

SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

300 Lakeside Drive, P.O. Box 12688, Oakland, CA 94604-2688

Board of Directors
Minutes of the 1,590th Meeting
January 28, 2010

A regular meeting of the Board of Directors was held January 28, 2010, convening at 9:01 a.m. in the Board Room, 344 20th Street, Oakland, California. President Fang presided; Kenneth A. Duron, District Secretary.

Directors present: Directors Blalock, Franklin, Keller, McPartland, Ward Allen, and Fang.

Absent: None. Directors Murray, Radulovich, and Sweet entered the Meeting later.

President Fang announced that scheduled Special Guests Station Agent Angela Fields and Mr. Duirmuid Philpott would be introduced at a future meeting.

Director Murray entered the Meeting.

General Manager Dorothy W. Dugger welcomed and introduced Mr. Michael Burns, General Manager, Santa Clara Valley Transportation Authority. Mr. Burns made a presentation on the Silicon Valley Rapid Transit Project Update.

Director Sweet entered the Meeting.

Director Radulovich entered the Meeting.

Consent Calendar items brought before the Board were:

1. Approval of Minutes of the Meeting of August 27, 2009 (Special).
2. Award of Contract No. 15BN-110, Rehabilitation of Line Vent Fans Systemwide.
3. Award of Contract No. 20HE-110, Heating, Ventilation, and Air Conditioning (HVAC) Upgrades at San Francisco Downtown Train Control Rooms.
4. Award of Invitation for Bid No. 8871, Pinion End Bearing & Inlet End Bearing.

Consent Calendar motions, as follow, were moved as a unit by Director Blalock. Director Sweet seconded the motions, which carried by unanimous roll call vote. Ayes – 9: Directors Blalock, Franklin, Keller, McPartland, Murray, Radulovich, Sweet, Ward Allen, and Fang. Noes – 0.

1. That the Minutes of the Meeting of August 27, 2009 (Special), be approved.

2. That the General Manager be authorized to award Contract No. 15BN-110, for Rehabilitation of Line Ventilation Fans Systemwide, to Taber Construction, Inc., for the bid price of \$1,882,624.00, 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 protest procedures.
3. That the General Manager be authorized to award Contract No. 20HE-110, Heating, Ventilation, and Air Conditioning (HVAC) Upgrades at San Francisco Downtown stations, to LC General Engineering & Construction Inc., for the bid price, \$580,388.00, 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 protest procedures.
4. That the General Manager be authorized to award Invitation for Bid No. 8871, an estimated quantity contract for the procurement of Pinion End Bearing & Inlet End Bearing assemblies, to Applied Industrial Technologies of Union City, CA, for the bid price of \$826,704.60, including all applicable sales tax, pursuant to notification to be issued by the General Manager, subject to the District's protest procedures, with orders over and above the currently available funding of \$275,000.00 subject to certification by the Controller-Treasurer that funds are available.

(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.)

Director Blalock, Chairperson of the Administration Committee, brought the matter of Authority to Execute Agreements with Caltrans and Utilities to Support the East Contra Costa BART Extension (eBART) Project before the Board. Mr. Ric Rattray, eBART Project Manager, Transit System Development, presented the item. Discussion followed.

Director Keller moved that the General Manager or her designee be authorized to execute agreements with Caltrans, utility owners, including the State of California, cities, agencies, special districts and a conservancy, including authority to expend a total not-to-exceed amount of \$4,000,000.00 to support the eBART Project. Director Murray seconded the motion, which carried by unanimous roll call vote. Ayes – 9: Directors Blalock, Franklin, Keller, McPartland, Murray, Radulovich, Sweet, Ward Allen, and Fang. Noes – 0.

Director Blalock brought the matter of Fiscal Year 2010 Budget Revision before the Board. Mr. Carter Mau, Executive Manager, Planning and Budget, Mr. Robert Umbreit, Department Manager, Operating Budgets and Analysis, and Ms. Elaine Kurtz, Department Manager, Human Resources, presented the item. Discussion followed.

The following individuals addressed the Board:

Ms. Lisa Isler
Mr. John Held
Mr. Des Patten
Mr. Harry Gordon

Ms. Carmen Williams
Mr. Tim Larson
Mr. Marvin Warren
Ms. Jean Hamilton
Mr. Anthony Parker
Mr. Scott Mace
Mr. Jerry Grace
Mr. John Knox White
Mr. Calvin Dangerfield
Ms. Damita Davis
Mr. John Maher

Additional discussion by the Board followed.

Director Blalock moved adoption of Resolution No. 5127, In the Matter of Amending Resolution No. 5084 Regarding Fiscal Year 2010 Annual Budget. President Fang seconded the motion, which carried by roll call vote. Ayes – 6: Directors Blalock, Franklin, Keller, McPartland, Murray, and Fang. Noes – 3: Directors Radulovich, Sweet, and Ward Allen.

Director Keller, Chairperson of the Engineering and Operations Committee, brought the matter of Award of Invitation for Bid No. 8866, Axle Bearings, before the Board, and moved that the General Manager be authorized to award Invitation for Bid No. 8866, an estimated quantities contract for Axle Bearings, to SKF Railway Business Unit North America, for the bid price of \$2,112,649.08, including all applicable sales tax, pursuant to notification to be issued by the General Manager, and subject to compliance with the District's protest procedures. Director Blalock seconded the motion, which carried by unanimous roll call vote. Ayes – 9: Directors Blalock, Franklin, Keller, McPartland, Murray, Radulovich, Sweet, Ward Allen, and Fang. Noes – 0. (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.)

Director Keller announced that the Translink Program Update would be continued to a future meeting.

Director Ward Allen, Chairperson of the Planning, Public Affairs, Access, and Legislation Committee, had no report.

President Fang called for the General Manager's report.

Ms. Dugger introduced Mr. David Kutrosky, Managing Director of Capitol Corridor, who briefly presented the Review of the Draft Agenda for the Capitol Corridor Joint Powers Board Meeting of February 17, 2010, and the Agreement between Capitol Corridor Joint Powers Authority and San Francisco Bay Area Rapid Transit District for Administrative Support. Director Blalock moved that the Board approve the execution of the Administrative Support Agreement between Capitol Corridor Joint Powers Authority and San Francisco Bay Area Rapid Transit District for administrative support for an additional five-year term from February 20, 2010, to February 19, 2015; and that the President be authorized to execute such agreement in such form. Director Sweet seconded the motion, which carried by unanimous roll call vote. Ayes – 9: Directors Blalock, Franklin, Keller, McPartland, Murray, Radulovich, Sweet, Ward Allen, and Fang. Noes – 0.

President Fang announced that the Report of the Alternative and Mobile Fare Payments Committee would be continued to a future meeting.

President Fang brought Roll Call for Introductions before the Board. No items were introduced.

President Fang called for General Discussion and Public Comment. Mr. John Knox White and Mr. Jerry Grace addressed the Board.

President Fang announced that the Board would enter into closed session under Item 9-A (Conference with Legal Counsel – Anticipated Litigation) of the regular meeting agenda, and that the Board would adjourn upon conclusion of the closed session.

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

The Board reconvened in closed session at 12:28 p.m.

Directors present: Directors Blalock, Franklin, Keller, McPartland, Murray, Radulovich, Ward Allen, and Fang.

Absent: Director Sweet.

Director Ward Allen exited the Meeting.

The Board Meeting adjourned at 2:31 p.m.

Kenneth A. Duron
District Secretary