oracle Hyperion Planning Implementation. The Office of the Controller/Treasurer certifies that funds are currently available to meet this obligation: Funds needed to meet this request will be expended from a combination of these sources as listed:

Fund	Fund Description	Fund Source	Fund Amount
8524	FY12 Operating Allocation to Capital	BART	1,520,000.00
8526	FY14 Operating Allocation to Capital	BART	480,000.00
Total			2,000,000.00

As of 07/13/2016 \$2,000,000 is available for this project. BART has expended \$0.00 and committed \$0.00 and reserves \$0.00 to date for other actions. This action will commit \$695,760 leaving an uncommitted balance of \$1,304,240 in this project.

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

Alternatives:

Do not approve the Professional Services Agreement with InnoFin Solutions. Doing so will delay the opportunity to provide the District with an agency-wide platform to capture and analyze Budget and Financial data.

Recommendation:

It is recommended that the Board adopt the following motion.

Motion:

The General Manager is authorized to award Professional Services Agreement No. 6M4496, Oracle Hyperion Planning for Public Sector Implementation to InnoFin Solutions, for the proposed price of \$695,760.00 pursuant to notification to be issued by the General Manager and subject to the District’s protest procedures.



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>Wesley Delaney</i>		GENERAL MANAGER ACTION REQ'D:		
DATE: 8/5/16		BOARD INITIATED ITEM: No		
Originator/Prepared by: Abigail Thorne-Lyman Dept: Strategic & Planning Policy <i>Abigail Thorne-Lyman</i> Signature/Date:	General Counsel <i>[Signature]</i> 8/5/16 []	Controller/Treasurer <i>[Signature]</i> 8/5/16 []	District Secretary []	BARC <i>[Signature]</i> 8-5-16 []

TITLE:

Travel Pass for Attendees of 2016 Rail~Volution and California Transit Association Annual Conferences

NARRATIVE:

PURPOSE: To obtain Board approval to offer complimentary BART rides to approximately 1,400 to 1,800 attendees of the Rail~Volution Annual Conference to be held in San Francisco from October 8 to 12, 2016, and to approximately 700 attendees of the California Transit Association Annual Conference to be held in Oakland, CA from November 15 to 19, 2016, for a total of 2,100 to 2,500 passes.

DISCUSSION: Two annual conferences offered to transit industry professionals will be held in the San Francisco Bay Area this year.

The Rail~Volution Conference's mission is to build livable communities with transit. For the first time since 2001, the conference will be hosted in San Francisco at the Hyatt Regency Embarcadero. This national conference is attended by public transportation professionals, city staff and elected officials, and community development professionals to highlight national best practices and share lessons learned. The conference will include approximately 80 sessions, 22 mobile workshops throughout the region, and a networking event at the Fox Theater in Oakland. Topics include transit-oriented development; parking management; value capture; affordable housing development; funding and financing for transit and development; system expansion; and multimodal networks. Local conference planners are highlighting the region as a whole rather than only San Francisco, which will increase travel for events via BART, ferry and Caltrain. This year the conference will emphasize state of good repair and core capacity as critical livability issues. BART is co-hosting the conference together with the San Francisco Municipal Transportation Agency (SFMTA), the Metropolitan Transportation Commission (MTC), and the Low Income Investment Fund (LIIF). Other agency partners involved in the planning effort include Solano Transit Authority, Capitol Corridor JPA, SamTrans/Caltrain, California High Speed Rail, and the Federal Transit Administration.

The California Transit Association's 51st Annual Fall Conference and Expo will be hosted by the Alameda-Contra Costa Transit District (AC Transit) at the Oakland Marriott City Center. This conference features sessions focused on five tracks: Fiscal, Planning, Policy & Compliance; Maintenance; Management & Leadership; Marketing; and Operations. The conference is a key venue for learning and networking among all of the transit agencies in California.

On July 25, the Clipper Executive Board unanimously approved issuance of a Universal Pass for both conferences. As a member of the host committees for both conferences, BART and other transit partners will offer a total of 2,100 to 2,500 guests a Clipper Card with a Universal Pass to enhance their conference experience and facilitate travel via all of the region's public transportation serves. Given the emphasis in both conferences on regional transit, a free transit pass is essential to facilitate transportation

logistics for mobile workshops and events, and to help guests avoid expenses related to rental cars, parking fees, and gas charges. Both conferences are typically hosted by the local transit agency who provides a complementary transit pass to attendees.

Last year, participating transit agencies offered an equivalent Universal Pass for the APTA National conference in San Francisco, held in October 2015. The APTA Universal Pass was distributed to 2,000 people, and was valid for six days. Because the Universal Pass product has already been developed, it can be implemented for this event without additional development cost. Pass use can be tracked back to each participating agency, and the direct cost for the rides can be calculated for each agency after the conference. Passes will expire at the end of the conference term.

FISCAL IMPACT: The Universal Pass will allow up to 2,500 participants to travel anywhere in the BART system at no charge, which makes it difficult to estimate the fiscal impact to BART. In the past, BART issued \$30 tickets for a similar time period.

At last year's national APTA conference, agency partners distributed 2,000 Universal Passes to conference attendees. These passes resulted in less than 1,700 trips on BART at a cost of \$8,900. If the Rail~Volution and CTA conferences perform similarly, the cost per card to BART could be \$4.42.

Assuming that 2,500 Rail~Volution and CTA attendees travel similarly, the foregone fare revenue is estimated at \$11,000 over the course of both conferences combined. The expense to BART will be recorded as promotional expense but cash will not be paid out. The committees for each conference are seeking sponsorship of the transit passes to offset the potential cost.

ALTERNATIVE: Do not participate with other host agencies and do not allow the attendees complimentary trips on BART. Participants will be expected to purchase tickets for all travel on BART, but may still be offered a Clipper® card for travel on other transit providers.

RECOMMENDATION:

Adopt the following motion:

MOTION:

The General Manager is authorized to participate in the Travel Pass Program with SFMTA, Golden Gate Transit, SamTrans, CalTrain, SCVTA, and AC Transit to provide complimentary rides for up to 2,500 attendees of both the Rail~Volution annual conference in San Francisco from October 8 to 12, 2016 and the California Transit Association annual conference in Oakland from November 16 to 19, 2016.

(Two-thirds vote required.)



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>Marisa Robinson</i>		GENERAL MANAGER ACTION REQD: Approve and forward to the Board of Directors		
DATE: <i>8/3/16</i>		BOARD INITIATED ITEM: No		
Originator/Prepared by: Anthony Hitchings Dept: PD&C-ESP <i>Michael C. Blake</i> Signature/Date: <i>7/28/16</i>	General Counsel <i>[Signature]</i> <i>7/28/16</i> []	Controller/Treasurer <i>[Signature]</i> <i>7/28/16</i> []	District Secretary []	BART <i>[Signature]</i> <i>8/1/16</i>

TITLE:

Award of Professional Services Agreement No. 6M8114 Construction Management Services for TBT

NARRATIVE:

PURPOSE: Request the Board to authorize the General Manager to award Agreement No. 6M8114 to Jacobs Project Management Company to provide Construction Management Services for the Transbay Tube (TBT).

DISCUSSION: A final design for the retrofit of the TBT is currently out for bid under Construction Contract No. 09AU-120. Professional construction management services are required to support and administer Contract No. 09AU-120. Both the value and duration of the professional services are greater than any single on-call agreement for construction management services that the District typically uses; therefore, a new professional services agreement is needed. The District issued Request for Proposal (RFP) No. 6M8114 on March 9, 2016 to solicit construction management services. The RFP indicated that one Agreement would be awarded to support one project.

Advertisements soliciting interest in the RFP were placed in a number of publications including Minority Business Entity (MBE) and Women-owned Business Enterprise (WBE) publications. On March 10, 2016, an Advance Notice to Proposers was sent to approximately 204 prospective proposers and was also posted on BART's website. A Pre-proposal Meeting for this RFP was held on March 29, 2016 providing details regarding the procurement process and RFP submittal requirements. Immediately following the meeting, a subcontractor networking session was held to allow proposers to meet small firms including MBEs and WBEs. An electronic copy of the RFP was posted on the District's procurement portal on March 10, 2016 and downloaded by 127 interested firms.

On May 17, 2016, proposals were received from the following 5 firms:

1. Jacobs Project Management Company, Oakland, CA
2. Mott MacDonald LLC, Pleasanton, CA
3. Crossbay Construction Management Joint Venture, San Francisco, CA
4. Prescience Corporation, Oakland, CA
5. ABA Global, Inc., San Francisco, CA

The proposals were reviewed by a Selection Committee consisting of BART staff from Planning, Development and Construction, Maintenance and Engineering, Office of Civil Rights, Customer Development & Station Access, and Contract Administration. Proposals were first reviewed to determine if the proposers were considered responsive to the requirements of the RFP. Subsequently, the proposals were evaluated and scored on the basis of the criteria contained in the RFP with respect to qualifications of the proposing firms and the project team. As a result, four firms were short-listed and selected for oral interviews, which were conducted by the Selection Committee on June 24, 2016. The following firms are listed in the order of the final ranking:

1. Jacobs Project Management Company, Oakland, CA
2. Mott MacDonald LLC, Pleasanton, CA
3. Crossbay Construction Management Joint Venture, San Francisco, CA
4. Prescience Corporation, Oakland, CA

Based on the oral and written evaluations, the Selection Committee determined that the most qualified firm was Jacobs Project Management Company (Jacobs). After making this determination, negotiations were entered into with Jacobs. BART Contract Administration with support from Internal Audit and Planning, Development and Construction evaluated and discussed the rates and markups (for a cost-plus-fixed-fee rate agreement) received from the proposer. These discussions were concluded on terms favorable to BART and the proposer. Staff determined that the recommended rate structure is fair and reasonable and that Jacobs is a responsible organization.

Pursuant to the District's Non-Discrimination in Subconsulting Program, the availability percentages for this Agreement are 16% for MBEs and 20% for WBEs. The Office of Civil Rights has determined that Jacobs has met or exceeded both MBE and WBE availability percentages for this Agreement.

Accordingly, the Selection Committee recommends the award of Agreement No. 6M8114 in an amount not to exceed \$15,500,000 for a six and one-half year period of performance to Jacobs Project Management Company, Oakland, CA.

Work Plans under the Agreement will define individual assignments in each case subject to funding availability. Each Work Plan will have its own scope, schedule and budget.

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

FISCAL IMPACT: Funding of \$15,500,000 for the award of Agreement No. 6M8114 is included in the total project budget for FMS #09AU000 – TBT Retrofit #1 (Underwater). The Office of Controller/Treasurer certifies that funds are currently available to meet this obligation. The following table depicts funding assigned to the referenced project and is included in totality to track funding history against spending authority. Funds needed to meet this request will be expended from a combination of these sources as listed. As of July 18, 2016, \$290,324,587 is available for this project from the following sources:

Fund Number	Fund Description	Funded Amount
801F	ESP GO Bond	\$18,866,723
801J	ESP Unissued GO Bonds	\$271,457,864
Total		\$290,324,587

BART has expended \$8,594,396, committed \$2,965,937, and reserved \$261,799,584 to date for other action. This action will commit \$15,500,000 leaving an available fund balance of \$1,464,670 in this project.

There is no fiscal impact on available unprogrammed District Reserves.

ALTERNATIVE: The District could reject all proposals and re-solicit new proposals. Reissuing the RFP would result in a delay in engaging the construction management services critical to overseeing Contract No. 09AU-120 for construction of the TBT retrofit. In addition, such an action will cause the District to incur additional costs and delay the implementation of BART's seismic retrofit of the TBT.

RECOMMENDATION: It is recommended that the Board adopt the following motion:

MOTION: The General Manager is authorized to award Agreement No. 6M8114 to provide Construction Management Services for the TBT to Jacobs Project Management Company for an amount not to exceed \$15,500,000, pursuant to notification to be issued by the General Manager. The award is subject to the District's protest procedures.



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>Marcia DeLaugen</i>		GENERAL MANAGER ACTION REQ'D:			
DATE: 8/4/16		BOARD INITIATED ITEM: No			
Originator/Prepared by: Victor Austria Dept. Maintenance & Engineering		General Counsel	Controller/Treasurer	District Secretary	BARC
Signature/Date: <i>[Signature]</i> 8/4/16		<i>[Signature]</i> 8/4/16 []	<i>[Signature]</i> 8/4/16 []	[]	<i>[Signature]</i> 8/4/16 []

Status: Approved	Date Created: 08/01/2016
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TITLE:
Contract No. 15EK-125, Traction Power Substation Replacement RRY Installation, Change Order No. 009

NARRATIVE:

PURPOSE:

To authorize the General Manager to execute Change Order No.009, Traction Power Cable Installation 1kVDC, in an amount not to exceed \$1,000,000 , to Contract No. 15EK-125, with Blocka Construction, Inc.

DISCUSSION:

Following award of Contract No. 15EK-125 May 28, 2015 for a total not to exceed price of \$2,478,000 , plus applicable taxes, the Project Staff identified the need to replace 3600 feet of 1000 VDC cable that provide power from the sub-station to all of the tracks in the Richmond Yard. When cabling was exposed during construction an unexpected level of deterioration and damage was discovered. It was determined that reuse of existing cables would result in unacceptable reliability issues and therefore the cables must be replaced.

This Change Order will provide labor, equipment and materials necessary for the installation of District provided cable between the new RRY sub-station and Richmond Yard tracks.

Pursuant to Board Rule 5-2.4, Change Orders which involve expenditures greater than \$200,000 require approval of the Board of Directors. This Change Order for \$1,000,000 represents a 40% change to the Contract.

The Office of the General Counsel will approve the Change Order as to form prior to execution. The Procurement Department will review the Change Order for compliance with procurement guidelines prior to execution.

FISCAL IMPACT:

Funding of \$1,000,000 for the award of Change Order #9 for Contract 15EK-125 is included in the total project budget for FMS #15EK400 – Replace Substation RRY DC

House. The Office of Controller/Treasurer certifies that funds are currently available to meet this obligation. The following table depicts funding assigned to the referenced project and is included in totality to track funding history against spending authority. Funds needed to meet this request will be expended from a combination of these sources as listed.

As of August 4, 2016, \$6,621,969 is available for this project from the following sources:

Source	Amount
Federal	\$3,906,608
Regional MTC	\$348,600
BART	\$2,366,761
Total	\$6,621,969

BART has expended \$2,592,748, committed \$2,793,301, and reserved \$0 to-date for other action. This action will commit \$1,000,000 leaving an available fund balance of \$235,921 in this project.

There is no fiscal impact on available unprogrammed District Reserves.

ALTERNATIVE:

The Board can elect not to authorize the execution of this Change Order . However, the improvements provided for in this Change Order are required to prevent significant delay and impact the Richmond Yard Operations.

RECOMMENDATION:

Recommend that the Board approve the following motion:

MOTION:

The General Manager is authorized to execute Change Order No. 009, Traction Power Cable Installation 1kVDC, in an amount not to exceed \$1,000,000, to Contract No. 15Ek-125, with Blocka Construction, Inc.



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>Malcolm Delaney</i>		GENERAL MANAGER ACTION REQ'D: Approve and Forward to the Board		
DATE: 8/3/16		BOARD INITIATED ITEM: No		
Originator/Prepared by: Patrick Quinn Dept: Maintenance & Engineering	General Counsel <i>[Signature]</i>	Controller/Treasurer <i>[Signature]</i>	District Secretary <i>[Signature]</i>	BARO <i>[Signature]</i>
Signature/Date: <i>[Signature]</i>	<i>[Signature]</i> 8/3/16 []	<i>[Signature]</i> 8/3/16 []	[]	<i>[Signature]</i> 8/3/16 []
Status: Routed		Date Created: 07/19/2016		

TITLE:
Contract No. 15NL-120, Elevator Flooring Replacement, Change Order No. 2 Contract Scope Reduction and Change in Flooring Materials

NARRATIVE:
PURPOSE

To obtain Board authorization for the General Manager to execute Change Order No. 2, Contract Scope Reduction and Change in Flooring Materials, to Contract No. 15NL-120, "Elevator Flooring Replacement" in the amount of \$340,000.00.

DISCUSSION

On April 23, 2015, the Board authorized award of Contract No. 15NL-120 to Rodan Builders Inc. for the Bid amount of \$1,379,530.00 for the replacement of elevator floor coverings at stations throughout the District.

The Contract's intention is to provide a new durable floor covering to prevent urine from penetrating the elevator floor, and reduce floor structure corrosion and unpleasant odors in the elevator shaft. The Contract also provides for the installation of splash guards in the elevator door pockets between the cab and the doors to divert urine sprayed towards the doors and to prevent damage to the floor.

The original Contract specified for an aluminum diamond plate material for the new floor covering. Shortly after commencement of the Work, the District issued Change Order No. 1 on February 04, 2016 for the amount of \$124,699.00 to substitute stainless steel diamond plate material for aluminum. This was done to reduce the potential corrosive impacts of dissimilar metals that could occur when the aluminum plate sat on the stainless steel cab floor pan.

Shortly after the stainless steel diamond plate flooring installations, however, the diamond plates started to separate from the elevator cab floors resulting in an 'oil can' effect, leaving openings between the floor covering and the floor pan. The stainless steel floors were also determined to be aesthetically unpleasant. As a result of these issues, the stainless steel installations were discontinued and the floor coverings were redesigned to specify the use of Precidium 550D-FR, a

'spray-on' non-toxic and fast curing floor surface. This would be sprayed on the elevator cab floor and several inches up the walls. Precidium 550D-FR is resistant to abrasion, impact, cracking and wear and, with a new sill design, seals and protects the flooring from damage at the door.

Change Order No. 2, provides for the change in flooring material from stainless steel diamond plate to Precidium 550D-FR 'spray-on' floor surface. This Change Order will also reduce the quantity of elevators receiving new flooring by 25 percent and compensate the Contractor for a 128-day delay in Work resulting from the elevator floor redesign process and for other unforeseen conditions. The total Change Order value is \$340,000.00.

The Procurement Department will review this Change Order for compliance with procurement guidelines prior to execution. The Office of the General Counsel will approve this Change Order as to form prior to execution.

FISCAL IMPACT

Funding of \$340,000.00 for Change Order No.2 for Contract 15NL-120 is included in total project budget for FMS #15NL001 – Elevator Cap Floor Replacement. The Office of Controller/Treasurer has certified that funds are currently available to meet this obligation. The following table depicts funding assigned to the referenced project and is included in totality to track funding history against spending authority. Funds needed to meet this request will be expended from a combination of these sources as listed.

As of July 25, 2016, \$2,116,259.00 is available for this project from the following sources:

Fund No.	Fund Description	Source	Amount
535A	FY10-11 Prop 1B - PTMISEA	State	\$500,000.00
8525	FY13 Operation Capital Alloc	BART	\$900,000.00
8526	FY14 Operation Capital Alloc	BART	\$100,000.00
8530	FY16 Operation Capital Alloc	BART	\$616,259.00
Total			\$2,116,259.00

BART has expended \$498,299.00 committed \$1,127,264.00 and reserved \$0.00 to date for other actions. This action will commit \$340,000.00 leaving an available fund balance of \$150,695.00 in this project.

There is no fiscal impact on available unprogrammed District Reserves.

ALTERNATIVES

The alternative is to withhold authorization to execute this Change Order. Doing so will likely delay completion of the Work in this Contract.

RECOMMENDATION

It is recommended that the Board of Directors authorize the General Manager to execute Change Order No. 2 for \$340,000.00 to Contract No. 15NL-120, Elevator Flooring Replacement, to compensate the Contractor for implementation of design changes and impact of project delays.



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>Marcia DeBaugen</i>		GENERAL MANAGER ACTION REQ'D: Approve and forward to the Board	
DATE: 8/3/16		BOARD INITIATED ITEM: No	
Originator/Prepared by: Randy Labeske Dept: Rolling Stock and Shops <i>RLab</i> 8/3/16	General Counsel <i>[Signature]</i> 8/3/16 []	Controller/Treasurer <i>[Signature]</i> 8/3/14 []	District Secretary BART <i>[Signature]</i> 8/3/16 []
Status: Approved		Date Created: 07/29/2016	

TITLE:

**Sole Source Procurement of Brake, Split Disc Assembly
(Two-Thirds Vote Required)**

NARRATIVE:

PURPOSE: To request Board Authorization, in accordance with Public Contract Code Section 20227, to negotiate and execute a Sole Source Contract with Knorr Brake Corporation of Westminster, MD for the purchase of Brake, Split Disc Assembly.

DISCUSSION: The District operates 669 revenue vehicles, each with four (4) axles. Each axle uses one Brake, Split Disc Assembly. All varieties of BART revenue vehicles have friction brake equipment designed, built and supplied by Knorr Brake Corporation. The brake, split disc assembly works in a system with brake calipers and brake control equipment to form an integrated braking system. This procurement is to provide for ongoing parts replenishment and to replace an older, obsolete style brake disc assembly still installed on several revenue vehicles.

The Brake, Split Disc Assembly is of a proprietary design and is unique to Knorr Brake Corporation. Purchase of this equipment from Knorr Brake Corporation will guarantee operational compatibility with the existing brake equipment. Pursuant to Public Contract Code Section 20227, the Board may direct the purchase of any supply, equipment or material without observance of competitive bidding upon a finding by two-thirds of all members of the Board that there is only a single source of procurement and that the purchase is for the sole purpose of duplicating or replacing equipment currently in use.

This is a three (3) year estimated quantity contract. Pursuant to the terms of the District's standard estimated quantity Contract provisions, during the term of the contract, the District is required to purchase from the supplier a minimum amount of fifty (50%) percent of the contract bid price. Upon Board approval of this contract, the General Manager will also have the authority to purchase up to one hundred fifty (150%) percent of the contract bid price, subject to the availability of funding.

The District's Non-Discrimination Program for Subcontracting Program is not applicable to Sole Source Contracts. Accordingly, the Office of Civil Rights did not set Minority Business Enterprise or Women Business Enterprise Availability Percentages for this Contract.

The Procurement Department will review the contract to confirm compliance with the District's procurement standards.

Pursuant to Public Contract Code Section 20227, the Board may direct the purchase of any supply, equipment or material without observance of competitive bidding upon the finding by

two-thirds of all members of the Board that there is only a single source of procurement and that the purchase is for the sole purpose of replacing equipment currently in use.

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

FISCAL IMPACT: Funding for this Contract in the amount of \$1,296,953.00 will be funded initially by the General Fund, Material & Supplies Inventory Build Up Account (#140-010). Subsequent funding for this contract is in the FY17 Rolling Stock and Shops (RS&S) Maintenance Repair and Other account (#680-230) as the parts are ordered from inventory. Expenditures for the out year portions of the contract will be included in future RS&S operating budgets which are subject to future Board approval.

ALTERNATIVE: The alternative is not to authorize the purchase. However, there are no other sources of supply for these assemblies. Knorr Brake is the only company that can provide the contractual materials needed, so any attempt to obtain bids would only result in that company bidding on it.

RECOMMENDATION: It is recommended that the Board adopt the following motion.

MOTION: The Board finds pursuant to Public Contract Code Section 20227 Knorr Brake Corporation is the sole source for procurement of the Brake, Split Disc Assembly and that the purchase is for the sole purpose of duplicating or replacing equipment already in use. The General Manager is authorized to award enter into direct negotiations with Knorr Brake Corporation to execute a purchase in an amount not-to-exceed \$1,296,953.00 plus applicable taxes for the acquisition of Brake, Split Disc Assembly's. the Sole Source procurement of Brake, Split Disc Assembly to Knorr Corporation for the amount of \$1,296,953.00, including all sales taxes.

SAN FRANCISCO BAY AREA RAPID TRANSIT

MEMORANDUM

TO: Board of Directors

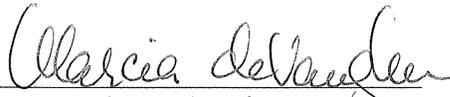
DATE: August 5, 2016

FROM: General Manager

SUBJECT: PPAAL Agenda Item #6.A: Underground Station Public Restrooms Pilot Update - For Information

At the August 11th meeting of the Board of Directors, staff will provide an update on the underground station public restrooms pilot. This update will include a discussion of the design scope, contract schedule, and budget for the proposed pilot station improvements.

If you have any questions regarding the attached presentation, please contact Robert Powers, AGM, Planning, Development & Construction at (510) 874-7410.


Grace Crunican

Attachment

cc: Board Appointed Officers
Deputy General Manager
Executive Staff

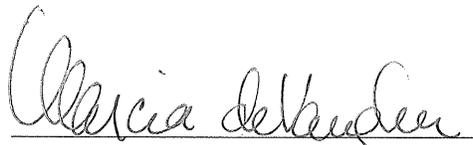
SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

MEMORANDUM

TO: Board of Directors **DATE:** August 5, 2016
FROM: General Manager
SUBJECT: PPAAL Agenda Item # 6.B: New Operations Control Center at Lake Merritt Station – For Information

At the August 11 Board of Directors meeting, staff will provide an update on the new Operations Control Center (OCC) and plaza design at Lake Merritt Station. The presentation will include an overview of the project, the site selection process, the local context, the project design framework and key design elements, the outreach process, and project schedule.

If you have any questions regarding the attached presentation, please contact Robert Powers, AGM, Planning, Development & Construction at (510) 874-7410.


Grace Crunican

Attachment

cc: Board Appointed Officers
Deputy General Manager
Executive Staff

SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

MEMORANDUM

TO: Board of Directors **DATE:** August 5, 2016
FROM: General Manager
SUBJECT: PPAAL Agenda Item # 6.C: Late Night Bus Update – For Information

At the August 11 Board of Directors meeting, staff will provide an update on the Late Night Bus project. The presentation will include a project recap, the project status to date, results from the Late Night Bus Travel Survey conducted by BART Marketing and Research, an update on the study being conducted by the San Francisco Late Night Transportation Working Group, and next steps.

If you have any questions about the attached presentation, please contact Robert Powers, AGM, Planning, Development & Construction at (510) 874-7410.


Grace Crunican

Attachment

cc: Board Appointed Officers
Deputy General Manager
Executive Staff

SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

MEMORANDUM

To: Board of Directors

Date: August 5, 2016

From: District Secretary

Re: Proposed Revision to Rules of the Board of Directors: Chapter III, Section 2. Board Meetings

The following is a Board Rules revision initially proposed and presented by Director Keller on July 14, 2016. The proposed language to be inserted is underlined. There is no deleted text. The initial proposed language has been edited to reflect feedback from Directors.

Chapter III Board Meetings and Committees, Section 2. Board Meetings

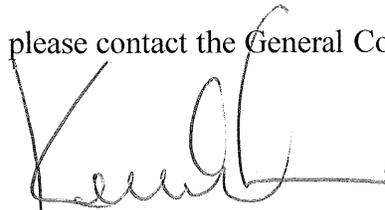
1. Board Rule 3-2.1 Regular Meetings. Page III-6. *Proposed new rule will provide an intended time for concluding regular Board Meetings (2:00 p.m.).*

The Board of Directors shall hold regular meetings beginning at 9:00 a.m., on the second and fourth Thursday of each month, except that in the month of November, one meeting shall be held on the third Thursday, provided that when that November regular meeting falls on a legal holiday the meeting shall be held on the second Thursday; and in the month of December meetings shall be held on the first and third Thursday.

It is the intention of the Board that all such regular meetings end by 2:00 p.m., and therefore any items on the regular meeting agenda not introduced by 2:00 p.m. shall be continued to a future meeting, unless a majority of the Board desires that a particular item be heard.

Except as provided above for the November meeting, when a regular meeting falls on a legal holiday, the meeting shall be held at the same hour on the next business day, or such other time as may be fixed by the Board at a preceding meeting. An additional regular meeting may be scheduled in November if it is deemed necessary for the conduct of District business. (See Appendix B).

Should you require any additional information, please contact the General Counsel or me at your earliest convenience.



Kenneth A. Duron

cc: Board Appointed Officers
Deputy General Manager

MOTION:

The Board of Directors adopts the revision of Board Rule 3-2.1 Board Meetings.