

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

Board of Directors
Minutes of the 1,732nd Meeting
April 9, 2015

A regular meeting of the Board of Directors was held April 9, 2015, convening at 9:04 a.m. in the Board Room, 344 20th Street, Oakland, California. Vice President Radulovich presided; Kenneth A. Duron, District Secretary.

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

Absent: Director Blalock.

Consent Calendar items brought before the Board were:

1. Approval of Minutes of the Meetings of March 26, 2015 (Regular), and March 26, 2015 (Special).
2. Revision to 2015 Standing Committee and Special Appointments: Personnel Recruitment Ad Hoc Committee.

Director Raburn made the following motions as a unit. Director Murray seconded the motions.

1. That the Minutes of the Meetings of March 26, 2015 (Regular), and March 26, 2015 (Special), be approved.
2. That the Board approve the revision to the 2015 Standing Committee and Special Appointments: Personnel Recruitment Ad Hoc Committee.

The motions carried by unanimous electronic vote. Ayes - 8: Directors Josefowitz, Keller, Mallett, McPartland, Murray, Raburn, Saltzman, and Radulovich. Noes - 0. Absent – 1: Director Blalock.

Director Keller, Chairperson of the Administration Committee, brought the matter of New Employee Relocation Expense Reimbursement, before the Board. Ms. Alison Picard, Assistant General Manager, Employee Relations, presented the item. The item was discussed.

Director Saltzman moved that the General Manager or her designee be authorized to provide relocation expense reimbursement, in an amount not to exceed \$18,000 each, consistent with Management Procedure No. 70, New Employee Relocation expense reimbursement for the successful candidates of Assistant Chief Maintenance and Engineering Officer, Right of Way and the Assistant Chief Maintenance and Engineering Officer, Facilities Maintenance. Director Murray seconded the motion which carried by unanimous electronic vote. Ayes - 8: Directors Josefowitz, Keller, Mallett, McPartland, Murray, Raburn, Saltzman, and Radulovich. Noes - 0. Absent – 1: Director Blalock.

Director Keller brought the matter of Agreement with Miller3 Consulting, Inc., to Conduct Disparity Study in Support of District's Disadvantaged Business Enterprise Program (Agreement No. 6M5078), before the Board. Mr. Wayne Wong, Department Manager of the Office of Civil Rights, presented the item. The item was discussed.

The following individuals addressed the Board.

Spencer Gillette
Darrel Carey
Eleanor Ramsey
Aminatu Yusef
Sherry Williams
Mansoyn Id-Deen
Carol Mc Gruden

Director Josefowitz moved that the General Manager is authorized to Award Agreement No. 6M5078 to Miller3 Consulting, Inc. to conduct a disparity study in support of the District's DBE Program for an amount not to exceed \$668,050.00, pursuant to notification to be issued by the General Manager and subject to the District's protest procedures. Director Murray seconded the motion which carried by unanimous electronic vote. Ayes - 8: Directors Josefowitz, Keller, Mallett, McPartland, Murray, Raburn, Saltzman, and Radulovich. Noes - 0. Absent – 1: Director Blalock.

Director McPartland, Chairperson of the Engineering and Operations Committee, brought the matter of the Award of Invitation to Bid No. 8950, Multi-Function Tamping Machine, before the Board. Mr. Paul Oversier, Assistant General Manager, Operations, and Mr. Greg Spivy, Principal Track Engineer, presented the item. The item was discussed.

Mr. Oversier gave a brief report on the implementation of repairs along the trackway and interlocking between the Fruitvale and Coliseum stations.

Director Saltzman moved that the General Manager is authorized to award IFB No. 8950, for the procurement of a new Multi-Function Tamping Machine, to Plasser American Co., Chesapeake VA., in the amount of \$3,210,618.18, including all applicable taxes, pursuant to notification to be issued by the General Manager. Director Murray seconded the motion which carried by unanimous electronic vote. Ayes - 8: Directors Josefowitz, Keller, Mallett, McPartland, Murray, Raburn, Saltzman, and Radulovich. Noes - 0. Absent – 1: Director Blalock.

Director McPartland brought the matter of Renaming of the East Contra Costa County BART Extension (eBART) Pittsburg Center Station, before the Board. Mr. Ric Rattray, Manager Capital Program - eBART and Mr. Robert Mitroff, Chief Planning & Development Officer – Extensions presented the item. The item was discussed.

Alan Smith addressed the Board.

Director Keller moved that the Board finds that the proposed new names "Pittsburg Center Station" or "Pittsburg Railroad Avenue Station" provide riders with the information necessary to clearly identify the new eBART Station in the City of Pittsburg and distinguishes it from other BART stations. Accordingly, the new eBART station in the City of Pittsburg shall be named the "Pittsburg Center Station" or "Pittsburg Railroad Avenue Station" as determined by the City of Pittsburg. Director Murray seconded the motion which carried by unanimous electronic vote.

Ayes - 8: Directors Josefowitz, Keller, Mallett, McPartland, Murray, Raburn, Saltzman, and Radulovich. Noes - 0. Absent – 1: Director Blalock.

Director McPartland brought the matter of Change Order to Contract No. 04SF-140, Procurement of eBART Vehicles, with Staddler Bussnang, AG, for the Procurement of Additional Spare Parts (C.O. No. 2), before the Board. Mr. Rattray and Mr. Mitroff presented the item. The item was discussed.

Director Raburn moved that the General Manager is authorized to execute Change Order No. 002 to Contract No. 04SF-140, for Procurement of eBART Vehicles with Staddler Bussnang, AG, for procurement of additional spare parts in a final amount owed by BART, after applying a credit of \$245,643 to BART, not to exceed \$500,000 plus applicable taxes. Director Murray seconded the motion which carried by unanimous electronic vote. Ayes - 8: Directors Josefowitz, Keller, Mallett, McPartland, Murray, Raburn, Saltzman, and Radulovich. Noes - 0. Absent – 1: Director Blalock.

Director Mc Partland brought the matter of BART to Oakland International Airport Project Update and Change Order to Contract No. 01ZK-110, Design Build of the Oakland International Airport Connect, with Flatiron Parson, JV, for Quality Assurance/Quality Control Incentive Program Adjustment, before the Board. Mr. Paul Oversier and Mr. Tom Dunscombe, Manager Capital Program – Oakland Airport Connector presented the item. The item was discussed.

Jerry Grace addressed the Board.

Director Raburn moved that the General Manager or her designee is authorized to execute a Contract change order to 01ZK-110 in an amount of \$1,125,000 for the OAC QA/QC Incentive Program adjustment. Director Murray seconded the motion which carried by unanimous electronic vote. Ayes - 8: Directors Josefowitz, Keller, Mallett, McPartland, Murray, Raburn, Saltzman, and Radulovich. Noes - 0. Absent – 1: Director Blalock.

Director Mc Partland brought the matter of Professional Services Agreements No. 6M8076 and No. 6M8077 Sustaining Construction Management Services for BART Projects, before the Board. Mr. Robert Powers, Assistant General Manager, Planning and Development presented the item. The item was discussed.

The following individuals addressed the Board.

Jesus Vargas

Wayne Perry

Director Saltzman moved that the General Manager is authorized to award Agreement No. 6M8076 to VSCE, Inc. and Agreement No. 6M8077 to Cornerstone Transportation Consulting Inc. to provide Sustaining Construction Management Services for BART Projects in an amount not to exceed \$3,000,000.00 each, pursuant to notification to be issued by the General Manager and subject to the District's protest procedures and the FTA requirements related to protest procedures. Director Raburn seconded the motion which carried by unanimous electronic vote. Ayes - 8: Directors Josefowitz, Keller, Mallett, McPartland, Murray, Raburn, Saltzman, and Radulovich. Noes - 0. Absent – 1: Director Blalock.

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

Vice President Radulovich called for the General Manager's Report.

Deputy General Manager Marcia de Vaughn reported on steps General Manager Grace Crunican had taken and activities and meetings she had participated in, and gave a report on the progress of outstanding Roll Call for Introductions items.

Vice President Radulovich called for the Independent Police Auditor's Report.

Independent Police Auditor Mark Smith gave a quarterly and 2014 Annual Report of the Office of the Independent Police Auditor.

Directors Raburn and Josefowitz exited the meeting.

Vice President Radulovich called for Board Member Reports, Roll Call for Introductions, and In Memoriam.

Director Murray reported that she attending a session by the Commonwealth Club where General Manager Grace Crunican was a panelist. She also reported attending a Transportation Round Table discussion with Mr. Kutrosky in Modesto, CA where they discussed Capitol Corridor's needs.

Director Saltzman reported that she and Director Raburn attended the San Leandro State of the City Address.

Vice President Radulovich called for Public Comment.

The following individuals addressed the Board.

Alan Smith
Jerry Grace

Vice President Radulovich announced that the Board would enter into closed session under Item 10-A (Public Employment) of the Regular Meeting agenda, and that the Board would reconvene in open session upon the conclusion of the closed session.

The Board Meeting recessed at 12:09 p.m.

The Board Meeting reconvened in closed session at 12:18 p.m.

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

Absent: Directors Blalock, Josefowitz and Raburn.

The Board Meeting recessed at 1:03 p.m.

The Board Meeting reconvened in open session at 1:06 p.m.

Directors present: Vice President Radulovich

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

Vice President Radulovich announced that the Board had concluded its closed session under Item 10-A of the Regular Meeting agenda, and that there were no further announcements to be made.

The Board Meeting was adjourned at 1:06 p.m.

Kenneth A. Duron
District Secretary