

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

**BOARD MEETING AGENDA**

July 23, 2020

9:00 a.m.

A regular meeting of the Board of Directors will be held at 9:00 a.m. on Thursday, July 23, 2020.

**Please note, pursuant to Governor Newsom's Executive Order N-29-20 and the California Shelter-in-Place mandate, which prevents all but essential travel, public participation for this meeting will be via teleconference only.**

You may watch the Board Meeting live or archived at <https://www.bart.gov/about/bod/multimedia>

Presentation materials will be available via Legistar at <https://bart.legistar.com>

You may also join the Board Meeting via Zoom by calling 1-877-853-5257 and entering Webinar ID: 974 2025 7479.

**If you wish to make a public comment:**

- 1) Submit written comments via email to [board.meeting@bart.gov](mailto:board.meeting@bart.gov), using "public comment" as the subject line. Your comment will be provided to the Board and will become a permanent part of the file. Please submit your comments as far in advance as possible. Emailed comments must be received before 9:00 a.m. in order to be included in the record.
- 2) Call 1-877-853-5257, enter webinar ID 974 2025 7479, and dial \*9 to raise your hand when you wish to speak.

**Public comment is limited to three (3) minutes per person.**

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.

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>).

Meeting notices and agendas are available for review on the District's website (<http://www.bart.gov/about/bod/meetings.aspx>); at [bart.legistar.com](http://bart.legistar.com); and via email (<https://cloud.info.bart.gov/signup>) 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 and [bart.legistar.com](http://bart.legistar.com) no later than 48 hours in advance of the meeting.

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

Jacqueline R. Edwards  
Assistant 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. Michael McGill, Chairperson of the Bond Oversight Committee.

2. BOND UPDATE

- A. Update on Safety, Reliability, and Traffic Relief Program (Measure RR).\* For information.
- B. Bond Oversight Committee Annual Report.\* For information.
- C. Issuance and Sale of General Obligation Bonds (Election of 2016) 2020 Series C (Green Bonds).\* Board requested to authorize.

3. CONSENT CALENDAR

- A. Approval of Minutes of the Meeting of June 25, 2020.\* Board requested to authorize.
- B. BART Accessibility Task Force Appointments.\* Board requested to appoint.
- C. Award of Contract No. 15TC-123, Richmond Yard Fence Rehabilitation.\* Board requested to authorize.
- D. Agreements to provide Detailed Station Cleaning Services.\*
  - a. Agreement No. 6M8173 with Aim to Please Janitorial Services.
  - b. Agreement No. 6M8174 with Zero Waste Solutions, Inc.
  - c. Agreement No. 6M8175 with Bay Area Green Solutions.Board requested to authorize.
- E. Invitation For Bid No. 9082, Isolation Disconnect Switch.\* Board requested to authorize.
- F. Invitation for Bid No. 9085, Hayward Maintenance Complex (Phase 2) Mainline Trackwork Procurement.\* Board requested to authorize.

- G. Agreement with The Salvation Army for Homeless Outreach.\*  
Board requested to authorize.
  
- 4. 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.)
  
- 5. INDEPENDENT POLICE AUDITOR’S REPORT
  - A. Quarterly Report of the Independent Police Auditor.  
For information.
  
- 6. INSPECTOR GENERAL’S REPORT
  - A. Semi-Annual Report of the Inspector General.\* For information.
  
- 7. ADMINISTRATION ITEMS  
Director McPartland, Chairperson
  - A. COVID-19 Update: Impact of and Responses to COVID-19.\*  
For information.
  - B. Parking Addendum to the Title VI Fare Equity Analysis and Public Participation Report for the Proposed Discontinuance of Sales of Magnetic-Stripe Tickets.\* Board requested to authorize.
  
- 8. ENGINEERING AND OPERATIONS ITEMS  
Director Dufty, Chairperson
  - A. Award of Contract No. 15EK-102, TCCCP New Traction Power Facilities, West Bay.\* Board requested to authorize.
  - B. Award of Contract No. 15TC-107, Aerial Structure Fall Protection, A-Line North.\* Board requested to authorize.
  - C. Change Orders to Contract No. 09EK-130A, Oakland Emergency Generator (OEG) System, with DMZ Builders.\*
    - a. Impacts from Differing Site Conditions (C.O. No. 50, 55, 65, 66, 72, 74, and 84).
    - b. Design Changes (C.O. No. 49, 56, 60, 61, 64, 67, 68, 70, 71, 73, 75, 77, 78, and 79).
    - c. Unplanned Work Stoppages (C.O. No. 57, 62, and 63).  
Board requested to authorize.

- D. Change Order to Contract No. 09AU-120, BART Earthquake Safety Program TBT Internal Retrofit, with Shimmick/CEC Joint Venture, for Revisions to the Scope of Work (C.O. No. 175).\*  
Board requested to authorize.

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

Director Saltzman, Chairperson

- A. State Legislation for Consideration.\*  
Board requested to authorize.
- B. Update on Assembly Bill 2923, San Francisco Bay Area Rapid Transit District: Transit-Oriented Development.\* For information.
- C. Update on New Transbay Rail Crossing Program.\*  
For information.

10. GENERAL MANAGER'S REPORT

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

11. BOARD MATTERS

- A. Transit Security Advisory Committee Membership Appointments.\*  
Board requested to appoint.
- B. Resolution Commending Hale Zukas for Meritorious Service.\*  
Board requested to adopt. (Director Raburn's request.)
- C. 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.)
- D. 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.)
- E. In Memoriam.  
(An opportunity for Board members to introduce individuals to be commemorated.)

# SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

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## MEMORANDUM

**TO:** Board of Directors

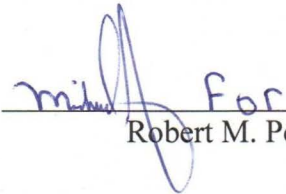
**DATE:** July 17, 2020

**FROM:** General Manager

**SUBJECT:** Measure RR Update

Attached is the "Measure RR Update" presentation that will be presented at the July 23, 2020 board meeting as an information item.

If you have any questions, please contact Tamar Allen, Assistant General Manager, Operations at (510) 464-7513.

  
\_\_\_\_\_  
Robert M. Powers

cc: Board Appointed Officers  
Deputy General Manager  
Executive Staff

**TO:** Board of Directors

**Date:** July 17, 2020

**FROM:** Michael McGill, Chairman, Bond Oversight Committee

**SUBJECT: BART Safety, Reliability and Traffic Relief Program (Measure RR) –  
Annual Report**

Attached is the BART Safety, Reliability and Traffic Relief Program (Measure RR) Annual Report of June 30, 2020, which I will be presenting to the Board on July 23, 2020.



# EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>[Signature]</i> 7/16/2020		GENERAL MANAGER ACTION REQ'D:		
DATE: 6/18/2020		BOARD INITIATED ITEM: Yes		
Originator/Prepared by: Michaela Morales Dept: Finance <i>[Signature]</i> Signature/Date: 6.22.2020	General Counsel <i>[Signature]</i> 7/16/20 [ ]	Controller/Treasurer <i>[Signature]</i> 6/22/2020 [ ]	District Secretary [ ]	BARC <i>[Signature]</i> 7/14/20 [ ]

## AUTHORIZE THE ISSUANCE AND SALE OF GENERAL OBLIGATION BONDS, (ELECTION OF 2016), 2020 SERIES C (Green Bonds)

### PURPOSE:

To request Board adoption of a resolution, which authorize the issuance and sale of not to exceed \$700 million in General Obligation Bonds (Election of 2016), 2020 Series C-1 (Green Bonds) and 2020 Series C-2 (Federally Taxable) (Green Bonds) (the "Bonds"). Furthermore, to seek Board authorization for the Controller-Treasurer to (1) enter into a Bond Purchase Agreement with the Underwriters selected from the District's Underwriters Pool to provide the District with underwriting services in the issuance of the Bonds, (2) to implement the preparation, execution and delivery of the necessary documents including the Preliminary Official Statement, the Official Statement, Supplemental Trust Agreement, Bond Purchase Agreement, Continuing Disclosure Agreement and related agreements and, (3) to attend rating agency meetings and to execute "Green Bond" certification agreements in connection with the issuance of the Bonds.

### DISCUSSION:

In 2020, the District intends to issue not to exceed \$700 million of voter approved General Obligation Bonds. Proceeds of the Bonds will be used to fund projects authorized by Measure RR and to pay costs of issuance of the bonds.

The proposed resolution will authorize the Controller-Treasurer to negotiate the structure, financing terms and cost of issuance of the Bonds. In addition, the resolution authorizes the preparation, execution, and delivery of the necessary documents including the Preliminary

Official Statement, Official Statement, Supplemental Trust Agreement, Bond Purchase Agreement, Continuing Disclosure Agreement and related agreements, and payment to cover the costs of issuance as well as the execution of green bond certification agreements in connection with issuance of the Bonds.

The District advertised the RFP for underwriting services to the 12 members of the District's Underwriting Pool on May 28, 2020 and received 11 proposals on June 15, 2020. The Selection Committee performed a technical evaluation of the proposals. The Selection Committee ranked these proposals and recommended JP Morgan as Senior Manager, Goldman Sachs as Co-Senior Manager, and Barclays Capital, Wells Fargo, and Blaylock Van, LLC as Co-Managers for the Bonds.

Green Bonds are issued to encourage investing in projects that support sustainability and the environment. More specifically, Green Bonds finance projects aimed at energy efficiency, pollution prevention, sustainable agriculture, fishery and forestry, the protection of aquatic and terrestrial ecosystems, clean transportation, sustainable water management, and the cultivation of environmentally friendly technologies. BART issuances are 'Green Bonds' as the District's projects finance a mass transit system.

#### **FISCAL IMPACT:**

The District proposes to issue General Obligation Bonds (Election of 2016), 2020 Series C, in the total principal amount not to exceed \$700 million. The cost of issuance for underwriting, legal counsel, financial advisors, rating agencies, trustee services, and other auxiliary fees is estimated not to exceed 1% of principal amount of Bonds issued. All fees shall be paid out of proceeds and, therefore, no direct costs will be paid by the District. If no bonds are issued, no expense will be incurred.

Interest and principal on the General Obligation Bonds will be paid through ad valorem taxes assessed on all property in the three BART District counties. No General Obligation Bond debt service will be borne by District general fund revenues.

#### **ALTERNATIVES:**

The District may elect not to issue the General Obligation Bonds (Election of 2016), 2020 Series C, at this time which would mean no bond funds would be available to fund projects under Measure RR.

#### **RECOMMENDATION:**

To authorize the issuance of the Bonds and for the Controller-Treasurer to negotiate the structure, financing terms and cost of issuance for the General Obligation Bonds (Election of 2016), 2020 Series C, and execute and deliver all documents necessary for their issuance.



**MOTION:**

The Board adopts the attached resolution, incorporated herein as if set forth in full, authorizing and approving the issuance and sale of not to exceed \$700 million aggregate principal amount of General Obligation Bonds (Election of 2016), 2020 Series C, and authorizing the preparation, execution and delivery of agreements and documents in connection therewith.

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

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

AUTHORIZING AND APPROVING THE ISSUANCE AND SALE OF NOT TO EXCEED \$700 MILLION AGGREGATE PRINCIPAL AMOUNT OF SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT GENERAL OBLIGATION BONDS (ELECTION OF 2016), 2020 SERIES C; AUTHORIZING THE EXECUTION AND DELIVERY OF A SECOND SUPPLEMENTAL TRUST AGREEMENT PURSUANT TO WHICH SUCH BONDS ARE TO BE ISSUED, A BOND PURCHASE AGREEMENT PURSUANT TO WHICH SUCH BONDS ARE TO BE SOLD BY NEGOTIATED SALE; APPROVING AN OFFICIAL STATEMENT RELATING TO SUCH BONDS; AUTHORIZING EXECUTION AND DELIVERY OF THE OFFICIAL STATEMENT AND CERTAIN DOCUMENTS IN CONNECTION WITH THE ISSUANCE AND SALE OF SUCH BONDS, INCLUDING A CONTINUING DISCLOSURE AGREEMENT; DELEGATING TO THE CONTROLLER/TREASURER OF THE DISTRICT POWER TO DETERMINE FINAL TERMS OF SUCH BONDS AND COMPLETE SAID DOCUMENTS AND AUTHORIZING CERTAIN OTHER MATTERS RELATING THERETO.

WHEREAS, pursuant to Resolution No. 5321 of the San Francisco Bay Area Rapid Transit District (the "District"), adopted June 9, 2016, the District duly called an election, and an election was regularly held in the Counties of Alameda, Contra Costa and San Francisco on November 8, 2016, at which the following proposition ("Measure RR") was submitted to the electors of the District:

"To keep BART safe; prevent accidents/breakdowns/delays; relieve overcrowding; reduce traffic congestion/pollution; and improve earthquake safety and access for seniors/disabled by replacing and upgrading 90 miles of severely worn tracks; tunnels damaged by water intrusion; 44-year-old train control systems; and other deteriorating infrastructure, shall the Bay Area Rapid Transit District issue \$3.5 billion of bonds for the acquisition or improvement of real property subject to independent oversight and annual audits?"

WHEREAS, at least two-thirds of the votes cast on said proposition were in favor of issuing said bonds;

WHEREAS, pursuant to said favorable vote and pursuant to Part 2 of Division 10 of the Public Utilities Code of the State of California, commencing with Section 28500, and Article 4.5 of Chapter 3 of Division 2 of Title 5 of the Government Code, commencing with Section 53506, and other applicable law, the District is authorized to issue said bonds;

WHEREAS, the District has heretofore issued its General Obligation Bonds (Election of 2016), 2017 Series A-1 (Green Bonds) (the “2017 A-1 Bonds”) in an aggregate principal amount of \$271,600,000 and its General Obligation Bonds (Election of 2016), 2017 Series A-2 (Federally Taxable) (Green Bonds) (the “2017 A-2 Bonds” and, together with the 2017 A-1 Bonds, the “2017A Bonds”) in an aggregate principal amount of \$28,400,000, pursuant to that certain Trust Agreement (Measure RR) (the “Master Trust Agreement”), by and between the District and U.S. Bank National Association, as trustee (the “Trustee” or “U.S. Bank”), dated as of June 1, 2017;

WHEREAS, the District has heretofore issued its General Obligation Bonds (Election of 2016), 2019 Series B-1 (Green Bonds) (the “2019 B-1 Bonds”) in an aggregate principal amount of \$313,205,000 and its General Obligation Bonds (Election of 2016), 2019 Series B-2 (Federally Taxable) (Green Bonds) (the “2019 B-2 Bonds” and, together with the 2019 B-1 Bonds, the “2019B Bonds”) in an aggregate principal amount of \$46,795,000, pursuant to the Master Trust Agreement as supplemented by the First Supplemental Trust Agreement (Measure RR), dated as of August 1, 2019 (the “First Supplemental Trust Agreement”), between the District and the Trustee;

WHEREAS, the District deems that it is necessary and desirable to issue its “San Francisco Bay Area Rapid Transit District General Obligation Bonds (Election of 2016), 2020 Series C-1 (Green Bonds)” and its “San Francisco Bay Area Rapid Transit District General Obligation Bonds (Election of 2016), 2020 Series C-2 (Federally Taxable) (Green Bonds)” (collectively, the “2020C Bonds”) in an aggregate principal amount not exceeding \$700,000,000, according to the terms and in the manner as set forth in the Second Supplemental Trust Agreement (Measure RR), to be dated as of August 1, 2020, between the District and the Trustee, for the purpose of financing the cost of the projects authorized in Measure RR (collectively, the “Project”) and paying the costs of issuance of the 2020C Bonds;

WHEREAS, there has been prepared and presented to this meeting a proposed form of Second Supplemental Trust Agreement (such Second Supplemental Trust Agreement, in the form presented to this meeting, with such changes, insertions and omissions as are made pursuant to this Resolution being hereinafter referred to as the “Second Supplemental Trust Agreement” and, together with the Master Trust Agreement and the First Supplemental Trust Agreement, the “Trust Agreement”);

WHEREAS, the District deems it necessary and desirable to sell the 2020C Bonds by negotiated sale to J.P. Morgan Securities LLC, acting as representative (the “Representative”) of itself and Goldman Sachs & Co., Inc., (together with the Representative, the “Senior Managers”), Barclays Capital Inc., Blaylock Van, LLC, and Wells Fargo Bank, National Association (collectively with the Senior Managers, the “Underwriters”), in order to provide flexibility in the timing of the sale of the 2020C Bonds and to achieve a more desirable debt structure and an overall lower cost of borrowing, all pursuant to a bond purchase agreement to be entered into between the District and the Representative, a proposed form of which has been prepared and presented to this meeting (such bond purchase agreement, in the form presented to this meeting, with such changes, insertions and omissions as are made pursuant to this Resolution, being hereinafter referred to as the “Bond Purchase Agreement”);

WHEREAS, there has been prepared and submitted to this meeting a proposed form of the Official Statement (as defined herein) in preliminary form (the "Preliminary Official Statement") to be used in connection with the offering and sale of the 2020C Bonds;

WHEREAS, in order to assist the Underwriters in complying with Securities and Exchange Commission Rule 15c2-12(b)(5), there has been prepared and submitted to this meeting a proposed form of Continuing Disclosure Agreement (such Continuing Disclosure Agreement, in the form presented to this meeting, with such changes, omissions and insertions as are made pursuant to this Resolution, being hereinafter referred to as the "Continuing Disclosure Agreement"), which is proposed to be entered into by the District and the Trustee, as trustee and as dissemination agent;

WHEREAS, the District has engaged Sperry Capital Inc., as municipal advisor to the District with respect to the 2020C Bonds, and Orrick, Herrington & Sutcliffe LLP, as bond and disclosure counsel to the District with respect to the 2020C Bonds and pursuant to Section 5852.1 of the Government Code of the State of California, the District has estimated the costs of issuance for the 2020C Bonds and has received certain representations and good faith estimates from the Representative as to the debt costs and finance charges with respect to the 2020C Bonds as set forth in Appendix A hereto; and

WHEREAS, the District hereby determines that use of the proceeds of the 2020C Bonds for the Project will assist BART in providing mass transit services which are electrically powered and thus reduce the amount of carbon dioxide that would otherwise be released if BART riders used automobiles and as such the 2020C Bonds should be certified as "Green Bonds" under the low carbon land transport standard established by the Climate Bonds Standard and Certification Scheme;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the San Francisco Bay Area Rapid Transit District as follows:

Section 1. The foregoing recitals are true and correct, and the issuance by the District of San Francisco Bay Area Rapid Transit District General Obligation Bonds (Election of 2016), 2020 Series C-1 (Green Bonds) and San Francisco Bay Area Rapid Transit District General Obligation Bonds (Election of 2016), 2020 Series C-2 (Federally Taxable) (Green Bonds), in an aggregate principal amount not to exceed \$700,000,000, on the terms and conditions set forth herein and in the Second Supplemental Trust Agreement, as finally executed and delivered, is hereby approved.

Section 2. The Second Supplemental Trust Agreement in the form presented to this meeting is hereby approved. The Controller/Treasurer of the District is hereby authorized and directed to execute and deliver the Second Supplemental Trust Agreement in substantially the form presented to this meeting with such changes, insertions and omissions as may be approved by such officer, such approval being conclusively evidenced by the execution and delivery of the Second Supplemental Trust Agreement. The proceeds of the 2020C Bonds (after payment of the costs of issuance thereof) will be applied to provide funds for the purposes hereinabove described. The maximum term of the 2020C Bonds shall not exceed thirty (30) years. The maximum rate of interest to be payable on the 2020C Bonds shall not exceed five percent (5.00%) per annum. The combined true interest cost for the 2020C Bonds shall not exceed four percent (4.00%). Optional

redemption of the 2020C Bonds shall be provided for at not later than ten (10) years from the date of issuance at the principal amount of 2020C Bonds being redeemed; provided, however, that the Controller/Treasurer of the District is hereby authorized to cause all or any portion of the 2020C Bonds to be issued as noncallable, taxable or tax-exempt bonds. The 2020C Bonds shall be signed by the manual or facsimile signature of the President of the Board of Directors of the District and countersigned by the manual or facsimile signature of the Secretary of the District, and the manual or facsimile seal of the District shall be affixed to the 2020C Bonds. The 2020C Bonds shall be authenticated by a manual signature of a duly authorized officer of the Trustee. The dated date of the document, the interest payment dates, series designations, tax designation, denominations, forms, manner of execution, terms of redemption and other terms of the 2020C Bonds shall be as provided in the Second Supplemental Trust Agreement as finally executed.

Section 3. The sale of the 2020C Bonds to the Underwriters on the terms and conditions contained in the Bond Purchase Agreement are hereby approved and authorized. The Bond Purchase Agreement is hereby approved and the Controller/Treasurer of the District is hereby authorized and directed to execute and deliver the Bond Purchase Agreement in substantially the form presented to this meeting with such changes, insertions and omissions as may be approved by such officer, such approval being conclusively evidenced by the execution and delivery thereof. The maximum underwriting discount on the sale of the 2020C Bonds (exclusive of original issue discount) shall be not greater than thirty-five hundredths of one percent (0.35%) of the principal amount of the 2020C Bonds. The proceeds, including any accrued interest on the sale of the 2020C Bonds, shall be applied simultaneously with the delivery of the 2020C Bonds, as required by the terms of the Second Supplemental Trust Agreement as finally executed.

Section 4. The Preliminary Official Statement in the form presented to this meeting is hereby approved and the distribution of the Preliminary Official Statement, in connection with the offering and sale of the 2020C Bonds, with such changes, omissions and insertions as shall be approved by the Controller/Treasurer, is hereby authorized and approved. The Controller/Treasurer is hereby authorized to review the Preliminary Official Statement and to certify on behalf of the District that the Preliminary Official Statement is “deemed final” as of its date, except for certain terms and pricing information permitted to be omitted therefrom pursuant to Securities and Exchange Commission Rule 15c2-12. The Controller/Treasurer of the District is authorized to deliver such a certification to the Underwriters.

The Controller/Treasurer of the District is hereby authorized and directed to prepare a final version of the Official Statement (such final version of the Official Statement, in the form of the Preliminary Official Statement, with such changes, insertions and omissions as shall be approved by the Controller/Treasurer of the District, being hereinafter referred to as the “Official Statement”) and to execute the Official Statement and any amendment or supplement thereto, in the name of and on behalf of the District, and cause the Official Statement and any such amendment or supplement to be delivered to the Underwriters and distributed in connection with the offering and sale of the 2020C Bonds.

Section 5. The Continuing Disclosure Agreement in the form presented to this meeting is hereby approved. The Controller/Treasurer of the District is hereby authorized and directed to execute and deliver a Continuing Disclosure Agreement in substantially the form presented to this meeting, with such changes, insertions and omissions as may be approved by such officer, such

approval being conclusively evidenced by the execution and delivery of the Continuing Disclosure Agreement.

Section 6. The Controller/Treasurer of the District is hereby authorized to arrange and confirm Green Bond certifications from the Climate Bonds Initiative for the 2020C Bonds or a portion thereof and the Controller/Treasurer of the District is further authorized to execute and deliver all documents necessary in connection therewith.

Section 7. The Controller/Treasurer of the District is hereby authorized to enter into or to instruct the Trustee to enter into one or more investment agreements, float contracts, swaps or other hedging products (hereinafter collectively referred to as the "Investment Agreement") providing for the investment of moneys in any of the funds and accounts created under the Trust Agreement, on such terms as the Controller/Treasurer of the District shall deem appropriate. Pursuant to Section 5922 of the California Government Code, the Board of Directors of the District hereby finds and determines that the Investment Agreement will reduce the amount and duration of interest rate risk with respect to amounts invested pursuant to the Investment Agreement and is designed to reduce the amount or duration of payment, rate, spread or similar risk or result in a lower cost of borrowing when used in combination with the 2020C Bonds or enhance the relationship between risk and return with respect to investments.

Section 8. Pursuant to Section 29121 of the California Public Utilities Code, the District shall, at the time of fixing the general tax levy and in the manner provided for fixing the general tax levy, levy and collect annually until the 2020C Bonds are paid, or until there is a sum in the treasury of the District set apart for the purpose of paying all principal of and interest (and redemption premiums, if any) on the 2020C Bonds as the same become due and payable, a tax sufficient to pay the annual interest on the 2020C Bonds and such part of the principal thereof, including any sinking fund installments or redemption premiums required to be paid pursuant to the Second Supplemental Trust Agreement, as will become due before the proceeds of a tax levied at the next general tax levy will be made available for such purposes.

Section 9. The District hereby pledges all revenues from the property taxes collected from the levy for the payment of outstanding general obligation bonds of the District heretofore and hereafter issued pursuant to voter-approved Measure RR of the District, including the 2020C Bonds and any bonds issued to refund the 2020C Bonds or any other bonds issued pursuant to Measure RR (for the purpose of this pledge herein collectively, the "Bonds") and amounts on deposit in the interest and sinking fund of the District to the payment of the principal or redemption price of and interest on the Bonds. This pledge shall be valid and binding from the date hereof for the benefit of the owners of the 2020C Bonds and successors thereto. The property taxes and amounts held in the interest and sinking fund of the District shall be immediately subject to this pledge, and the pledge shall constitute a lien and security interest which shall immediately attach to the property taxes and amounts held in the interest and sinking fund of the District to secure the payment of the Bonds and shall be effective, binding, and enforceable against the District, its successors, creditors and all others irrespective of whether those parties have notice of the pledge and without the need of any physical delivery, recordation, filing, or further act.

Section 10. The Board of Supervisors, the Auditor-Controller, the Assessor, the Treasurer, and other appropriate officials of each of the County of Alameda, the County of Contra

Costa and the City and County of San Francisco (each a “BART County” and collectively, the “BART Counties”), are hereby requested to take and authorize such actions as may be necessary pursuant to laws of the State of California to provide for the levy and collection of the property tax on all property within their respective County subject to taxation by the District at such rate specified annually by the District to provide for payment of all principal of, redemption premium, if any, and interest on the 2020C Bonds as the same shall become due and payable, and to transfer such monies to or as requested by the District for deposit to the District’s interest and sinking fund established pursuant to the Trust Agreement, and the Secretary of the District is hereby authorized and directed to deliver certified copies of this Resolution to the Clerk of the Board of Supervisors, the Auditor-Controller, the Assessor, the Treasurer and other appropriate officials of each BART County. The Board hereby agrees to reimburse each BART County for any costs associated with the levy and collection of said tax, upon such documentation of said costs as the District shall reasonably request. The Controller/Treasurer of the District is hereby authorized to enter into agreements with each BART County, provide such other documentation, and engage such consultants as the Controller/Treasurer of the District determines is necessary or convenient to assist in the levy and collection of the taxes, the transfer thereof to or at the direction of the District, and the management of the bond program.

Section 11. The President of the Board of Directors of the District, the General Manager of the District, the Controller/Treasurer of the District, the General Counsel of the District, the District Secretary and any other proper officer of the District, acting singly, is, and each of them hereby is, authorized and directed to execute and deliver any and all documents and instruments and to do and cause to be done any and all acts and things necessary or proper to carry out the transactions contemplated by the Trust Agreement, the Bond Purchase Agreement, the Preliminary Official Statement, the Official Statement and the Continuing Disclosure Agreement, and by this Resolution, including without limitation, the delivery of tax certifications, the delivery of any instructions or documents relating to the investment of bond proceeds and the making of any determinations or submission of any documents or reports which are required by any governmental entity in connection with the issuance or payment of the 2020C Bonds.

Section 12. All actions heretofore taken by the officers, representatives or agents of the District in connection with the issuance and sale of the 2020C Bonds are hereby ratified, confirmed and approved.

Section 13. This Resolution shall take effect from and after its adoption.

PASSED AND ADOPTED on \_\_\_\_\_, 2020.

**EXHIBIT A TO RESOLUTION**

**GOOD FAITH ESTIMATES**

**SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT  
GENERAL OBLIGATION BONDS  
(ELECTION OF 2016), 2020 SERIES C  
(GREEN BONDS)**

The following information was obtained from J.P. Morgan Securities LLC, as Representative of the Underwriters of the bonds defined above (the "Bonds") and Sperry Capital Inc., as Municipal Advisor to the San Francisco Bay Area Rapid Transit District with respect to the Bonds, for consideration prior to the authorization in the foregoing Resolution of the proposed Bonds:

1. *True Interest Cost of the Bonds.* Assuming an aggregate principal amount of the Bonds in the amount of \$700,000,000 is sold pursuant to the financing and based on market interest rates prevailing at the time of preparation of this information plus 50 basis points, a good faith estimate of the true interest cost of the Bonds, which means the rate necessary to discount the amounts payable on the respective principal and interest payment dates to the purchase price received for the Bonds, is 3.508%.

2. *Finance Charge of the Bonds.* Assuming such a principal amount of the proposed Bonds is sold and based on market interest rates prevailing at the time of preparation of this information plus 50 basis points, a good faith estimate of the Finance Charge of the Bonds, which means the sum of all fees and charges paid to third parties (or costs associated with the issuance of the Bonds), is \$2,183,220.97, as follows:

a)	Bond Counsel Fees	\$500,000.00*
b)	Disclosure Counsel Fees	200,000.00*
c)	Disbursements	5,000.00*
d)	Municipal Advisor Fees	30,000.00*
e)	Rating Agency Fees	271,475.00*
f)	Trustee Fees	9,100.00*
g)	Printer Fees	4,690.00*
h)	Miscellaneous Expenses	1,000.00*
i)	Green Bond Certification	7,000.00*
j)	Underwriters' Discount	1,145,000.00*
	Subtotal	<u>\$2,173,265.00*</u>
k)	Contingency	9,955.97*
	Total:	<u>\$2,183,220.97*</u>

\* Preliminary, subject to change.

3. *Amount of Proceeds to be Received.* Assuming such aggregate principal amount of the proposed Bonds required to effectuate the financing is sold and based on market interest rates prevailing at the time of preparation of this information plus 50 basis points, a good faith estimate of the amount of proceeds expected to be received by the issuer for sale of the Bonds less the



Finance Charge of the Bonds described in 2 above and any reserves or capitalized interest paid or funded with proceeds of the Bonds, is \$700,000,000.00.

4. *Total Payment Amount.* Assuming such aggregate principal amount of the proposed Bonds (\$700,000,000.00) are sold and based on market interest rates prevailing at the time of preparation of this information plus 50 basis points, a good faith estimate of the total payment amount, which means the sum total of all payments the issuer will make to pay debt service on the Bonds plus the Finance Charge of the Bonds described in paragraph 2 above not paid with the proceeds of the Bonds, calculated to the final maturity of the Bonds, is \$1,279,347,913.89<sup>1</sup>.

Attention is directed to the fact that the foregoing information constitutes good faith estimates only. The actual interest cost, finance charges, amount of proceeds and total payment amount may vary from the estimates above due to variations from these estimates in the timing of Bond sales, the amount of Bonds sold, the amortization of the Bonds sold and market interest rates at the time of each sale. The date or dates of sale and the amount of Bonds sold will be determined by the issuer based on need for funds and other factors. The actual interest rates at which the Bonds will be sold will depend on the bond market at the time of sale. The actual amortization of the Bonds will also depend, in part, on market interest rates at the time of each sale. Market interest rates are affected by economic and other factors beyond the issuer's control.

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<sup>1</sup> Net debt service excluding \$138,115,885.33 in debt service payments the issuer will make with proceeds of the Bonds deposited in the interest and sinking fund of the District.

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

Board of Directors  
Minutes of the 1,866th Meeting  
June 25, 2020

A regular meeting of the Board of Directors was held on June 25, 2020, convening at 9:00 a.m. via teleconference, pursuant to Governor Gavin Newsom's Executive Order N-29-20 and the California Shelter-in-Place mandate. President Simon presided; Patricia K. Williams, District Secretary.

Directors Present: Directors Allen, Ames, Dufty, Foley Li, McPartland, Raburn, Saltzman and Simon.

Absent: None.

President Simon gave opening remarks and instructions on the virtual meeting, accessing presentation materials online, Public Comment, and Board Members' remarks.

Consent Calendar action items brought before the Board were:

1. Approval of Minutes of the Meeting of June 11, 2020.
2. BART Police Citizen Review Board Appointments and Re-Appointments.
3. Fiscal Year 2021 Proposition 4 Appropriations Limit.
4. Resolution Authorizing California State of Good Repair Program Funds for Fiscal Year 2020-2021.
5. Extension of Agreement No. 6M4299, Website Platform Management Software, with Acquia, Inc.
6. Award of Contract No. 54RR-330, Oakland Shops Vacuum System Replacement.
7. Invitation For Bid No. 9086, Backhoes, Excavators, Telehandlers and Trailers.
8. Invitation For Bid No. 9088, Aerial Lift Trucks, Dump Trucks and Stake Trucks.
9. Reject All Bids for Contract No. 15EK-100, Traction Power Facility Replacements C, M, and K Lines.
10. Renewal of Lease Agreement with West Grand Adeline, LLC for Warehouse Space at 2305 Chestnut Street, Oakland, CA.

Director Ames commented on and/or inquired about the 50% additional purchase above the contract amounts and borrowing equipment to reduce costs, and requested that Items 2-G, Invitation For Bid No. 9086, Backhoes, Excavators, Telehandlers and Trailers, and 2-H, Invitation For Bid No. 9088, Aerial Lift Trucks, Dump Trucks and Stake Trucks, be removed from the Consent Calendar.

Director Saltzman made the following motions as a unit. Director Dufty seconded the motions, which carried by unanimous roll call vote. Ayes: 9 – Directors Allen, Ames, Dufty, Foley, Li, McPartland, Raburn, Saltzman, and Simon. Noes: 0.

1. That the Minutes of the Meeting of June 11, 2020 be approved.
2. That the BART Board of Directors ratifies the appointment and reappointment of the following individuals for a term of 2 years, beginning on July 1, 2020, and expiring on June 30, 2022:

Erin Armstrong, Public-at-Large  
Kenneth Loo, District 1  
William White, District 3  
Todd Davis, District 5  
Christina Gomez, District 7  
George Perezvelez, District 9

3. That Resolution No. 5443, In the Matter of the Establishment Of the Fiscal Year 2021 Appropriations Limit, be adopted.
4. That Resolution No. 5444, In the matter of authorizing the acceptance of Fiscal Year 2020-21 California State of Good Repair Program Funds, be adopted; and that the General Manager, or an appointed designee, be designated to execute all required documentation for participation in this program. This action will enable the receipt of funds in the amount of \$6,471,025.00 to perform critical improvements to escalators and elevators, electrical and mechanical systems, communication and computer systems, and traction power systems at various District stations and facilities.
5. That the General Manager be authorized to issue a Purchase Order for the renewal of licenses to Acquia, Inc. for Website Platform Management Software in the amount of \$558,000.03.
6. That the General Manager be authorized to award Contract No. 54RR-330 – Oakland Shops Vacuum System Replacement to Blocka Construction, Inc. for an amount not to exceed \$639,300.00 pursuant to notification to be issued by the General Manager, subject to the District's Protest Procedures.
7. That the General Manager be authorized to reject the Bid for Contract No. 15EK-100, Traction Power Facility Replacements C, M, and K Lines.
8. That the General Manager, or his designee, be authorized to execute a lease agreement with West Grand Adeline, LLC for warehouse space at 2305 Chestnut Street, Oakland, for a five-year term for a first year rent amount of \$58,800.00 with an annual escalation based on the regional Urban Consumer Price Index.

Director Saltzman made the following motions as a unit. Director Dufty seconded the motions.

1. That the General Manager be authorized to award Invitation For Bid (IFB) No. 9086 for backhoes, excavators, telehandlers, and trailers to Sonsray Machinery in San Leandro, CA for an amount of \$1,118,219.98, 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 (FTA) requirements related to protest procedures.
2. That the General Manager be authorized to award IFB No. 9088 for Aerial Lift Truck, Dump Truck, and Stake Trucks to Golden Gate Truck Center in Oakland, CA for an amount of \$739,967.73, pursuant to notification to be issued by the General Manager, and subject to compliance with the District's Protest Procedures, and FTA's requirements related to protest procedures.

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

Director Ames commented on the potential increase in the contract amounts.

Director Raburn commented on funding sources and the need for the purchases.

The motions brought by Director Saltzman and seconded by Director Dufty carried by roll call vote. Ayes: 7 – Directors Dufty, Foley, Li, McPartland, Raburn, Saltzman, and Simon. Noes: 2 – Directors Allen and Ames.

Director McPartland reported he had appointed Todd Davis as the representative for District 5 on the BART Police Citizen Review Board (BPCRB).

President Simon called for Public Comment on the Consent Calendar. No comments were received.

President Simon called for general Public Comment.

Ms. Williams indicated that written comments had already been submitted to the Board and that there were no additional written general public comments.

The following individuals addressed the Board via telephone:

Joe Kunzler  
Adina Levin  
Aleta Dupree  
Felix Thompson  
Anna Krasner  
Simón Manganelli  
Peter H.

Director Dufty acknowledged Adina Levin's comments; commented on the low-income means-based fare pilot that will be implemented on July 15, 2020; and explained that four Board Members worked on

an amendment to the budget resolution and a Roll Call for Introductions (RCI) request regarding the BART Police Department (BPD).

Director McPartland, Chairperson of the Administration Committee, brought the matter of COVID-19 Update: Impact of and Responses to COVID-19 before the Board.

Mr. Michael Jones, Deputy General Manager; Ms. Angela Borchardt, Research Projects Supervisor, Customer and Performance Research; Ms. Pamela Herhold, Assistant General Manager, Performance and Budget; Mr. Robert Powers, General Manager; Ms. Alicia Trost, Chief Communications Officer; Ms. Tamar Allen, Assistant General Manager, Operations; Ms. Gia Ilole, General Manager, Administration; and Chief of Police Ed Alvarez, presented the item. The presentation contained sections on BART Counties' Status for Reopening, Post COVID-19 Rider Survey, Ridership, and the Welcome Back Plan.

The item was discussed, with the following highlights:

Director Allen thanked staff for their efforts and asked for information about expected baseline ridership.

Director Ames commented on and/or inquired about counties' efforts to address increases in COVID-19 cases, rider survey results, social distancing, Adina Levin's comment and a 50% means-based fare discount, and funding from the Metropolitan Transportation Commission (MTC) to offset lost revenue due to a 50% fare discount.

Director Li commented on and/or inquired about conducting inter-stop surveys, collecting feedback from Station Agents and frontline employees, ridership, contactless payment, and the effect of the San Francisco transportation working group on the Welcome Back Plan and the existence of similar working groups in other counties; and requested that future presentations include Clipper®-related statistics and that staff provide an update on open contactless payment options and ensuring that Clipper cards are available to riders.

Director McPartland commented on and/or inquired about ridership, thirty-minute headways, decontaminating trains every night, increased ridership and decreasing headways to fifteen minutes, upgrading decontamination efforts, and determining whether BART employees are more efficient when working from home than when working in the office.

Director Raburn commented on and/or inquired about the health status of BART employees, rider survey results regarding potential interventions, the existence of a measure for mask compliance, the impact of the state mandate for masks, social distancing, increasing the frequency of service, and the importance of wearing a mask; and recognized Ms. Tamar Allen and staff for adding train cars in response to concerns about crowding.

Director McPartland asked whether public service announcements (PSA) regarding social distancing are issued on platforms.

The following individuals addressed the Board via telephone:

Peter H.  
David Ying  
Aleta Dupree

Discussion continued, with the following highlights:

Director Saltzman thanked staff for their work and commented on the rider survey and surveying riders who have stopped riding BART over the past few years.

Director McPartland asked how e-mail addresses are acquired for surveys.

Vice President Foley thanked staff for their work and commented on maintaining social distancing and addressing issues with masks and train cleanliness when ridership increases.

President Simon expressed appreciation for staff's efforts to create a safe working environment and thanked staff for upholding BART's infrastructure.

Director McPartland brought the matter of Resolution Approving the Fiscal Year 2021 Annual Budget before the Board. Ms. Herhold, Mr. Christopher Simi, Director of Budgets, and Mr. Powers presented the item.

The following individuals addressed the Board via telephone:

Aleta Dupree  
Peter H.  
Ed Powerlan

Director Allen commented on and/or inquired about the change to the budget regarding BART Police Officers and Fare Inspectors, language in the proposed budget resolution regarding the General Manager's exercise of authority in disbursements, language in the proposed budget resolution regarding wage increases, and reducing operating expenses.

Director Allen moved that Resolution No. 5445, In the matter of approving the Annual Budget for the San Francisco Bay Area Rapid Transit District and authorizing Expenditures for the Fiscal Year July 1, 2020, to June 30, 2021, be adopted with the following amendment:

To require that the line item titled, "Subtotal – Operating Expense" that appears on Attachment 1 be reduced from the \$850,853,000.00 to the equivalent of the Fiscal Year 2020 (FY 20) budget amount of \$799,800,000.00. This amounts to about a \$51 million decrease in operating expenses before allocations to capital budget and debt service. Essentially that would put the Fiscal Year 2021 (FY 21) budget even with the budget for FY 20.

Director McPartland asked staff to discuss the impact of Director Allen's proposed amendment and inquired about whether budget reductions could be implemented after the budget is approved, the Board's oversight of budget reductions, and the amount of budget increases funded by the BART Safety, Reliability and Traffic Relief Program (Measure RR).

Director Allen commented on the additional expenses, revenue, and total impact on the budget attributed to the Silicon Valley extension.

Director Ames seconded Director Allen's motion and commented on reducing operating expenses, economic recovery, the uncertainty of BART's fiscal stability, reviewing a future budget, ridership confidence, and fare gates.

Director Ames proposed the following amendment to Director Allen's proposed amendment: To supplement the new fare gate funding program through leveraging a combination of Measure RR, county, and grant funds totaling \$50 million and issuance of \$50 million in new sales tax revenue bonds for a total program of \$100 million to fund new fare gate improvements at all stations within 3 years.

Director Allen initially seconded Director Ames' amendment, but subsequently rescinded her second.

Director Ames then made a substitute motion:

That Resolution No. 5445, In the matter of approving the Annual Budget for the San Francisco Bay Area Rapid Transit District and authorizing Expenditures for the Fiscal Year July 1, 2020, to June 30, 2021, be adopted with the following amendments:

To require that the line item titled, "Subtotal – Operating Expense" that appears on Attachment 1 be reduced from the \$850,853,000.00 to the equivalent of the FY 20 budget amount of \$799,800,000.00. This amounts to about a \$51 million decrease in operating expenses before allocations to capital budget and debt service. Essentially that would put the FY 21 budget even with the budget for FY 20.

To supplement the new fare gate funding program through leveraging a combination of Measure RR, county, and grant funds totaling \$50 million and issuance of \$50 million in new sales tax revenue bonds for a total program of \$100 million to fund new fare gate improvements at all stations within 3 years.

Mr. Matthew Burrows, General Counsel, read the following second substitute motion made by Director Dufty: That Resolution No. 5445, In the matter of approving the Annual Budget for the San Francisco Bay Area Rapid Transit District and authorizing Expenditures for the Fiscal Year July 1, 2020, to June 30, 2021, be adopted with the following addition:

BE IT FURTHER RESOLVED THAT through the 2020-2021 budget, the District commits to undertake a rigorous stakeholder process on new approaches that emphasize responding to homelessness, behavioral health and substance use without relying on armed police. This effort answers public calls to dramatically change how BART addresses these societal problems in our system. The Board and the General Manager will jointly lead this effort to develop recommendations for staffing and funding services that do not require sworn personnel that will be presented in October when adjustments to the budget are considered.

Director Dufty thanked the District 9 public speakers for their comments regarding the change in the budget to add Ambassadors and a Community Outreach Specialist and commented on the Black Lives Matter movement, racism, BART Police Officers' inability to provide social services, President Simon's leadership, the death of Oscar Grant, racism in policing, and BART Police Officer deployment practices.

Director McPartland seconded the second substitute motion.

The item was discussed, with the following highlights:

Director Li aligned herself with Director Dufty's comments; commented that Black Lives Matter, commented on support for the budget, budget reductions, increasing service, support for the change in the budget regarding BART Police Officers and Fare Inspectors, support for Director Dufty's substitute motion, BART's police reform efforts, and the death of Oscar Grant; and expressed appreciation for Mr. Powers and Chief Alvarez's willingness to recognize the need and public demand for change. Director Li commented on racism in policing and Director Dufty's proposed addition to the budget resolution; aligned herself with a written statement by David Rizk, Chairperson of the BPCRB; and read a statement by Mr. Rizk aloud.

Director McPartland commented on the Declaration of Independence, the Black Lives Matter movement, equality, law enforcement problems possibly attributed to training and policy, the demand for defunding police departments, and removal of monuments.

Director Raburn commented on the death of Oscar Grant and reforms at BART, the development of the Office of the Independent Police Auditor (OIPA) and the BPCRB, the death of George Floyd and revolution throughout the world, acknowledging the need for change, the need for additional reforms, the demand for defunding police departments, the change in the budget regarding BART Police Officers and Fare Inspectors, and support for Director Dufty's proposed addition to the budget resolution.

Director Saltzman thanked President Simon for her work and echoed Director Dufty's comments; thanked previous Boards, the BPD, the OIPA, and the BPCRB for their work; recognized Chief Alvarez for his work; commented on the public's sustained interest in defunding or reforming the BPD, support for Director Dufty's proposed addition to the budget resolution and the upcoming process; and expressed appreciation for staff's work on the budget.

Vice President Foley thanked budget staff for their work; commented on support for the proposed budget and Director Dufty's substitute motion; indicated that Black Lives Matter; commented on opposition to defunding the BPD, reexamining and reevaluating policing at BART to allow personnel to work effectively, opposition to further budget reductions, and increasing ridership and service.

Director McPartland commented that BART's most important resource is personnel.

President Simon commented on staff's efforts and budget staff's work; expressed gratitude for Mr. Powers' support of Chief Alvarez; commented on Chief Alvarez's work, innovative leadership within BART; requested that Mr. Powers continue to push leaders to "think big" and continue to learn from the past; commented on support for the proposed budget; and thanked Board Members for their advocacy efforts.

Director Ames expressed appreciation for Board Members' comments and commented on the need for reform, including reform in her substitute motion, budget reductions causing reform, and financial risk passed on to riders.



The substitute motion brought by Director Dufty and seconded by Director McPartland carried by roll call vote. Ayes: 7 – Directors Dufty, Foley, Li, McPartland, Raburn, Saltzman, and Simon. Noes: 2 – Directors Allen and Ames.

President Simon announced that the order of agenda items would be changed and called for Item 8-C, Roll Call for Introductions.

Director Saltzman submitted the following RCI request:

In response to Black Lives Matter, the tragic murder of George Floyd by Minneapolis Police, Bay Area social justice protests and public demand, the Board of Directors requests that the General Manager works with the Board of Directors on an immediate stakeholder process to develop changes to the BART Police model that de-emphasize the use of sworn personnel to respond to homelessness, behavioral health and substance use, among other issues that do not need an armed police response. Recognizing that much has been done to implement progressive and equitable policing practices, we also need to consider a different model of public safety that is more effective and prevents racially biased policing. The goal is to have recommendations for consideration in October when the Board considers revisions to this year's budget.

Director McPartland seconded Director Saltzman's RCI request.

Director Allen exited the Meeting.

Director Dufty, Chairperson of the Engineering and Operations Committee, brought the matter of Award of Contract No. 15EJ-180, 34.5 kV Cable Replacement and Fiber Optic Installation, A-Line, ACO to AUC, before the Board. Mr. Raymond Hsu, Manager of Engineering Programs, Strategic Engineering, presented the item.

Director Raburn moved that the General Manager be authorized to award Contract No. 15EJ-180, 34.5 KV Cable Replacement and Fiber Optic Cable Installation, A-Line, ACO to AUC to DMZ Builders, Concord, CA in the amount of \$106,992,990.00, pursuant to notification to be issued by the General Manager, subject to the District's Protest Procedures. Director McPartland seconded the motion.

Aleta Dupree addressed the Board via telephone.

Director Dufty commented on the difference between DMZ Builders' bid and the Engineer's Estimate and staff's more in-depth approach to developing the Engineer's Estimate; and thanked Ms. Tamar Allen and staff for their work.

The motion brought by Director Raburn and seconded by Director McPartland carried by unanimous roll call vote. Ayes: 8 – Directors Ames, Dufty, Foley, Li, McPartland, Raburn, Saltzman, and Simon. Noes: 0. Absent: 1 – Director Allen.

Director Dufty brought the matter of BART's Commitment to Progressive Policing before the Board. Chief Alvarez, Mr. Russell Bloom, Independent Police Auditor, Mr. Jones, Mr. Powers, and Ms. Trost presented the item.

Director Dufty asked Chief Alvarez and Mr. Bloom to introduce themselves, commended Chief Alvarez and Mr. Bloom, and asked Mr. Powers to address the Board.

President Simon expressed gratitude for the presentation and her conversations with Chief Alvarez; commented on innovation, reflection, intolerance of racists in the BPD, reform, BPD institutional agreements, Chief Alvarez's vision of opportunity for change, and the approach to community safety; and shared her experience as the victim of a violent crime, her work with domestic violence victims, and commitment to the safety of sex trafficking victims, low-wage workers, and community members.

The following individuals addressed the Board via telephone:

Wanda Johnson  
Gabriela Ornelas  
Keith Garcia  
Aleta Dupree  
Gena Alexander

Director Dufty commented on Aleta Dupree's comment regarding stakeholders.

The item was discussed, with the following highlights:

Director Ames commented on police reform, the Commission on Accreditation for Law Enforcement Agencies (CALEA) accreditation, community engagement, stakeholders, poverty, homelessness, and reducing fares; and recognized Police Lieutenant Ja'Son Scott for his work.

Director Dufty asked Chief Alvarez and Mr. Bloom to comment on banning holds above the shoulder.

Director Li commented on and/or inquired about her communication with Black community leaders regarding reform, Gena Alexander's comments, additional resources previously requested by the BPCRB, engagement with the BPCRB and increasing resources for the BPCRB and OIPA in future budget proposals, additional resources for the OIPA, and information about the protocol for BART Police Officers regarding non-violent behavioral health, substance use, and fare evasion situations.

Director McPartland commented on violence, division of the nation, and protests.

Director Dufty commented on racism and change.

Director McPartland commented on the death of Oscar Grant and the impact of The National Organization of Black Law Enforcement Executives (NOBLE) report, best practices for policing, racism and accountability, the partnership between the BPCRB and OIPA, and Todd Davis' appointment to the BPCRB.

Director Raburn commented on and/or inquired about oversight of race and policing, revision of the initial NOLBE report recommendations, alternative dispute resolution, data provided by Integrating Communications, Assessment, and Tactics (ICAT) training, collaboration, and re-establishing public outreach; thanked the public speakers for their comments; requested that de-

escalation information be included in the OIPA's monthly reports to the BPCRB; and commended Chief Alvarez.

Director Saltzman asked whether a webpage containing the presentation information has been or will be created and whether the Board could legally meet with the BPCRB; and requested that a joint meeting between the Board and BPCRB be scheduled.

Joe Kunzler addressed the Board via telephone.

Vice President Foley commented on support for continued engagement with law enforcement employees and the BPCRB, expanded training for BART Police Officers, and community-based assistance and working with national partners to identify the best certified training.

President Simon commented on safety, measuring success, addressing failure, and commitment to becoming stronger.

Director Saltzman, Chairperson of the Planning, Public Affairs, Access, and Legislation Committee, brought the matter of Federal and State Legislation for Consideration before the Board. Ms. Amanda Cruz, Manager of Government Relations and Legislative Affairs, Government and Community Relations, presented the item.

Ms. Williams provided a summary of a written comment submitted by Zach Hilton.

Director Saltzman commented on support for all of staff's recommendations, her appreciation for staff's work on Assembly Bill (AB) 2850, and the status of AB 2850.

Director Ames commented on the inadequacy of climate change investments in the INVEST in America Act, protecting roads, infrastructure, and communities, watersheds, inadequacy of investment in rail in the INVEST in America Act, FASTER Bay Area, connecting rail infrastructure, and opposition to the INVEST in America Act.

Director Raburn commented on the INVEST in America Act, rail connections and the RAILS Act, the status of High-Speed Rail, House Resolution (H.R.) 97, and closely monitoring High-Speed Rail.

Director Ames requested that H.R.2 be voted on separately.

Director Raburn made the following motions as a unit: (1) That the Board of Directors supports H.R. 7120/S. 3912, Assembly Constitutional Amendment (ACA) 5, AB 3153, Senate Bill (SB) 902, and Senate Constitutional Amendment (SCA) 1; (2) That the Board of Directors supports and authorizes staff to seek amendments to AB 3269; and (3) That the Board of Directors has no position on AB 2850 and will submit a letter to the author regarding pending and future amendments. Director Li seconded the motions, which carried by unanimous roll call vote. Ayes: 8 – Directors Ames, Dufty, Foley, Li, McPartland, Raburn, Saltzman, and Simon. Noes: 0. Absent: 1 – Director Allen.

Director Raburn moved that the Board of Directors supports H.R.2. Director Li seconded the motion, which carried by roll call vote. Ayes: 7 – Directors Dufty, Foley, Li, McPartland, Raburn, Saltzman, and Simon. Noes: 1 – Director Ames. Absent: 1 – Director Allen.

Director Saltzman brought the matter of Resolution in Support of the Repeal of Proposition 209 and the Resumption of Affirmative Action in California before the Board.

Director Saltzman moved that Resolution No. 5446, Resolution of the Board of Directors of the San Francisco Bay Area Rapid Transit District supporting the repeal of Proposition 209 and the resumption of affirmative action in California, be adopted. President Simon seconded the motion.

Director Dufty expressed support for the Resolution.

The motion brought by Director Saltzman and seconded by President Simon carried by unanimous roll call vote. Ayes: 8 – Directors Ames, Dufty, Foley, Li, McPartland, Raburn, Saltzman, and Simon. Noes: 0. Absent: 1 – Director Allen.

Director Saltzman brought the matter of BART Headquarters Office Building (2150 Webster St., Oakland, CA) before the Board. Mr. Carl Holmes, Assistant General Manager, Design and Construction, presented the item.

The following individuals addressed the Board via telephone:

Manan Shah  
Julia Campbell  
Merrill Bowers  
Brendan Crockett  
Charissa Frank  
Steve Lawler  
Aaron Olson

Director Saltzman asked Mr. Burrows to respond to public comments.

Director Dufty commended President Simon for her work on the project; expressed appreciation for Mr. Holmes' leadership on the project; asked for information about the construction manager on the project and whether an African American architectural firm is or will be part of the project; and commented on BART's business preference for LGBT businesses.

President Simon commented on the project's initially scheduled presentation to the Board, the contractor's commitment to BART's values, Board Members' community outreach regarding engagement with the project, Turner Construction Company's (Turner) commitment to diversity, inclusion, and equity, and staff's responsibility to provide reports to the Board regarding the status of the project's infrastructure and Turner's progress on honoring its commitments, monitoring the success and challenges of the project, oversight by the minority Chambers of Commerce, and support for the project.

President Simon moved that the General Manager be authorized to award Contract No. 6M4706 for the Design-Build of BART Headquarters, in the total amount not to exceed \$58,467,851.37 to Turner Construction Company, subject to the District's Protest Procedures. Director Raburn seconded the motion.

Director Ames commented that she would have liked to review the scope of work in the proposal, her request for staff to provide the scope of the Request for Proposal (RFP), receiving a detailed scope of work and information regarding milestones; and indicated that she needed to abstain from the vote due to lack of information.

Director Raburn thanked staff and Turner for their work to secure a commitment to minority and women-owned businesses in Turner's proposal; commented on his experience with a previous progressive design-build project; asked for an explanation of the process for the project; and addressed BCCI, noting that there would be future opportunities to bid on Measure RR projects.

The motion brought by President Simon and seconded by Director Raburn carried by unanimous roll call vote. Ayes: 7 – Directors Dufty, Foley, Li, McPartland, Raburn, Saltzman, and Simon. Noes: 0. Abstentions: 1 – Director Ames. Absent: 1 – Director Allen.

The Board Meeting recessed at 1:59 p.m.

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The Board Meeting reconvened at 2:07 p.m.

Directors present: Directors Ames, Dufty, Foley, Li, McPartland, Raburn.

Absent: Directors Allen, Saltzman, and Simon.

Vice President Foley chaired the remainder of the Meeting and called for the General Manager's Report. Mr. Powers reported on Clipper utilization, migrating stations to Clipper-only payment, staff's efforts to communicate with the Board and public regarding converting stations to Clipper-only payment, providing station agents with Clipper cards for distribution to those who need assistance, the beginning of revenue service and ridership for the Santa Clara Valley Extension Phase I, the C25 and A65 projects, grant awards, and the Governor's Office of Emergency Services' (*Cal* OES) donation of personal protective equipment (PPE) to BART.

Vice President Foley called for Public Comment on the General Manager's Report. Aleta Dupree and Joe Kunzler addressed the Board via telephone.

Director Raburn commented on the discussion of Clipper-only payment at the Office of Civil Rights Title VI/Environmental Justice Advisory Committee meeting and ensuring that Clipper cards can be distributed to schools, institutions, and travelling groups at the beginning of the Clipper-only payment rollout; and suggested that the Government Alliance on Race and Equity (GARE), or a similar organization, help facilitate the upcoming meeting between the BPCRB and the Board.

Vice President Foley called for Report of the Personnel Review Special Committee, Board Member Reports, and In Memoriam requests.

Ms. Williams reported that the Personnel Review Special Committee had met in closed session on June 18, 2020, and that there was no announcement to be made as a result of the meeting.

Director Ames commented on her desire for the West Oakland transit-oriented development (TOD) project to succeed and her upcoming meeting with the West Oakland TOD project developer to discuss building office space; and reported that she went to Berryessa Station.

Director Li reported that she had attended the Silicon Valley Berryessa Extension (SVBX) opening ceremony at Berryessa Station and requested that the Meeting be adjourned in honor of The Honorable Harry Britt, community leader and former Supervisor of the City and County of San Francisco.

Directors Dufty and Li gave remarks regarding The Honorable Harry Britt.

Director McPartland reported that he had given presentations with staff regarding the interlocking at A65 at Hayward Station.

Director Raburn reported that he had attended the Capitol Corridor Joint Powers Authority meeting on June 17, 2020.

Vice President Foley reported that he had ridden the first train of revenue service leaving Berryessa Station; commented on the Berryessa and Milpitas stations, social distancing on the first train that left Berryessa Station, and his observation of the new fare gate pilot at Richmond Station; suggested that liaisons be assigned to the Milpitas and Berryessa stations; and requested that Board Members try the new fare gates at Richmond Station.

The Meeting was adjourned in honor of The Honorable Harry Britt at 2:25 p.m.

Patricia K. Williams  
District Secretary



## EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>[Signature]</i> 7/15/2020		GENERAL MANAGER ACTION REQ'D:		
DATE: 6/28/2020		BOARD INITIATED ITEM: Yes		
Originator/Prepared by: Elena Van Loo Dept: Customer Access and Accessibility	General Counsel <i>[Signature]</i>	Controller/Treasurer <i>[Signature]</i>	District Secretary [ ]	BARC <i>[Signature]</i>
Signature/Date: <i>Elena Van Loo</i> 7/13/20	<i>[Signature]</i> 7/13/20	<i>[Signature]</i> 7/13/20	[ ]	<i>[Signature]</i> 7/13/20
Status: Approved		Date Created: 6/28/2020		

### New Member Appointments to the BART Accessibility Task Force (BATF)

#### Purpose:

To request the BART Board of Directors appoint two nominated candidates for membership, Hale Zukas and Anita Ortega, to the BART Accessibility Task Force (BATF).

#### Discussion:

The BATF has been in existence since 1975 to advise the BART Board and BART staff on accessibility issues at BART. The BATF by-laws provide for the committee to be comprised of up to eighteen members who live or work in the BART service area. The BATF by-laws also state that to become a member of the committee, an interested applicant must be endorsed by the members of the BATF through a majority vote and then the recommendation for membership is submitted to the BART Board of Directors for consideration.

#### Candidates for BATF Membership:

Both Hale Zukas and Anita Ortega, candidates for membership to the BATF, were endorsed by a majority vote of the members of the BATF that were present at the June 25, 2020 BATF committee meeting.

These BATF membership recommendations are now being submitted to the BART Board for consideration.

The prospective candidates, if approved by the BART Board, will be officially seated as members of the BATF on July 23, 2020 for a term of one year, or until the BART Board announces appointments and/or reappoints for a new term, whichever occurs later. If approved, the BATF will be comprised of 17 members.

**Fiscal Impact:**

Members receive a \$15 monthly stipend for travel to attend regularly scheduled monthly committee meetings. Additionally, members are eligible to be reimbursed for the actual cost of travel for additional pre-approved meetings.

Funds will be budgeted in the Customer Access Department operating budget (Dept. 1102491, Account 681500-Other Non-Professional Services). Funding for services in the fiscal year are included in the Department's existing operating budget, which is subject to Board approval.

This action is not anticipated to have any fiscal impact on unprogrammed District reserves in the current Fiscal Year.

**Alternatives:**

Do not make the appointments.

**Recommendation:**

Appoint Hale Zukas and Anita Ortega to the BATF Accessibility Task Force (BATF).

**Motion:**

The BART Board accepts the recommendations of the BATF and appoints the nominated candidates, Hale Zukas and Anita Ortega, for membership to the BATF for a term beginning July 23, 2020 for one year, or until the Board makes new appointments and/or reappointments for a new term, whichever occurs later.





## EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>[Signature]</i> 7/15/2020		GENERAL MANAGER ACTION REQ'D: Approve and Send to Board		
DATE: 6/25/2020		BOARD INITIATED ITEM: No		
Originator/Prepared by: Linda Lee Dept: Strategic Engineering <i>Prube Cby for Linda Lee</i> Signature/Date: July 10, 2020	General Counsel <i>[Signature]</i> 7/20/20 [ ]	Controller/Treasurer <i>[Signature]</i> 7/13/2020 [ ]	District Secretary [ ]	BARC <i>[Signature]</i> 7.13.2020 [ ]

### To Request for Board Authorization to award Contract No. 15TC-123

**PURPOSE:** To obtain Board authorization for the General Manager to award Contract No. 15TC-123, Richmond Yard Fence Rehabilitation, to Perimeter Security Group LLC of Coeur d'Alene, ID for the bid price of \$3,419,104.10.

**DISCUSSION:** This Contract is part of the Systemwide Fence Rehabilitation Project for the removal and replacement of existing right-of-way fences and gates at critical locations systemwide. Fence projects were identified in the Risk Register as having high priority to ensure safety and reduce risk to BART operations. Fence intrusions have resulted in train delays, vandalism, and theft (especially copper).

The Contract was publicly advertised on February 20-21, 2020 in three publications. Notice to Bidders for this Contract was emailed on February 24, 2020 to six prospective bidders. The Office of Civil Rights (OCR) notified approximately 1,196 firms in performance of their outreach. A Pre-Bid meeting was conducted on March 4, 2020 with representatives from approximately six firms in attendance. Prior to the Bid opening, the District issued three (3) Addenda for this Contract.

Five bids were timely received on May 12, 2020. Two of the bids were deemed non-responsive due to a variety of material defects. District staff determined that the remaining bids received were responsive. The bids received and the Engineer's Estimate are as follows:

<b>Bidder Name</b>	<b>Location</b>	<b>Total Bid Price</b>	<b>Total Bid Price, with Bid Preferences*, if applicable</b>
Saboo, Inc. (Non-Responsive)	Brentwood, CA	\$3,003,780.00	\$3,003,780.00
Perimeter Security Group LLC	Coeur d'Alene, ID	\$ 3,419,104.10	\$ 3,419,104.10
Golden Bay Fence Plus Iron Works, Inc.	Stockton, CA	\$ 3,969,766.00	\$ 3,969,766.00
Thompson Builders (Non-Responsive)	Novato, CA	\$3,999,414.00	\$3,999,414.00
Wickman Development and Construction	San Francisco, CA	\$ 5,097,725.00	\$ 4,947,725.00*
Engineer's Estimate		\$ 3,764,740.00	

\*Includes a Bid Preference for certified Local Small Business prime contractor, for the sole purpose of determining the lowest evaluated price.

Although Saboo, Inc. was the apparent low bidder, their bid was deemed non-responsive due to material defects in its bid, and as a result, Perimeter Security Group LLC ("Perimeter") was determined to be the lowest responsive bidder. Perimeter's Total Bid Price of \$3,419,104.10 is 9% below Engineer's Estimate of \$3,764,740.00 and was found to be fair and reasonable based upon the independent cost estimate and a market survey of qualified contractors.

Pursuant to the District's Non-Federal Small Business Program, the Office of Civil Rights set a 7% Local Small Business Prime Preference for this Contract for Small Businesses certified by the California Department of General Services and verified as Local (i.e., located in Alameda, Contra Costa or San Francisco counties) by the District. The Bidder, Perimeter, is not a certified Local Small Business and, therefore, is not eligible for the 7% Small Business Prime Preference but is still the lowest responsive Bidder.

Pursuant to the District's Non-Discrimination Program for Subcontracting, the Availability Percentages for this Contract are 18.2% for Minority Business Enterprises ("MBEs") and 9.3% for Women Business Enterprises ("WBEs"). The Office of Civil Rights has determined that the Bidder, Perimeter, has exceeded both the MBE and WBE Availability Percentages for this Contract at 73.7% for MBEs and 18.8% for WBEs.

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 15302, Replacement or Reconstruction, because it consists of

replacing structures having substantially the same purpose and involving negligible expansion of capacity.

**CAPITAL FISCAL IMPACT:**

Funding in the amount of \$3,419,104 for award of Contract No. 15TC-123 is included in the total Project budget for FMS #015TC023 – Fences Systemwide.

The table below lists funding assigned to the referenced project and is included to track funding history against spending authority. Funds needed to meet this request will be expended from the following sources:

Fund Source	Amount
Measure RR	\$ 67,470,000
TOTAL	\$ 67,470,000

As of 07/02/2020, \$67,470,000 is the total budget for this project. BART has expended \$1,690,338, committed \$3,738,058, and reserved \$14,981 to date. This action will commit \$3,419,104 leaving an available fund balance of \$58,607,519 in the fund source for this project.

The Office of the Controller/ Treasurer certifies that funds are currently available to meet this obligation.

This action is not anticipated to have any Fiscal Impact on unprogrammed District Reserves.

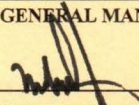
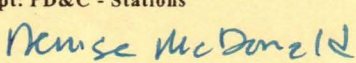
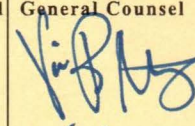
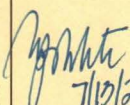
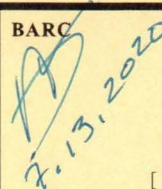
**ALTERNATIVE:** The Board may elect to reject all bids and re-advertise the work of this Contract. There are no assurances that any new Bids would be lower than the current Bids. Failure to proceed with the Contract would delay the fall protection installation work, which will delay staff's access to the aerial structures for maintenance and other related work.

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

**MOTION:** The General Manager is authorized to award Contract No. 15TC-123, Richmond Yard Fence Rehabilitation, to Perimeter Security Group LLC for the bid price of \$3,419,104.10 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:  7/15/2020		GENERAL MANAGER ACTION REQ'D: Approve and Forward to the E&O Committee		
DATE: 7/7/2020		BOARD INITIATED ITEM: No		
Originator/Prepared by: Denise McDonald Dept: PD&C - Stations  Signature/Date: 7/10/2020	General Counsel  7/13/20 [ ]	Controller/Treasurer  7/13/2020 [ ]	District Secretary [ ]	BARC  7.13.2020 [ ]

### Award of Agreement Nos. 6M8173, 6M8174, and 6M8175, Detailed Station Cleaning Services

#### PURPOSE:

To obtain Board authorization for the General Manager to award three separate Technical Service Agreements to provide detailed station cleaning services as follows: Agreement No. 6M8173 to Aim to Please Janitorial Services, Agreement No. 6M8174 to Zero Waste Solutions, Inc., and Agreement No. 6M8175 to Bay Area Green Solutions in an amount not to exceed \$600,000 for each Agreement for a term not to exceed three (3) years.

#### DISCUSSION:

Request for Proposal (RFP) 6M8173 was issued to solicit companies to provide Detailed Station Cleaning Services. The services are a continuation of the services that were provided under Agreement Nos. 6M8089A, 6M8099 and 6M8100 that concluded on March 31, 2020, after which no services were performed. The District intends to award three (3) Agreements resulting from this RFP to three (3) Contractors to perform the scope of services described in the RFP which will be assigned on a work plan basis describing specific cleaning to be performed at selected BART stations. The scope of work to be performed under these Contracts is for high cleaning 7 feet and above.

On April 7, 2019, an Advance Notice to Proposers was emailed to forty (40) prospective proposers. The RFP was advertised and downloaded onto the Procurement Portal on April 7, 2020. A total of twenty-three (23) prospective proposers downloaded copies of the

RFP. A Pre-Proposal Conference was held on April 14, 2020 with twelve (12) companies attending. No Addenda were issued.

On April 28, 2020, six (6) proposals were received from the following companies:

1. Zero Waste Solutions Inc., Concord, CA
2. LGG Global Energy FM, LLC, Detroit, MI
3. Impec Group, Santa Clara, CA
4. Puma Power Wash, San Francisco, CA
5. Aim to Please Janitorial Services, Inc., San Francisco, CA
6. Bay Area Green Solutions, San Bruno, CA

The six (6) proposals were first reviewed for responsiveness by Procurement. All six (6) proposals were determined to be responsive to the requirements of the RFP.

The technical proposals were then reviewed and evaluated by a Selection Committee consisting of staff from the District's Office of Civil Rights, Maintenance and Engineering, and Planning, Development and Construction, and chaired by Procurement. Of the six (6) proposals that were evaluated, the following four (4) proposals were determined to have met the Technical Requirements of the RFP:

1. Zero Waste Solutions Inc., Concord, CA
2. Puma Power Wash, San Francisco, CA
3. Aim to Please Janitorial Services, Inc., San Francisco, CA
4. Bay Area Green Solutions, San Bruno, CA

Price proposals from the four (4) proposers whose proposal met the minimum technical requirements of the RFP were then opened, evaluated and ranked. The proposed prices represent a summation of the total hours estimated by the District and multiplied by the Proposer's unit rate per hour. The Proposer's unit rate includes labor, materials, equipment, insurance and transportation. These prices were provided for purposes of comparison of the proposals received but were not intended to define the actual scope of work to be performed under the awarded Agreements. According to the terms of the RFP, each of the three (3) Proposers who submitted the three (3) lowest priced technically acceptable proposals will be selected for award of an Agreement for an amount not to exceed \$600,000.00.

The Selection Committee determined through its evaluation of each price proposal that the labor rates proposed are fair and reasonable. The ranking of the four (4) technically acceptable proposals are summarized as follows:

<b>RANK</b>	<b>PROPOSERS</b>	<b>TOTAL PROPOSED PRICE</b>	<b>AGREEMENT NUMBER</b>
1	Aim to Please Janitorial Services, San Francisco, CA	\$612,000.00	6M8173
2	Zero Waste Solutions, Concord, CA	\$620,520.00	6M8174
3	Bay Area Green Solutions, San Bruno, CA	\$752,003.92	6M8175
4	Puma Power Wash, San Francisco, CA	\$795,960.00	NA

Three (3) contracts will be executed with the three (3) lowest priced technically acceptable proposals; Aim to Please, Zero Waste Solutions and Bay Area Green Solutions. The work will be implemented through individual work plans negotiated with the Contractor to ensure that the price proposed for a work plan is fair and reasonable. In the event a fair and reasonable price is not reached with one Contractor, staff will enter negotiations with the next available Contractor for that scope of work.

Pursuant to the District's Non-Federal Small Business Program, the Office of Civil Rights set a 5% Small Business Prime Preference for this Contract for Small Businesses certified by the California Department of General Services. The lowest responsive Proposer, Aim to Please Janitorial Services, and the third lowest responsive Proposer, Bay Area Green Solutions, are certified Small Businesses, thus, making them eligible for the Prime Preference. Since Aim to Please Janitorial Services is the lowest responsive Proposer, and Bay Area Green Solutions is the third lowest responsive Proposer and both are eligible for the 5% Small Business Prime Preference, the application of the Prime Preference will not alter the award to Aim to Please Janitorial Services, Zero Waste Solutions and Bay Area Green Solutions.

Pursuant to the District's Non-Discrimination Program for Subcontracting, the Availability Percentages for this Agreement are 5.5% for Minority Business Enterprises (MBEs) and 2.8% for Women Business Enterprises (WBEs). Proposers Aim to Please Janitorial Services, Zero Waste Solutions and Bay Area Green Solutions will not be subcontracting anywork and therefore, the provisions of the District's Non-Discrimination in Subcontracting Program do not apply.

**FISCAL IMPACT:**

Agreement Nos. 6M8173, 6M8174, and 6M8175 have a not-to-exceed cost limit each of \$600,000.00 for a term not to exceed three years. Funding will be from the operating budget of Department 1010260, Account 681301. The FY21 total costs will not exceed \$500,000. Funding for each subsequent fiscal year will be included in the future operating budgets of Department 1010260. The District's financial obligations under each Agreement will be subject to Work Plans (WP). Each WP will have a defined scope of services and separate schedule and budget. WP's will be approved only if Budget Department certifies the eligibility of identified funding sources. The Controller/Treasurer will also need to certify availability of funding prior to execution of each WP. Funding for subsequent years will be included in the proposed annual operating budget, which is subject to Board Approval. This action is not anticipated to have any Fiscal impact on unprogrammed District reserves in the current Fiscal Year.

**ALTERNATIVE:**

The District could reject all Proposals and solicit new Proposals, or award to fewer than the recommended three (3) Proposals. This could adversely impact the District's ability to provide needed detailed cleaning at BART Stations.

**RECOMMENDATION:**

It is recommended that the Board adopt the following motion:

**MOTION:**

The General Manager is authorized to award the following Technical Services Agreements to provide detailed station cleaning services as follows: Agreement 6M8173 to Aim to Please Janitorial Services, Inc., Agreement No.6M8174 to Zero Waste Solutions, and Agreement

No. 6M8175 to Bay Area Green Solutions in an amount not to exceed \$600,000 for each Agreement for a term not to exceed three (3) years, 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>[Signature]</i> 7/15/2020		GENERAL MANAGER ACTION REQ'D: Yes		
DATE: 5/12/2020		BOARD INITIATED ITEM: No		
Originator/Prepared by: Bryant Fields Dept: Maintenance and Engineering <i>[Signature]</i> Signature/Date: 6/24/2020	General Counsel <i>[Signature]</i> 6/25/20 [ ]	Controller/Treasurer <i>[Signature]</i> 6/24/2020 [ ]	District Secretary [ ]	BARC <i>[Signature]</i> 2.13.2020 [ ]

## To Request Board Authorization to Award Invitation for Bid No. 9082 - 35KV ISOLATION DISCONNECT SWITCH (IDS)

### PURPOSE:

To request Board Authorization to Award Invitation for Bid (IFB) No. 9082 to Trayer Engineering Corporation, San Leandro, CA. in the amount of \$1,843,485.02 (includes all taxes) for the purchase of 35KV Isolation Disconnect Switch (IDS).

### DISCUSSION:

BART's Traction Power Electrical Transmission System was originally installed over 40 years ago and because of aging and usage, needs replacement. The Traction Power Engineering Department has developed a new switch designed to isolate or turn off a substation in the event of an emergency and to perform preventative maintenance without interruption to revenue service. This IFB is for the purchase of 48 IDS units which will allow staff to safely control, monitor, and direct the flow of traction power to the trains and support the District's goal of continued reliable service.

This is an eighteen (18) month 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.

A notice requesting bids was posted on February 28, 2020. On the same day, this solicitation was also uploaded onto the BART Vendor Portal. Two (2) bids were received and opened on May 5, 2020:

<b>Bidder(s)</b>	<b>Lot Price 48 Units</b>	<b>Grand Total Including 9.75% Sales Tax</b>
<b>Trayer, Corp San Leandro, CA</b>	<b>\$1,679,713.00</b>	<b>\$1,843,485.02</b>
Red Dipper, Inc. San Francisco, CA	\$2,551,068.00	\$2,670,753.18
<i>Independent cost estimate by BART</i>		<i>\$2,175,840.00</i>

Pursuant to the District's Non-Federal Small Business Program, the Office of Civil Rights set a 7% Local Small Business Prime Preference for this IFB for Small Businesses certified by the California Department of General Services and verified as Local (located in Alameda, Contra Costa, or San Francisco counties) by the District.

The apparent low Bidder, Trayer Engineering Corporation, is not a certified as Local Small Business (LSB), and, therefore, is not eligible for the 7% LSB Prime Preference. The second low Bidder, Red Dipper, is a certified LSB, making it eligible for the 7% LSB Prime Preference for this Contract for evaluation purposes. After review by the Office of Civil Rights, and application of the 7% LSB Prime Preference, the Bid submitted by Red Dipper will not alter the award to the apparent low Bidder, Trayer Engineering Corporation.

The District's Non-Discrimination Program for Subcontracting is not applicable to IFBs. Accordingly, the Office of Civil Rights did not set Minority Business Enterprise (MBE) and Women Business Enterprise (WBE) Availability Percentages for this IFB.

Staff has determined that the apparent low bidder, Trayer Engineering Corporation submitted a responsive and responsible bid. Staff has also determined that the bid pricing is fair and reasonable based on the District's Staff evaluation.

**CAPITAL FISCAL IMPACT:**

Funding of \$1,843,485 for Bid No. 9082 to Trayer Engineering Corporation, San Leandro California for 34.5KV Isolation Disconnect Switch will come from the following projects.

**Project: 15EJRRR – A-Line 34.5 KV AC Cable Replacement \$394,480**

As of May 11, 2020, \$122,664,767 is available for this project from the following source:

Fund No.	Fund Description	Source	Amount
802A/B	Measure RR GOB	BART	122,664,767

BART has expended \$545,070, committed \$2,676,846, and reserved \$106,992,990 to-date for other action. This action will commit \$394,480 leaving an available fund balance of \$12,055,382 in this fund source for this project.

**Project: 15EJRRC – C-Line 34.5 KV AC Cable Replacement \$780,421**

As of May 11, 2020, \$100,000,000 is available for this project from the following source:

Fund No.	Fund Description	Source	Amount
802A/B	Measure RR GOB	BART	100,000,000

BART has expended \$2,523,997, committed \$3,078,803, and reserved \$2,088,956 to-date for other action. This action will commit \$780,421 leaving an available fund balance of \$91,527,823 in these fund sources for this project.

**Project: 15EJRRR – R-Line 34.5 KV AC Cable Replacement \$668,584**

As of May 11, 2020, \$50,000,000 is available for this project from the following source:

Fund No.	Fund Description	Source	Amount
802A/B	Measure RR GOB	BART	50,000,000

BART has expended \$338,184, committed \$2,645,682, and reserved \$39,445,107 to-date for other action. This action will commit \$668,584 leaving an available fund balance of \$6,902,444 in these fund sources for this project.

The office of Controller/Treasurer certifies that funds are currently available to meet this obligation.

This action is not anticipated to have any Fiscal Impact on unprogrammed District reserves

**ALTERNATIVE:**

The alternative would be to reject all bids. Staff does not believe this will result in lower prices or increased competition and it would delay the traction power upgrades, which could negatively impact revenue service due to infrastructure failure.

**RECOMMENDATION:**

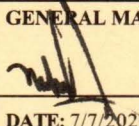

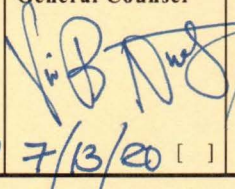
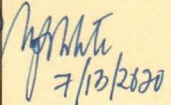

It is recommended that the Board adopt the following motion.

**MOTION:**

The General Manager is authorized to award IFB No. 9082 for 35KV Isolation Disconnect Switch for an amount of **\$1,843,485.02** (includes all applicable taxes), 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:  7/15/2020		GENERAL MANAGER ACTION REQ'D: Approved and forward to the Board		
DATE: 7/7/2020		BOARD INITIATED ITEM: No		
Originator/Prepared by: Aidin Sarabi Dept: PD&C	General Counsel	Controller/Treasurer	District Secretary	BARC
Signature/Date:  7/13/20	 7/13/20 [ ]	 7/13/2020 [ ]	[ ]	 7.16.2020 [ ]
Status: Routed		Date Created: 7/7/2020		

### IFB 9085 HMC (Phase 2) Mainline Trackwork Procurement

#### PURPOSE:

To request Board Authorization to Award Invitation for Bid No. 9085 to Voestalpine Railway Systems Nortrak, Inc., Cheyenne, WY in the amount of \$2,228,857.88 (includes all taxes) for the purchase of HMC (Phase 2) Mainline Trackwork Procurement.

#### DISCUSSION:

The Hayward Maintenance Complex Project (HMC) was adopted by the BART Board of Directors on May 26, 2011. The Project will provide for expanded and enhanced maintenance complex facilities necessary to support, in part, BART's future system demands, including new BART revenue vehicles and the Silicon Valley Extension Project. The HMC (Phase 2) Project includes the Northern/Southern Mainline Connectors and the East Vehicle Storage Yard. The Phase 2 project site is located on 6 acres of undeveloped land in the northeast quadrant of the HMC property, on the east side of the mainline BART tracks. The majority of this area will become the East Side Storage Yard with storage for a maximum of 250 BART cars and connecting trackwork. The Northern/Southern Mainline Connectors are designed to construct new tracks that would connect the new vehicle storage yard to the mainline tracks at a point slightly north of Industrial Parkway and South of Whipple Road. In-house forces will be used to construct the southern and northern Mainline Connections.

This Contract, IFB 9085, is for the procurement of track and related materials including running rail, special trackwork, bonded insulated rail joint plugs, standard concrete cross-ties, concrete special trackwork ties, trackwork spare parts, switch machines, switch machine spare parts and other materials to be used in the construction .

This is a One (1) year estimated quantities contract. Pursuant to the terms of the District's standard estimated quantities contract, during the term of the Contract the District is required to purchase from the supplier a minimum amount of 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 150 percent of the contract bid price, subject to availability of funding.

A notice requesting bids was published on May 8, 2020. On the same day, this solicitation was uploaded onto the BART Vendor Portal. Correspondence was sent to Four (4) prospective bidders inviting them to view the solicitation on the Vendor Portal. Bids were opened on June 2, 2020 and two bids was received.

Bidder	Lot Price	Grand Total including Tax
Voest Alpine Railway Systems Nortrak, Inc.	\$2,030,850.00	\$2,228,857.88
*Progress Rail Services Corporation	\$2,547,767.00	\$2,796,174.28

\*Non-responsive

Independent cost estimate by BART staff: \$ 4,500,000.00

Staff determined that the apparent low bidder, Voest Alpine Railway Systems Nortrak, Inc. , submitted a responsive Bid. Upon review of the Bidder's business and financial capabilities, Staff has also determined that the Total Bid Price of \$2,228,857.88 is fair and reasonable and approximately 40% below the Independent Cost Estimate. The second low Bid submitted by Progress Rail Services Corporation was found to be non-responsive due to Bid irregularities found.

This Invitation for Bid (IFB) was advertised pursuant to the District's Disadvantaged Business Enterprise ("DBE") Program requirements. The Office of Civil Rights reviewed the scope of work for this IFB and determined that there were no DBE or SBE subcontracting opportunities; therefore, no DBE or SBE participation goal was set for this IFB.

**FISCAL IMPACT:**

Funding for this \$2,228,858 (including all taxes) for award of Purchase Requisition No. 21768 is included in the total project budget for 01RQ100, HMC Phase 2 Preliminary Engineering

The table below lists funding assigned to the referenced project and is included to track funding history against spending authority. Funds needed to meet this request will be expended from the following sources:

<b>Proposed Funding</b>	
802A & 802B - 2017 Measure RR GO Bond	\$18,883,000
8524 – FY12 Operating Allocation to Capital	\$15,000
<b>TOTAL</b>	<b>\$18,898,000</b>

As of June 9, 2020, \$18,898,000 is the total budget for this project. BART has expended \$8,013,451, committed \$4,827,683, and reserved \$0 to date. This action will commit \$2,228,858 leaving an available fund balance of \$3,828,008 in these fund sources for this project.

The Office of Controller/Treasurer certifies that funds are currently available to meet this obligation.

This action is not anticipated to have any Fiscal Impact on unprogrammed District reserves.

**ALTERNATIVES:**

The alternatives are to decline to award the Contract or re-advertise. Not purchasing these material would mean that the Project could not proceed which would make the overall concept of the HMC Project unavailable for use by the new BART revenue vehicles and non-revenue vehicles. Re-advertising the Contract would result in delays to execution of the work, potentially resulting in increased Project costs due to those delays and would also result in impacts to the testing and commissioning of the new BART revenue vehicles.

**RECOMMENDATION:**

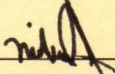
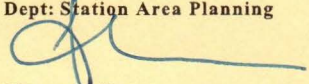
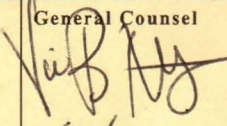
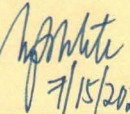

On the basis of analysis by staff and certification by the Controller-Treasurer that the funds are available for this purpose, it is recommended that the Board adopt the motion.

**MOTION:**

The General Manager is authorized to award IFB No. 9085 HMC (Phase 2) Mainline Trackwork Procurement to Voestalpine Railway Systems Nortrak, Inc. for an amount of \$2,228,857.88, pursuant to notification to be issued by the General Manager, subject to compliance with the District’s Protest Procedures and the Federal Transit Administration’s requirements related to Protests.



## EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL:  7/15/2020		GENERAL MANAGER ACTION REQ'D: (N/A)		
DATE: 7/14/2020		BOARD INITIATED ITEM: Yes		
Originator/Prepared by: Tim Chan Dept: Station Area Planning  Signature/Date: 7/14/20	General Counsel  7/15/20 [ ]	Controller/Treasurer  7/15/2020 [ ]	District Secretary [ ]	BARC  [ ]

### FY21-FY22 Homeless Outreach Team Agreement with The Salvation Army

#### PURPOSE:

To request Board authorization to approve the Agreement with The Salvation Army (TSA) in the amount of \$250,000 for one Homeless Outreach Team (HOT) in FY21, and to authorize the General Manager to negotiate and execute agreements annually with TSA through FY22.

#### DISCUSSION:

On May 24, 2018, the BART Board approved the Executive Decision Document (EDD) with the San Francisco Department of Homelessness and Supportive Housing (HSH) to bring in and manage one HOT team to cover the four downtown San Francisco stations. An additional HOT team was added in January 2019 for the Mission Street stations.

While the downtown team continued to perform well and connect people to services and resources, the Mission team struggled as HSH had difficulties hiring qualified outreach workers. With this mind, staff evaluated the situation and made the following recommendations for FY21:

- Discontinue the second Mission HOT team led by HSH and replace with another HOT Team led by The Salvation Army (TSA). TSA will provide the same case management support as HSH, and will also provide dedicated access of up of to four beds at the Harbor Light Center where people with mental health and drug addiction issues can receive care and treatment. These beds are for homeless individuals in the BART system who agree to seek help, and they are a critical step in the path toward recovery.
- Discontinue outreach at 24<sup>th</sup> St. Station due to very low homeless presence. However, coverage at 16<sup>th</sup> St. Station would continue to be a priority.
- Improve schedule coordination between the HSH HOT team and TSA HOT team to



ensure coverage at key stations. Coverage for both teams would allow for daily support and engagement from Monday to Sunday at all five stations between Embarcadero and 16<sup>th</sup> St. stations.

- Potentially modify TSA HOT team hours during the weekday to start their engagement earlier when BART stations are opening. This could help provide support for more people before they enter into the BART system.

Both teams will continue to collect HIPAA compliant monthly data on shelter access, substance abuse, mental health, medical and others. Staff will continue to track progress and report on the data to Management and the Board as requested.

The agreement amount with TSA will cost \$250,000 annually. SFMTA is paying 50% of total cost, so each agency is responsible for \$125,000. For HSH HOT, SFMTA and HSH have an agreement with each other, so BART is not involved in their reimbursement. However, for TSA HOT, SFMTA and TSA do not have the same arrangement, so BART will solely enter into an agreement with TSA and then seek reimbursement from SFMTA afterward. BART will separately enter into a fund pass through agreement with SFMTA.

Prior to the agreement execution, the Procurement Department will review the agreement to confirm compliance with the District's procurement standards and the Office of the General Counsel will approve the agreement as to form.

#### **FISCAL IMPACT:**

The agreement amount with TSA will cost \$250,000 annually. SFMTA is paying 50% of total cost, so each agency is responsible for \$125,000. For HSH HOT, SFMTA and HSH have an agreement with each other, so BART is not involved in their reimbursement. However, for TSA HOT, SFMTA and TSA do not have the same arrangement, so BART will solely enter into an agreement with TSA and then seek reimbursement from SFMTA afterward. BART will separately enter into a fund pass through agreement with SFMTA.

Funding for the two HOT teams was approved by the Board on June 25, 2020 and is funded by operating funds. By swapping one of the two HOT team for TSA HOT, no additional funding is requested. This is ongoing and expected to continue through FY22. Funding for subsequent years will be included in the proposed annual operating budget, which is subject to Board approval.

This initiative will be assessed annually, and staff will make recommendations to continue the program for another year in the FY budget if the performance measures show it is effective and successful.

Funding for FY22 will be included as part of next year's proposed operating budget.

Funding will be provided by cost center 1011276 – Station Area Planning, account 681301 – Prof & Tech Svc Agreements. Total funding for this Contract in the amount not to exceed \$250,000 from the Quality of Life operating budget, is based on the following:

<b>Fiscal Impact</b>	<b>FY21</b>	<b>FY22</b>
Agreement Amount	\$250,000	\$250,000
BART's Share	\$125,000	\$125,000
SFMTA's Share	\$125,000	\$125,000
<b>Total Agmt Amount for FY21 &amp; FY22</b>		<b>\$500,000</b>

This action is not anticipated to have any Fiscal Impact on unprogrammed District reserves in the current Fiscal Year.

**ALTERNATIVES:**

The alternative is to not authorize the contract.

**RECOMMENDATION:**

It is recommended that the Board adopt the following motion.

**MOTION:**

The Board approves the first FY21 Agreement with The Salvation Army (TSA) in the amount of \$250,000 for one homeless outreach team (HOT) team, and authorizes the General Manager to enter into direct negotiations with TSA to execute a FY22 amendment upon budget adoption by the Board that includes the TSA HOT team. The total for the two year program shall not exceed \$500,000.

**SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT**

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**MEMORANDUM**

**TO:** Board of Directors

**DATE:** July 16, 2020

**FROM:** Inspector General

**SUBJECT:** Report of Activities of the Office of the Inspector General

Attached is the second Report of Activities of the Office of the Inspector General for the period January 2020 through June 2020, which will be presented to the Board on July 23, 2020. Due to the Board's immediate need to address the coronavirus pandemic, we delayed issuing this report. We may need to do so again in the future as the pandemic's impact is ongoing and extensive. However, we will continue to keep the Board of Directors and public apprised of our actions in a timely manner.

Please call me at 510.464.6132 if you have any questions.

*Harriet Richardson*  
Harriet Richardson

**SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT**

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**MEMORANDUM**

**TO:** Board of Directors


**DATE:** July 17, 2020

**FROM:** General Manager

**SUBJECT:** Administration Agenda: COVID-19 Response Update

At the July 23, 2020 BART Board of Director's meeting, the District's "COVID-19 Response Update" will be presented as an information item.

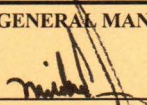
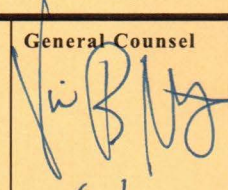
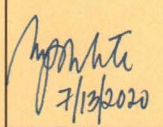
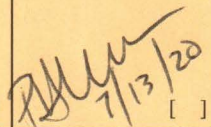
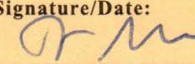
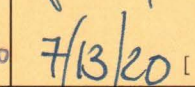
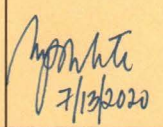
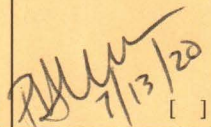
If you have any questions about this presentation, please contact Pamela Herhold, Assistant General Manager, Performance & Budget, at [Pherhol@bart.gov](mailto:Pherhol@bart.gov), or (510) 464-6168 .

 For  
\_\_\_\_\_  
Robert Powers

cc: Board Appointed Officers  
Deputy General Manager  
Executive Staff



# EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL:  7/15/2020		GENERAL MANAGER ACTION REQ'D:		
DATE: 7/8/2020		BOARD INITIATED ITEM: No		
Originator/Prepared by: Jennella Sambour-Wallace Dept: Office of Civil Rights	General Counsel 	Controller/Treasurer 	District Secretary	BARC 
Signature/Date:  07/13/2020	 7/13/20 [ ]	 7/13/2020 [ ]	[ ]	 7/13/20 [ ]

## Parking Addendum to the Title VI Fare Equity Analysis for the Proposed Discontinuance of Sales of Magnetic-Stripe Tickets

### PURPOSE:

To request Board approval of the Parking Addendum to the “Title VI Fare Equity Analysis for the Proposed Discontinuance of Sales of Magnetic-Stripe Tickets” (Title VI Fare Equity Analysis), which was approved by the Board on January 23, 2020.

### DISCUSSION:

To ensure compliance with federal Title VI regulations, BART is required to conduct an analysis of any proposed fare change to determine if the change could potentially place a disparate impact on minority riders or a disproportionate burden on low-income riders (protected riders). A fare change equity finding is made based on a demographic assessment of affected riders and public outreach that is inclusive of minority, low-income, and Limited English Proficient (LEP) populations. Should a disparate impact or disproportionate burden be found, then in accordance with BART’s Disparate Impact/Disproportionate Burden (DI/DB) Policy and the Title VI Circular, BART is required to take steps to mitigate such impacts. The discontinuance of the sale of magnetic-stripe tickets (mag-stripe tickets) constitutes a fare media change that would require such an analysis.

*Discontinuance of Sales of Blue Mag-Stripe Tickets (previously approved)*

The original Title VI Fare Equity Analysis found that there may be a disproportionate burden

on low-income riders but not on minority riders using Blue mag-stripe tickets and included mitigation measures to address these impacts. However, due to a lack of demographic data from the 2018 Customer Satisfaction Survey (Customer Sat), staff deferred the analysis of the discontinuance of the Blue mag-stripe ticket for parking payments to a parking study planned for summer 2020. Due to COVID-19, that parking study has not been conducted.

*Discontinuance of Sales of Blue Mag-Stripe Tickets for BART Parking Payments*

As a result of the COVID-19 pandemic, in order to provide contactless fare and daily fee parking payments for BART passengers, an analysis of the discontinuance of the sale of Blue mag-stripe tickets for parking payments is now needed in order to further phase out the use of mag-stripe tickets. Due to the lack of demographic information from the 2018 Customer Satisfaction Survey (Customer Sat), a DI/DB analysis could not be conducted to determine whether there are any disproportionate impacts on protected parkers using Blue mag-stripe tickets. However, alternative data sources were used to evaluate the likelihood of an impact on these protected riders; those that park in BART parking lots have a similar minority makeup (64.5%) as BART ridership (64.5%) and a less low-income makeup (10.2%) than overall BART ridership (20.1%).

The original Title VI Fare Equity Analysis for the discontinuance of the sale of Blue mag-stripe tickets includes public input on the proposed discontinuance of the sales of the Blue mag-stripe tickets on BART parkers, including mitigation measure preferences. In addition to the original public outreach, which included presentations to the Title VI/Environmental Justice and Limited English Proficiency Advisory Committees, staff brought the proposal, specific to parking impacts, back to the Advisory Committees at a joint meeting on June 22, 2020. The members did not express any concerns regarding the District's plan to eliminate the Blue mag-stripe tickets for parking payments.

As noted above, an equity finding cannot be determined based on the DI/DB analysis and public comments referenced above due to a lack of demographic data available. In the absence of an equity finding, this report assumes that the discontinuance of Blue mag-stripe tickets may disproportionately impact minority and low-income riders. When an adverse finding is made, BART must take steps to avoid, minimize, or mitigate impacts where practicable. In this case, it has been determined that existing parking payment alternatives – cash payments, the EZ Rider program, and the official BART mobile app daily fee parking payment feature – are sufficient measures to mitigate any potential adverse effects arising from the discontinuance of the sale of Blue mag-stripe tickets for parking payments.

**FISCAL IMPACT:**

There is no fiscal impact associated with approval of the Parking Addendum to the Title VI Fare Equity Analysis.

**ALTERNATIVES:**

Do not approve the Parking Addendum to the Title VI Fare Equity Analysis. If the Parking Addendum is not approved or if approval is deferred, BART must continue to sell and vend Blue mag-stripe paper tickets.

**RECOMMENDATION:**

Approval of the following motion.

**MOTION:**

The Board of Directors approves the Parking Addendum to the “Title VI Fare Equity Analysis for the Proposed Discontinuance of Sales of Magnetic-Stripe Tickets.”



# EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>[Signature]</i> 7/15/2020		GENERAL MANAGER ACTION REQ'D: Yes		
DATE: 7/8/2020		BOARD INITIATED ITEM: No		
Originator/Prepared by: Steven Sims Dept: Maintenance and Engineering MYAT SAN FOR STEVEN SIMS Signature/Date: <i>Myat San</i> 7/15/2020	General Counsel <i>MB</i> 7/15/2020	Controller/Treasurer <i>[Signature]</i> 7/15/2020 [ ]	District Secretary [ ]	BARC <i>[Signature]</i> 7.15.2020 [ ]

## Award Contract 15EK-102, TCCCP New Traction Power Facilities, West Bay

### PURPOSE:

To obtain Board authorization for the General Manager to award Contract No. 15EK-102, TCCCP New Traction Power Facilities, West Bay, to the C3M, Clark, Cupertino A Joint Venture of San Francisco, California for the total bid amount of \$54,959,114.

### DISCUSSION:

This Contract is for the procurement and installation of two new traction power substations (TPSS) at Civic Center and Montgomery Street stations. The contract calls for the design and building of the substations, installing and testing of the equipment, and installing associated equipment at adjacent facilities. The project is jointly funded by Transbay Corridor Core Capacity Project (TCCCP) FTA funds and by Measure RR.

Traction power facilities which supply power to run the trains are among the most crucial infrastructure in the BART system. The new TPSSs provide power needed for the TCCCP project to permit increased service through the Transbay Tube. The new substations will also significantly increase system redundancy and improve operational reliability on the vital San Francisco M-Line on which trans-bay service depends.

The District sent out 412 Advance Notices to potential Bidders, including 22 to plan rooms on October 31, 2019. Additional copies were sent by OCR to Disadvantaged Business Enterprises. The Contract was advertised and posted to the BART Procurement Portal on October 31, 2019 where it was sent to 21 additional prospective bidders. A Pre-Bid Meeting and a Jobsite tour were conducted on November 19, 2019, with 12 potential Bidders in attendance. A total of 72 firms downloaded copies of the Bid Documents.



One bid was received from C3M, Clark, Cupertino A Joint Venture (“C3M, Clark, Cupertino”) on January 21, 2020. The C3M, Clark, Cupertino’s submitted Bid Price and the Engineer’s Estimate are shown below:

Name	Total Bid Amount
C3M, Clark, Cupertino A Joint Venture, San Francisco, CA	\$ 54,959,114.00
Engineer’s Estimate	\$ 40,367,298.00

C3M, Clark, Cupertino is the only bidder and therefore lowest bidder. After review of C3M, Clark, Cupertino’s contractor’s license, business experience, and financial capabilities, staff finds that C3M, Clark, Cupertino is a responsive and responsible Bidder.

The Total Base Bid Price, as submitted by C3M, Clark, Cupertino, of \$54,959,114 is 36% above the Engineer’s Estimate. Staff conducted a detailed bid evaluation and determined that limited competition and the inherent high risk of the work had the greatest impacts on the bid price. The limited competition and high risk were due to:

1. Traction power is a specialty that few electrical contractors are well equipped to do because of the high current and voltage levels, specialty equipment, and work on operating railways;
2. There are active or advertised projects in two dozen localities nationwide and many contractors that are competent to do this work are operating at full capacity;
3. Subcontractors are so busy that they do not need to compete vigorously for work, and subcontract work scopes are too small to benefit from economies of scale; and
4. Work in San Francisco beneath Market Street has high inherent risk.

Staff recommends that this contract be awarded for the following reasons:

1. Given the challenges of performing construction at Montgomery and Civic Center stations, lower bids as a result of re-advertising this contract are unlikely. Installation of these TPSS facilities is the most challenging traction power work of the Measure RR and the TCCCP projects. The passenger stations were not originally designed to accommodate TPSS’s, so station spaces must be significantly altered for the new facilities. Furthermore, installations at both locations require large openings in Market Street to install large, heavy equipment which requires significant coordination with the City of San Francisco and SF Muni.
2. The M Line is the most critical part of the BART system because 4 of the 5 BART lines run through the M Line. Strengthening the traction power system in this area offers a significant upgrade to its operational reliability. Also, installation of these substations at the Montgomery and Civic Center stations are required for the other Measure RR

substation replacements on M Line.

3. Installation of portable traction power equipment when TPSS's are off-line due to equipment failure or replacements is difficult and impractical because of the challenging configuration of underground facilities in San Francisco.

This Contract was advertised pursuant to the District's Disadvantaged Business Enterprise ("DBE") Program requirements. The Office of Civil Rights reviewed the scope of work for this Contract and determined that there were DBE subcontracting opportunities; therefore, a DBE participation goal of 17% was set for this Contract. The sole Bidder, C3M, Clark, Cupertino a Joint Venture committed to subcontracting 17.1% to DBEs. The Office of Civil Rights has determined that the Bidder, C3M, Clark, Cupertino a Joint Venture has met the DBE participation goal set for this Contract.

**FISCAL IMPACT:**

Funding in the amount of \$54,959,114 for award of Contract No. 15EK-102 is included in the total project budget for FMS # 15EK600 – Substation for Core Capacity. 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.

As of July 10, 2020 \$71,500,000 is available for this project from the following source:

Fund No.	Fund Description	Source	Amount
802A/B	Measure RR GOB	BART	71,500,000

BART has expended \$5,358,669, committed \$1,261,124 and reserved \$243,912 to date for other action. This action will commit \$54,959,114 leaving an available fund balance of \$9,677,181 in this project.

There is no fiscal impact on available unprogrammed District Reserves

**ALTERNATIVES:**

Reject the single bid and re-advertise the Contract. This is not likely to result in increased competition or lower prices and would delay critical traction power infrastructure replacements on the M Line, which could negatively impact revenue service.

**RECOMMENDATION:**

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

**MOTION:**

The General Manager is authorized to award Contract No. 15EK-102, TCCCP New Traction Power Facilities, West Bay, to C3M, Clark, Cupertino A Joint Venture for the Bid amount of \$54,959,114, pursuant to notification to be issued by the General Manager.



## EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>nl</i> <i>7/15/2020</i>		GENERAL MANAGER ACTION REQ'D: Approve and Send to Board		
DATE: 4/10/2020		BOARD INITIATED ITEM: No		
Originator/Prepared by: Linda Lee Dept: Maintenance and Engineering  <i>[Signature]</i> Signature/Date: <i>05/26/2020</i>	General Counsel <i>[Signature]</i> <i>5/26/20</i> [ ]	Controller/Treasurer <i>[Signature]</i> <i>5/20/2020</i> [ ]	District Secretary [ ]	BARC <i>[Signature]</i> <i>7.13.2020</i> [ ]

### To Request for Board Authorization to award Contract No. 15TC-107

**PURPOSE:** To obtain Board authorization for the General Manager to award Contract No. 15TC-107, Aerial Structure Fall Protection, A-Line North, to DMZ Builders of Concord, CA for the bid price of \$20,595,082.

**DISCUSSION:** This Contract is part of the Systemwide Aerial Structure Fall Protection Program for the installation of permanent fall protection on BART aerial structures. The fall protection barriers are required in order to comply with Cal/OSHA requirements which provide that persons within six feet from the edge of a raised platform or structure must be protected by a guardrail or be tied-off. The permanent fall protection barriers will allow workers to access the aerials structures without being tied off.

The District emailed 169 advance notices to potential Bidders on February 3, 2020. The Contract was advertised in local publications and posted to the BART Procurement Portal on February 3, 2020 and was made available to proposers to download electronically. A total of 36 firms downloaded copies of the Bid Documents. A Pre-Bid Meeting was conducted on February 20, 2020 with a total of ten potential Bidders in attendance. Three Bids were received and publicly opened on Tuesday, March 17, 2020.

BIDDER	LOCATION	TOTAL BID	LOCAL SMALL BUSINESS
Thompson Builders	Novato, CA	\$25,592,316.00	No

ProVen Management, Inc.	Oakland, CA	\$22,194,243.00	No
DMZ Builders	Concord, CA	\$20,595,082.00	No
Engineer's Estimate		\$18,144,585.00	

After review by District staff, the Bid submitted by DMZ Builders has been deemed to be responsive to the solicitation. Furthermore, a review of DMZ Builders' license, business experience, and financial capabilities has resulted in a determination that DMZ Builders is responsible. Staff has also determined that DMZ Builder's total Bid price of \$20,595,082.00, although 13.5% higher than the Engineer's Estimate, is fair and reasonable.

Pursuant to the District's Non-Federal Small Business Program, the Office of Civil Rights set a 14% Local Small Business (LSB) Subcontractor Participation Goal for this Contract. Bidders who meet the LSB Subcontractor Participation Goal are eligible for an LSB Preference of 7% of the lowest responsive Bidder's Bid, up to a cap of \$150,000. The Office of Civil Rights determined that the apparent low Bidder, DMZ Builders, committed to subcontracting 0.8% to LSBs and did not meet the LSB Subcontractor Participation Goal. DMZ is, therefore, not eligible for the Bid Preference, but it is still the apparent low Bidder.

Pursuant to the District's Non-Discrimination Program for Subcontracting, the Availability Percentages for this Contract are 18.2% for Minority Business Enterprises ("MBEs") and 9.3% for Women Business Enterprises ("WBEs"). The Bidder, DMZ Builders, committed to 100% MBE and 0% WBE participation and did not meet the WBE Availability Percentage. DMZ Builders was requested to provide the Office of Civil Rights with supporting documentation to determine if it had discriminated on the basis of gender. Based on the review of the information submitted by the Bidder, DMZ Builders, the Office of Civil Rights found no evidence of discrimination.

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 (f), Existing Facilities, because it consists of minor alterations of existing facilities for safety protection involving no expansion of use.

**CAPITAL FISCAL IMPACT:**

Funding in the amount of \$20,595,082 for award of Contract No. 15TC-107 is included in the total Project budget for FMS #015TC007 – Aerial Fall Protection.

The table below lists funding assigned to the referenced project and is included to track funding history against spending authority. Funds needed to meet this request will be expended from the following sources:

Fund Source	Amount
Measure RR	\$ 27,979,441
TOTAL	\$ 27,979,441

As of 03/30/2020, \$27,979,441 is the total budget for this project. BART has expended \$636,378, committed \$4,166,345, and reserved \$0 to date. This action will commit \$20,595,082 leaving an available fund balance of \$2,581,636 in these fund sources for this project.

The Office of the Controller/ Treasurer certifies that funds are currently available to meet this obligation.

This action is not anticipated to have any Fiscal Impact on unprogrammed District Reserves.

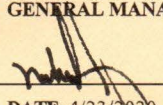

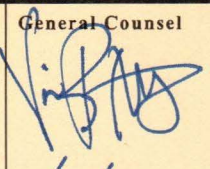
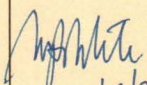
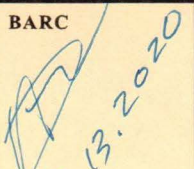
**ALTERNATIVE:** The Board may elect to reject all bids and re-advertise the work of this Contract. There are no assurances that any new Bids would be lower than the current Bids. Failure to proceed with the Contract would delay the fall protection installation work, which will delay staff's access to the aerial structures for maintenance and other related work.

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

**MOTION:** The General Manager is authorized to award Contract No. 15TC-107, Aerial Structure Fall Protection, A-Line North, to DMZ Builders for the bid price of \$20,595,082.00 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:  7/15/2020		GENERAL MANAGER ACTION REQ'D: Yes		
DATE: 4/23/2020		BOARD INITIATED ITEM: No		
Originator/Prepared by: Mohamad Fararjeh Dept: Maintenance and Engineering  Signature/Date: 7/15/2020	General Counsel  7/10/20 [ ]	Controller/Treasurer  7/13/2020 [ ]	District Secretary [ ]	BARC  7.13.2020 [ ]
Status: Routed		Date Created: 4/23/2020		

### Change Order Authorization for Contract No. 09EK-130A, Oakland Emergency Generator (OEG) System

#### Purpose:

To obtain Board authorization for the General Manager to execute Change Orders to Contract No. 09EK-130A for Oakland Emergency Generator (OEG) System, in an amount not to exceed \$4,870,000.

#### Discussion:

The award of Contract No. 09EK-130A, Oakland Emergency Generator (OEG) System, to DMZ Builders of Concord, CA was authorized by the Board on November 16, 2017, in the amount of \$22,320,000.

The Contract is for the new Emergency Generator System that will provide power to the Transbay Tube (TBT) in the event utility power is not available from power sources located at San Francisco Transition Structure (SFTS) and/or Oakland Transition Structure (OTS). The system will be capable of providing power for all life safety and critical loads including ventilation fans, fire pumps, drain pumps and

lighting loads during an emergency when existing utility power sources are not available.

To date, the District has issued Change Orders to this Contract in the total amount of \$1,808,003.85, which is 8% of the original Contract amount. These Change Orders will resolve costs associated with differing site conditions, design modifications, and coordination with other ongoing projects.

Project Staff has identified Change Orders in the not to exceed amount (NTE) of approximately \$4,870,000.

Summary	Amount	Percentage of Base Bid
Total Base Bid Amount	\$22,320,000.00	
Agreed/Executed Change Orders (29)	\$1,808,003.85	8%
Potential Change Orders	\$4,870,000.00	22%
Revised Contract Amount	\$28,998,003.85	

Descriptions of the Change Orders cost are set forth below.

**1. Change Orders needed due to impacts from Differing Site Conditions (NTE \$2,575,000):**

- Change Order No. 50, 55, 59, 65, 72 and 74 -Anticipated Cost: \$1,350,000 for layout and routing changes to electrical cable, conduit, supports, bus duct, equipment, and underground piping to resolve discrepancies and conflicts with existing facility conditions.
- Change Order No. 66 – Anticipated Cost: \$125,000 for additional waterproofing because the existing penetration did not match design details.
- Change Order No. 84 – Anticipated Cost: \$1,100,000 for increasing the allowance for Differing Site Conditions for the remainder of the contract.



**2. Change Orders needed due to Design Changes (NTE \$2,185,000):**

- Change Order No. 49, 56, 60, 61, and 64 -Anticipated Cost: \$1,640,000 for electrical, mechanical, and systems design changes to the Switchgear House. Design changes were necessary to resolve discrepancies between equipment and systems integration.
- Change Order No. 67, 71, 73, and 75 -Anticipated Cost: \$145,000 to resolve structural-related design discrepancies and to compensate DMZ for the additional work.
- Change Order No. 68, 70, 77, 78, and 79 -Anticipated Cost: \$400,000 for electrical design discrepancies related to grounding details, additional cabling, demolition, and temporary power connections.

**3. Change Orders needed due to unplanned Work Stoppages (NTE \$110,000):**

- Change Order Nos. 57, 62, 63 -Anticipated Cost: \$110,000 to compensate DMZ for work stoppages from Operations Liaison cancellations, hazardous material identification, and Operations Control Center directive. This direct cost was incurred due to the disruption of labor, equipment and subcontractor forces.

All change orders will be approved by the Office of General Counsel prior to execution.

**CAPITAL Fiscal Impact:**

Funding in the amount of \$4,870,000 for change orders exceeding 10% of original contract 09EK-130A is included in the total project budget for FMS# 09EK300 – Emergency Generator for TBT.

The table below lists funding assigned to the referenced project and is included to track funding history against spending authority. Funds needed to meet this request will be expended from the following source:

<b>Proposed Funding</b>	
F/G 352T/352U/353K/3603 – Various FTA Allocations	2,879,505
F/G 535X - FY2008-09 Prop 1B-PTMISEA	1,700,000
F/G 801F - Earthquake Safety Gen	3,500,000
F/G 802A/B - Measure RR GOB	40,920,000
F/G 850N/850W/8523/8525 - Capital Improvement Allocation	442,324
<b>TOTAL</b>	<b>49,441,828</b>

As of July 7, 2020, \$49,441,828 is the total budget for this project. BART has expended \$31,815,953, committed \$6,831,748, and reserved \$0 to date. This action will commit \$4,870,000, leaving an available fund balance of \$5,924,127 in these fund sources for this project.

The Office of Controller/Treasurer certifies that funds are currently available to meet this obligation.

This action is not anticipated to have any Fiscal Impact on unprogrammed District reserves.

**ALTERNATIVES:**

The alternative is to decline to proceed with the Change Orders which will require the work to be performed in a future contract at a potentially higher cost. It will result in a claim for District-caused delays, with the potential for litigation. Without the installation of the emergency generator systems, BART will not have a back-up power generator system available in the event of an emergency in the TBT.

**RECOMMENDATION:**

Adopt the motion.

**MOTION:**

The General Manager is authorized to execute the various Change Orders in an

Change Order Authorization for Contract No. 09EK-130A, Oakland Emergency Generator (OEG) System (cont.)

aggregate amount not to exceed \$4,870,000 to Contract No. 09EK-130A, Oakland Emergency Generator (OEG) System Project.



# EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>[Signature]</i> 7/16/2020		GENERAL MANAGER ACTION REQ'D:		
DATE: 7/9/2020		BOARD INITIATED ITEM: No		
Originator/Prepared by: Zecharias Amare Dept: Capital Program ESP Signature/Date: <i>Zecharias Amare</i> July 13/2020	General Counsel <i>[Signature]</i>	Controller/Treasurer <i>[Signature]</i> [ ]	District Secretary [ ]	BARC <i>[Signature]</i> 7.15.2020 [ ]

## TBT Internal Retrofit - Scope Revision

### PURPOSE:

To obtain Board authorization for the General Manager to execute Change Order No. 175, Revisions to the TBT Scope of Work, to Contract No. 09AU-120, BART Earthquake Safety Program TBT Internal Retrofit which includes additional work and a credit not less than \$28,000,000.00.

### DISCUSSION:

Award of Contract No. 09AU-120, BART Earthquake Safety Program TBT Internal Retrofit to Shimmick/CEC Joint Venture, was authorized by the Board on December 1, 2016; Notice to Proceed was issued on February 2, 2017. The Contract includes the retrofit of the interior walls of certain segments of TBT and a new discharge pumping system. The retrofit work inside the TBT has been progressing for the past three years. Most of the retrofit work in the gallery has been erected and currently is being secured in place. In addition, most of the electrical system and equipment that will power the new pump system has been set in place. Testing of that equipment is underway.

While the construction work has been underway, recent developments in seismic engineering science triggered the need to revisit the original design assumptions and analyses. The findings from the new analysis indicates that the current scope of work can be reduced substantially while still achieving the original retrofit design performance objectives. The findings from the new analysis indicates that fewer sections of the TBT will require the waterproofing retrofit. The scope for the new pumping system remains unchanged.

The District issued a Change Notice to delete the portions of the work and negotiated with the Contractor to determine the credit for the work that is being deleted from the Contract. The District and Contractor have arrived at an agreement on the value of the credit and schedule for the revised scope of work. The District estimated the total value of the deleted work to be approximately \$46,000,000.00. In addition to the credit, the District and Contractor negotiated a settlement of several pending Contract Change Notices for revisions to the work and differing site conditions, Protested Change Orders, and Notices of Potential Claims (NOPC) that had been referred to the Disputes Review Board. The settlement of these items involves expenditures of approximately \$18,000,000.00. As a result, the total credit for Change Order No. 175 is \$28,000,000.00. Due to the deleted work, the Contract duration is reduced by more than two years. The new Contract Completion date is November 2022.

Pursuant to Board Rule 5-2.3, for Construction contracts over \$200,000,000 in value, Change Orders involving expenditures greater than \$500,000 require Board approval. The Office of the General Counsel will approve this Change Order as to form prior to execution. The Procurement Department will review this Change Order for compliance with procurement guidelines prior to execution.

**FISCAL IMPACT:**

Change Order No. 175 is a credit to the Contract. The credit will be utilized to support other funding needs in the project.

**ALTERNATIVES:**

The Board can elect not to authorize the execution of this Change Order. If the Change Order is not executed, the original scope of work remains unchanged and the Contractor will not have a clear direction from the District for the remainder of the Work. Either additional funds will need to be obtained to enable completion of the original retrofit scope, or alternative construction scope deletions will need to be developed to meet the current available funds and authorized budget.

**RECOMMENDATION:**

That the Board approve the following motion:

**MOTION:**

The General Manager is authorized to execute Change Order No. 175, Revisions to TBT Scope of Work, for additional work and a credit in an amount not less than \$28,000,000 to Contract No. 09AU-120 BART Earthquake Safety Program TBT Internal Retrofit with Shimmick/CEC Joint Venture.

**SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT**

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**MEMORANDUM**

**TO:** Board of Directors

**DATE:** July 15, 2020

**FROM:** General Manager

**SUBJECT:** State Legislation for Consideration

At the July 23, 2020 Board of Directors meeting, staff will present state legislation for your consideration and action. The legislation being presented has a nexus to BART policies or programs and aligns with the Board's adopted Advocacy Program for 2020.

Staff has prepared an analysis and included text for each bill, which are attached. Following the staff presentation, a request will be made of the Board to consider passing the draft motion shown below.

**LEGISLATION FOR CONSIDERATION AND ACTION**

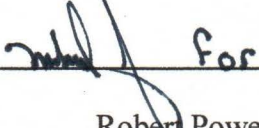
**NO STAFF RECOMMENDATION**

AB 2850 (Low) – Public transit employer-employee relations: San Francisco Bay Area Rapid Transit District

**SUPPORT**

Proposition 16 – Legislatively referred constitutional amendment on government preferences

If you have any questions, please contact Rodd Lee, Assistant General Manager of External Affairs, at (510) 464-6235.

  
\_\_\_\_\_  
Robert Powers

**Attachments**

cc: Board Appointed Officers  
Deputy General Manager  
Executive Staff

**DRAFT MOTION:**

1) The Board of Directors supports Proposition 16.

# SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

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## MEMORANDUM

**TO:** Board of Directors

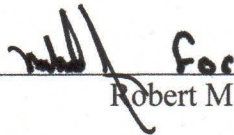
**DATE:** July 17, 2020

**FROM:** General Manager

**SUBJECT:** AB 2923 Update

Attached is the "AB 2923 Update" presentation as well as a draft of the "AB 2923 Development Principles" for Board review. This item is an informational update on BART staff's work on AB 2923. At this meeting, staff are seeking the Board's feedback on the "AB 2923 Development Principles," which will be considered for future action by the Board.

As a reminder, Val Menotti sent you a memo on June 18, notifying you that BART has publicly released several draft work products associated with AB 2923 over the last month, all of which can be found on the AB 2923 website: [www.bart.gov/AB2923](http://www.bart.gov/AB2923). *A Technical Guide to Zoning for AB 2923 Conformance* provides guidance regarding local jurisdictions for conformance with AB 2923 (Chiu/Grayson, 2018). An online map identifying properties subject to AB 2923 is also available on the website. BART is seeking comment on these items by August 7, 2020.



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Robert M. Powers

cc: Board Appointed Officers  
Deputy General Manager  
Executive Staff



# SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

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## MEMORANDUM

**TO:** Board of Directors

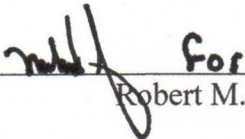
**DATE:** July 17, 2020

**FROM:** General Manager

**SUBJECT:** New Transbay Rail Crossing Program Update

Attached is the "New Transbay Rail Crossing Program Update" presentation that will be presented at the July 23, 2020 board meeting as an information item.

If you have any questions, please contact Val Menotti, Chief Planning and Development, Planning & Development at (510) 287- 4794.

 For  
\_\_\_\_\_  
Robert M. Powers

cc: Board Appointed Officers  
Deputy General Manager  
Executive Staff

# SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

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## Memorandum

**TO:** Board of Directors

**DATE:** July 17, 2020

**FROM:** Assistant District Secretary

**SUBJECT:** Transit Security Advisory Committee: Public-at-Large Member  
Appointments

The District Secretary's Office has facilitated the application process for vacant seats on the Transit Security Advisory Committee (TSAC) and coordinated the selection process. A total of four (4) Public-at-Large applications were received. All four applications will be submitted to the Board of Directors (Board) for approval at the July 23, 2020 Board meeting. There are only three (3) Public-at-Large vacancies.

The selection of the three Public-at-Large seats may be ratified by the Board at its July 23, 2020 meeting, for a term to begin immediately and expire on June 30, 2022. The appointments of the three Public-at-Large representatives shall be for two-year terms.

The process for selection of the three Public-at-Large appointments for July 23, 2020, will be as follows:

- All four applicants were informed that the Board would select three appointees at the July 23, 2020 Board meeting.
- Each applicant in attendance (remotely) will be offered an opportunity to address the Board.
- The Board members consider the applicants' qualifications and announce their first, second, and third choices.
- The District Secretary will tally the votes using a ranked-choice scale while the Board moves on to other business on the agenda.
- The District Secretary will announce the results of the ranked-choice voting to the Board.
- A motion will be made to appoint three people to the Public-at-Large seat(s), and the Board will vote whether to approve that motion.
- In the event of a tie, the Board may elect to re-vote, or a motion may be made to appoint any applicant.

### **Advisory Committee Requirements**

The advisory committee members and alternates are appointed by the Board. At least one of the committee members must have experience working with individuals with psychiatric or other disabilities, one must have experience as a youth advocate, and one advisory committee member must have law enforcement experience as a sworn peace officer.

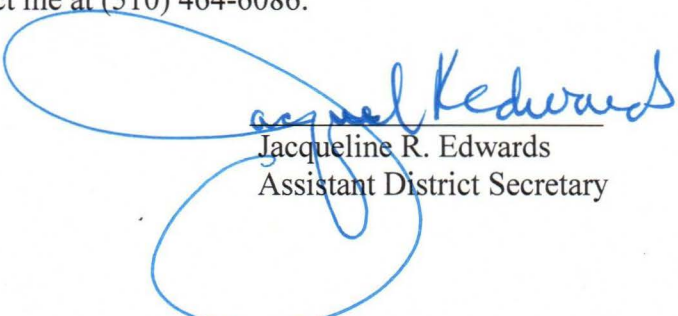
Public-at-Large Representatives: There shall be three (3) or four (4) Public-at-Large Representatives, preferably users of the BART system.

The advisory committee reports directly to the Board. Meetings are generally held once per month, and service on the TSAC is voluntary. Volunteer members of this committee will:

1. Provide recommendations regarding the type and extent of training that should be undertaken by individuals with responsibility for issuance and enforcement of prohibition orders, with particular emphasis on training designed to assist those individuals in identifying and interacting with persons who are homeless or who have psychiatric or other disabilities.
2. Identify services and programs which persons who are homeless or who have psychiatric, developmental, or other disabilities may be referred by transit district enforcement personnel prior to or in conjunction with issuance of a prohibition order.
3. Review appeals to prohibition orders.
4. Compile an annual report to the State Legislature.
5. Participate in community outreach.

A continuous recruitment for the law enforcement seat is ongoing.

All applications are attached hereto with accompanying charts for your reference and convenience. If you have any questions, please contact me at (510) 464-6086.



Jacqueline R. Edwards  
Assistant District Secretary

Attachments

Cc: Board Appointed Officers

## Transit Security Advisory Committee (TSAC) Membership Representation and Vacancy Chart

Transit Security Advisory Committee Membership Representation	Member Name	Term Expiration Date	Vacancy
Mental Health Representative	Sue Kuipers	January 22, 2021	
Youth Advocates Representative	Armando Sandoval	January 22, 2021	
Law Enforcement *A continuous recruitment for the law enforcement seat is ongoing.*	Vacant	--	1
At-Large Representatives	Janet Abelson	January 22, 2021	
At-Large Representatives	Vacant	--	1
At-Large Representatives	Vacant	--	1
At-Large Representatives	Vacant	--	1
<b>Total TSAC Membership Vacancies</b>			<b>4</b>
Alternates (not eligible to vote)	Member Name	Term Expiration	Vacancy
Alternate	Vacant	--	1
Alternate	Vacant	--	1
<b>Total TSAC Alternate Vacancies</b>			<b>2</b>

Transit Security Advisory Committee Membership Representation will be composed of the following categories: A. Mental Health Representative: At least one (1) member with experience working with individuals with psychiatric, developmental, or other disabilities. B. Youth Advocates Representative: At least one (1) member with experience as a youth advocate within the region of the BART system. C. Law Enforcement: At least one (1) member with experience as a sworn peace officer within the region of the BART system. D. At-Large Representatives: There shall be three (3) or four (4) at-large Representatives, preferably users of the BART system.

**SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT**

***TRANSIT SECURITY ADVISORY COMMITTEE***

***Public-at-Large Appointment***

***July 23, 2020***

**Board Matters Item No. 11A - Transit Security Advisory Committee Appointments.**

**First Choice:** \_\_\_\_\_

**Second Choice:** \_\_\_\_\_

**Third Choice:** \_\_\_\_\_

**INSTRUCTIONS**

- **Please fill out and announce your First, Second, and Third Choice LIVE during the Board meeting. These selections are for the three Public-at-Large Transit Security Advisory Committee appointments.**
- **The District Secretary will tally the votes using a ranked-choice scale while the Board moves on to other business on the agenda.**
- **The District Secretary will announce the results of the ranked-choice voting to the Board.**
- **A motion will be made to appoint three people to the Public-at-Large seat(s), and the Board will vote whether to approve that motion.**
- **In the event of a tie, the Board may elect to re-vote, or a motion may be made to appoint any applicant.**

**Stephine Barnes: Potential Candidate No. 1**

**TRANSIT SECURITY ADVISORY COMMITTEE | Application for Appointment**

5) Participate in community outreach.

All TSAC members must be fair-minded and objective with demonstrated commitment to community service. Appointees to the TSAC are subject to a background check and must not have any felony convictions. Members serving on the TSAC are not required to be U.S. citizens. **Thank you for your interest in serving on the Transit Security Advisory Committee (TSAC).** It is important that you complete all parts of the application. If your application is incomplete or does not clearly show the experience and/or training required, your application may not be accepted.

**The application process will include three phases:**

**PHASE 1 – Application and Recommendation Review**

The advisory committee members will review the applications, letters of recommendation and any supplemental documents.

**PHASE 2 – Committee Review and Informal Interview**

Applicants selected to move forward must attend the February 4, 2020 TSAC meeting to participate in a brief informal interview.

**PHASE 3 – BART Board of Directors Appointment**

Selected candidates will be invited to appear before the Board of Directors to briefly explain their interest in serving on the committee, followed by a Board vote.

**I. Personal Information**

Please consider my application for the following representation(s) on the TSAC:

- Representation:  Mental Health/Disabilities  Youth Advocate  
 Law Enforcement  Public at Large  
 Alternate

First, Last Name:

Stephine Barnes

Home/Mailing Address:

City & Zip:

County:

Alameda

Main Phone:

Alternate Phone:

( ) - N/A

Email Address:

Occupation:

Station Agent

**II. Recommendation Contact Information (must provide two recommendations)**

Please provide the contact information for the individuals recommending your appointment and attach their letters of recommendation to this application.

First Name:

Tera Hankins

Last Name:

Hankins

Mailing Address

300 Lakeside Dr.

City & Zip:

Oakland 94604

Phone:

(570) 464-6983

Email Address:

THankins@bart.gov



First Name: Antoinette Bryant  
Mailing Address:  
Phone:

Last Name: Bryant  
City & Zip:  
Email Address:

III. Personal Statement of Interest

Briefly explain your interest in serving on the TSAC. Please feel free to attach an additional page.

I am interested in serving on the TSAC committee because I believe I can contribute to making BART safer for everyone. ~~My~~ 25 years of working in a BART station gives me insight into what occurs daily. I have seen first hand the social, economic, psychological ~~challenges~~ our riders face. I want to contribute relevant first hand current information to problem solving so that real change & improvement can occur.

IV. Qualifications and Experience

What qualifications/assets do you have that make you a strong candidate for service on the TSAC? Please feel free to attach a resume or an additional page.

I graduated in 1998 from Ca State Hayward with a BA in Criminal Justice & a minor in sociology. I was a Correctional Officer at the Federal Correctional Institution in Dublin Ca. I am a BART Station Agent and have held this position for 25 years. I am currently the Station Agent Representative of ATU 1555. I am one of the original members of the BART Employee Resource Group or Diversity Committee.

V. Organizations/Group Membership

List any organizations or groups that you belong to or are involved with that you believe bear relevance to your candidacy for service on the TSAC:

Organization Name:	Amalgamated Transit Union	Position:	Station Agent Representative
Organization Name:	ATU Black Caucus	Position:	Treasurer
Organization Name:	Essential Workers Co	Position:	Volunteer
Organization Name:	Peer Supporters BART	Position:	Peer Supporter
Organization Name:	Diversity Committee	Position:	member / Volunteer

Applicant Signature: Stephanie Bryant Date: 6/2/20

Return this form and relevant attachments to the BART Office of the District Secretary:



**Randall Glock: Potential Candidate No. 2**

**TRANSIT SECURITY ADVISORY COMMITTEE | Application for Appointment**

All TSAC members must be fair-minded and objective with demonstrated commitment to community service. Appointees to the TSAC are subject to a background check and must not have any felony convictions. Members serving on the TSAC are not required to be U.S. citizens. **Thank you for your interest in serving on the Transit Security Advisory Committee (TSAC).** It is important that you complete all parts of the application. If your application is incomplete or does not clearly show the experience and/or training required, your application may not be accepted.

**The application process will include three phases:**

**PHASE 1 – Application and Recommendation Review**

The advisory committee members will review the applications, letters of recommendation and any supplemental documents.

**PHASE 2 – Committee Review and Informal Interview**

Applicants selected to move forward must attend the February 4, 2020 TSAC meeting to participate in a brief informal interview.

**PHASE 3 – BART Board of Directors Appointment**

Selected candidates will be invited to appear before the Board of Directors to briefly explain their interest in serving on the committee, followed by a Board vote.

**I. Personal Information**

Please consider my application for the following representation(s) on the TSAC:

Representation:	<input type="checkbox"/> Mental Health/Disabilities <input type="checkbox"/> Law Enforcement <input type="checkbox"/> Alternate	<input type="checkbox"/> Youth Advocate <input checked="" type="checkbox"/> Public at Large
First, Last Name:	Randall Gibock	Home/Mailing Address:
City & Zip:		County: San Francisco
Main Phone:		Alternate Phone: ( ) -
Email Address:		Occupation: Retired

**II. Recommendation Contact Information (must provide two recommendations)**

Please provide the contact information for the individuals recommending your appointment and attach their letters of recommendation to this application.

First Name:	Andy	Last Name:	Payne
Mailing Address:		City & Zip:	Ferris, CA
Phone:		Email Address:	
First Name:		Last Name:	

Mailing Address	/	City & Zip:	/
Phone:	( ) -	Email Address:	

**III. Personal Statement of Interest**

Briefly explain your interest in serving on the TSAC. Please feel free to attach an additional page.

**IV. Qualifications and Experience**

What qualifications/assets do you have that make you a strong candidate for service on the TSAC? Please feel free to attach a resume or an additional page.

**V. Organizations/Group Membership**

List any organizations or groups that you belong to or are involved with that you believe bear relevance to your candidacy for service on the TSAC:

Organization Name:	Bart Accessibility Task Force	Position:	Chair
Organization Name:		Position:	
Organization Name:		Position:	
Organization Name:		Position:	
Organization Name:		Position:	

Applicant Signature: \_\_\_\_\_

Date: \_\_\_\_\_

7/ Feb/2020

Return this form and relevant attachments to the BART Office of the District Secretary:

300 Lakeside Drive, 23<sup>rd</sup> Floor, Oakland, CA 94612 or fax to (510) 464-6011 or email to [mtatum@bart.gov](mailto:mtatum@bart.gov). Feel free to call (510) 464-6089 with any questions.

**Application period closes on Friday, February 7, 2020**

**II. Recommendation Contact Information:**

Andy Payne, Fremont California.

**III. Personal statement of interest:**

I am interested in serving on the BART TSAC (Transit Security Advisory Committee), I am a lifelong user of the system. I have always been interested in Transit and Transit Security aspects. Using BART as frequent as I do I am familiar with the system, always observing different aspects of the BART system, BART stations. And I believe volunteering on this committee can make BART a better system for all.

**IV. Qualifications and Experience:**

Being the Chair of another BART Committee I have an understanding of BART and BART polices. Over the years I have developed a strong working relationship with staff on various senior/disabled rider issues. And have reviewed and worked in collaboration on many different BART projects.

In 2012, I was part of a committee, which worked directly with Chief Rainy, providing feedback to BART Police, to develop the BART GDA (General disabilities awareness) pamphlet. Which is currently carried by officers.

Tiffany Rose Naputi Lacsado: Potential Candidate No. 3

TRANSIT SECURITY ADVISORY COMMITTEE | Application for Appointment

- 5) Participate in community outreach.

All TSAC members must be fair-minded and objective with demonstrated commitment to community service. Appointees to the TSAC are subject to a background check and must not have any felony convictions. Members serving on the TSAC are not required to be U.S. citizens. **Thank you for your interest in serving on the Transit Security Advisory Committee (TSAC).** It is important that you complete all parts of the application. If your application is incomplete or does not clearly show the experience and/or training required, your application may not be accepted.

**The application process will include three phases:**

<p><b>PHASE 1 – Application and Recommendation Review</b></p> <p><i>The advisory committee members will review the applications, letters of recommendation and any supplemental documents.</i></p>
<p><b>PHASE 2 – Committee Review and Informal Interview</b></p> <p><i>Applicants selected to move forward must attend the February 4, 2020 TSAC meeting to participate in a brief informal interview.</i></p>
<p><b>PHASE 3 – BART Board of Directors Appointment</b></p> <p><i>Selected candidates will be invited to appear before the Board of Directors to briefly explain their interest in serving on the committee, followed by a Board vote.</i></p>

**I. Personal Information**

*Please consider my application for the following representation(s) on the TSAC:*

<b>Representation:</b>	<input type="checkbox"/> Mental Health/Disabilities <input type="checkbox"/> Youth Advocate <input type="checkbox"/> Law Enforcement <input checked="" type="checkbox"/> Public at Large <input type="checkbox"/> Alternate		
<b>First, Last Name:</b>	Tiffany Rose Naputi Lacsado	<b>Home/Mailing Address:</b>	
<b>City &amp; Zip:</b>		<b>County:</b>	Alameda
<b>Main Phone:</b>		<b>Alternate Phone:</b>	
<b>Email Address:</b>		<b>Occupation:</b>	Associate Director of Economic Development

**II. Recommendation Contact Information (must provide two recommendations)**

*Please provide the contact information for the individuals recommending your appointment and attach their letters of recommendation to this application.*

<b>First Name:</b>	Chris	<b>Last Name:</b>	Iglesias
<b>Mailing Address</b>	1900 Fruitvale Ave.	<b>City &amp; Zip:</b>	Oakland, CA 9
<b>Phone:</b>	(510) 535-6918	<b>Email Address:</b>	ciglesias@unitycouncil.org

<b>First Name:</b>	Noel	<b>Last Name:</b>	Gallo
<b>Mailing Address</b>	1 Frank Ogawa Plaza	<b>City &amp; Zip:</b>	Oakland 94612
<b>Phone:</b>	510-238-7005	<b>Email Address:</b>	ngallo@oaklandca.gov

**III. Personal Statement of Interest**

*Briefly explain your interest in serving on the TSAC. Please feel free to attach an additional page.*

I am interested in serving on the BART Security Advisory Committee because my family is one of the 97 families that moved into Casa Arabella, the new transit friendly affordable housing complex in the Fruitvale neighborhood in Oakland, California. We have been blessed beyond belief to be chosen to live there and I will be raising my three children currently ages 3, 5 and 8 literally in the shadows of the BART tracks. Community safety is of utmost importance to me and my family and we believe our experience and voice can help shape how BART looks at this complex issue and how current and future policies impacts the neighborhoods and residents that share space with BART.

**IV. Qualifications and Experience**

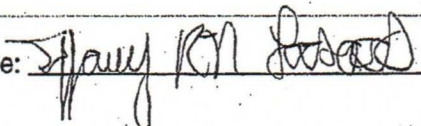
*What qualifications/assets do you have that make you a strong candidate for service on the TSAC? Please feel free to attach a resume or an additional page.*

Currently I serve as the Associate Director of Economic Development for the Unity Council and leads the team that manages the Fruitvale Business Improvement District a small business group that represents over 350 businesses in the Fruitvale neighborhood of Oakland, CA.

**V. Organizations/Group Membership**

*List any organizations or groups that you belong to or are involved with that you believe bear relevance to your candidacy for service on the TSAC:*

<b>Organization Name:</b>	Healthy Havenscourt Collaborative	<b>Position:</b>	At Large Core Partner former Resident of the Havenscourt neighborhood of Oakland, California
<b>Organization Name:</b>		<b>Position:</b>	
<b>Organization Name:</b>		<b>Position:</b>	
<b>Organization Name:</b>		<b>Position:</b>	
<b>Organization Name:</b>		<b>Position:</b>	

Applicant Signature:  Date: 2/7/2020

CITY OF OAKLAND



CITY HALL • 1 FRANK H. OGAWA PLAZA • OAKLAND, CALIFORNIA 94612

Noel Gallo  
Councilmember - District 5  
e-mail: NGallo@oaklandnet.com

(510) 238-3266  
FAX (510) 238-6129  
TDD (510) 839-6451

February 13, 2020

To Whom It May Concern:

My name is Noel Gallo and I serve as a City of Oakland Council Member representing District 5 in which the Fruitvale BART Station resides. I met Tiffany years ago when she worked at the Sexual Minority Alliance of Alameda County where she was on the team that lead a successful initiative to fund LGBTQ specific youth services, carving out millions of dollars over a three-year cycle for these youth through our Oakland Fund for Children and Youth (OFCY) program.

In the years I have known her, I have come to admire Tiffany's commitment to the community (all sectors of the community), her ability to build relationships across race and other differences, and her patient, critical inquiry and learning stance. She learns and decides for herself what is true and where she stands on the issues. In a city with deep divisions, Tiffany capably navigates the divides and builds bridges everywhere she goes.

Tiffany is a new resident at the transit friendly Casa Arabella and would bring badly needed representation to the BART Transit Safety Committee: she is representative of the majority of Oaklanders who are renters, who live in the city's working-class neighborhoods, and who thrive - and serve the community - despite the challenges they have had to overcome. BART desperately needs more representatives who understand and have experienced the numerous issues facing Oakland families especially in the neighborhoods that are in the shadows of the BART tracks.

I strongly recommend Tiffany for the BART Transit Safety Committee. Please feel free to reach out if you have any questions or would like to talk more. I can be reached at [ngallo@oaklandca.gov](mailto:ngallo@oaklandca.gov) or (510)238-7005.

Sincerely

A handwritten signature in black ink that reads "Noel Gallo". The signature is fluid and cursive, with the first name "Noel" and last name "Gallo" clearly legible.

Noel Gallo





Bay Area Rapid Transit District (BART)  
P.O. Box 12688  
Oakland, CA 94604-2688

Thursday, February 13, 2020

To Whom It May Concern:

My name is Chris Iglesias and I serve as the CEO of the Unity Council. I met Tiffany years ago when she was a parent who sat on the Unity Council's Head Start Parent Policy Committee in 2013.

Since that time, attended business school and Tiffany founded the first Pacific Islander worker owned lei making cooperative – The Lei Company and has been a leader in small business development with a specialty in cooperative business models. Tiffany then made her way back to the Unity Council first as a Business Engagement Consultant in our Workforce Development program where she was integral in working within small businesses and in the healthcare industry to find on-the-job training placements for our vocational trainees.

Early on we recognized her talent and her ability build collaborative teams and establish and maintain productive relationships across a diverse set of community stakeholders in the public and private sectors, that we eventually hired her as our Associate Director of Economic Development. A large part of her management portfolio at the Unity Council is to oversee the Fruitvale Business Improvement District. It is the largest Business Improvement District in Oakland with over 350 merchants and property owners in its membership. Within the mass transit industry, Tiffany oversees our AC Transit Bus Operators program, an AC Transit pre-employment training program for people with high barriers to employment.

Tiffany is also a new resident at Casa Arabella and will be raising her three children just steps away from the Fruitvale BART Station. It is because of these lived experiences which are important perspectives to have on any safety committee - as a resident neighbor of the Fruitvale BART station and as a business woman that I strongly recommend Tiffany Rose Naputi Lacsado for the BART Transit Safety Committee.

Please feel free to reach out if you have any questions or would like to talk more. I can be reached at (510) 535-6918 or [ceo-ea@unitycouncil.org](mailto:ceo-ea@unitycouncil.org)

Regards,

Chris Iglesias  
Chief Executive Officer

**The Unity Council**  
1900 Fruitvale Ave Ste 2A, Oakland, CA 94601  
510-535-6900 Office • 510-534-7771 Fax • [www.unitycouncil.org](http://www.unitycouncil.org)

**Manual Vasquez: Potential Candidate No. 4**

**TRANSIT SECURITY ADVISORY COMMITTEE | Application for Appointment**

All TSAC members must be fair-minded and objective with demonstrated commitment to community service. Appointees to the TSAC are subject to a background check and must not have any felony convictions. Members serving on the TSAC are not required to be U.S. citizens. **Thank you for your interest in serving on the Transit Security Advisory Committee (TSAC).** It is important that you complete all parts of the application. If your application is incomplete or does not clearly show the experience and/or training required, your application may not be accepted.

**The application process will include three phases:**

The advisory committee members will review the applications, letters of recommendation and any supplemental documents.

Applicants selected to move forward must attend the February 4, 2020 TSAC meeting to participate in a brief informal interview.

Selected candidates will be invited to appear before the Board of Directors to briefly explain their interest in serving on the committee, followed by a Board vote.

**I. Personal Information**

Please consider my application for the following representation(s) on the TSAC:

Representation:	<input type="checkbox"/> Mental Health/Disabilities	<input type="checkbox"/> Youth Advocate
	<input type="checkbox"/> Law Enforcement	<input checked="" type="checkbox"/> Public at Large
	<input type="checkbox"/> Alternate	
First, Last Name:	<i>Manuel Vasquez</i>	Home/Mailing Address:
City & Zip:		County:
Main Phone:		Alternate Phone: ( ) -
Email Address:		Occupation: <i>Retired Clinical Social Worker 4124</i>

**II. Recommendation Contact Information** (must provide two recommendations)

Please provide the contact information for the individuals recommending your appointment and attach their letters of recommendation to this application.

First Name:	<i>Ricardo Ricardo</i>	Last Name:	<i>Carrillo Ph.D</i>
Mailing Address:		City & Zip:	
Phone:		Email Address:	
First Name:	<i>Armando</i>	Last Name:	<i>Sandoval</i>

Mailing Address \_\_\_\_\_  
 Phone: \_\_\_\_\_

City & Zip: \_\_\_\_\_  
 Email Address: \_\_\_\_\_

09

III. Personal Statement of Interest

Briefly explain your interest in serving on the TSAC. Please feel free to attach an additional page.

I have been a consumer of Bart since 1987 -  
 Because of my consistent ridership, I  
 maintain a keen observation of the  
 how customer participation and problems that  
 arise on the Train & Platform area.

IV. Qualifications and Experience

What qualifications/assets do you have that make you a strong candidate for service on the TSAC? Please feel free to attach a resume or an additional page.

My professional background, working  
 in the Bay Area has provided  
 me a foundation knowledge about system  
 problem solving - see attached resume.

V. Organizations/Group Membership

List any organizations or groups that you belong to or are involved with that you believe bear relevance to your candidacy for service on the TSAC:

Organization Name:		Position:	
Organization Name:		Position:	
Organization Name:		Position:	
Organization Name:		Position:	
Organization Name:		Position:	

Applicant Signature: Maria Niguz

Date: 3-5-2020

Return this form and relevant attachments to the BART Office of the District Secretary:

300 Lakeside Drive, 23<sup>rd</sup> Floor, Oakland, CA 94612 or fax to (510) 464-6011 or email to [mtatum@bart.gov](mailto:mtatum@bart.gov). Feel free to call (510) 464-6089 with any questions.

**Application period closes on Friday, February 7, 2020**

**Manuel Vasquez, MSW**

**Objective:** *To work in a part time position that requires an individual responsive to human needs.*

**Education:** *Master's in Social Work, Arizona State University, Tempe Arizona, 5/83  
Bachelor of Science in Social welfare, Metropolitan State College,  
Denver, Colorado 12/80*

**Summary of**

**Qualifications:** *Experienced in direct and administrative services. Skilled in areas of individual, group and family therapy, case management, treatment of domestic violence (victim services and perpetrators), co-occurring disorders (mental health disorders and substance abuse), treatment of PTSD, depression, anxiety, and major mental illness. Knowledgeable of program development, management of multidisciplinary outpatient psychiatric staff, contract negotiations, program development, fiscal program monitoring, policy and systems development, clinical supervision, organizational problem solving and risk management.*

**Professional Experience:**

**City and County of San Francisco, Community Behavioral Health Services, Assistant Director of the Office of Program Performance and Compliance.**  
*Assume lead responsibility for program management of multi-million dollar contract for co-occurring disorders, residential treatment of large community base organization. Assist with system wide policy development related to individuals with co-occurring disorders. Assist with management of Private Providers Network. Assume lead role with investigation of client grievances, organizational problem solving, fiscal, clinical and program audits, December 1, 2005 to 2009*

**City and County of San Francisco, Community Behavioral Health Services, Mission Mental Health, Mission ACT, Program Director.**  
*Provide administrative oversight for Assertive Community Treatment Program. Manage daily operations of adult outpatient multidisciplinary psychiatric team. Provide leadership and program development for integrated mental health services (mental health, substance abuse and primary care) with a Latino and LGBTQ focus. Provide psychiatric services for individual caseload, 9/6/06-11/30/2005.*

**County of Alameda Community Behavioral Health Services, Chief Psychiatric Social Worker, East Oakland Community Mental Health and Office of Continuing Care:** *Clinical Director of comprehensive outpatient clinic. Assume responsibility for daily operations of clinical services. Provide administrative oversight of crisis clinic and mobile crisis services, responsibility for reduction of inpatient long term care beds by enhancement of client movement from locked facilities to community base programs. Monitor residential care contacts and Consumer Self-help contacts, 5/87-8/96.*

**Family Services of the East Bay, Private Consultant:** Provide clinical therapeutic services for individual, couples and families. Specialization in couples therapy, and domestic violence, 10/88-10/92.

**Servicios de la Raza, Mental Health Director:** Program development and administration, policy development, contract negotiation, proposal writing, community advocacy and assumed responsibility of daily operations of ethnic specific outpatient services. Maintained responsibility for individual case load. Provide clinical supervision for subordinate staff, 9/83-5/87.

**Phoenix South Community Mental Health Services, Phoenix, Arizona, Mental Health Clinician:** Manage individual caseload and provide case management, crisis intervention and psychotherapy for individuals with chronic and persistent mental illness. Provide community crisis support and outreach to underserved populations by serving as staff of mobile crisis team, 6/81-5/83.

**Pueblo Neighborhood Health Centers, Pueblo Colorado, Community Health Worker:** Responsible for community outreach with Latino community and farm workers, community advocacy, health prevention, case management, and resource development, 1/76-5/79.

**References Provided Upon Request**

**SAN FRANCISCO BY AREA RAPID TRANSIT DISTRICT**

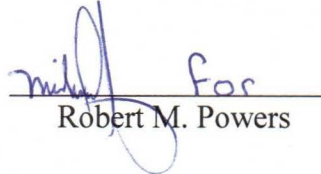
**MEMORANDUM**

**TO:** Board of Directors **DATE:** July 17, 2020  
**FROM:** General Manager  
**SUBJECT:** Resolution Commending Hale Zukas In Honor of the ADA 30th Anniversary

At the request of Director Raburn, attached is a proposed resolution commending disability rights leader Hale Zukas in honor of the 30th Anniversary of the Americans with Disabilities Act (ADA), which was signed into law on July 26, 1990.

BART is committed to complying with all federal Americans with Disabilities (ADA) regulations as well as the State of California's rigorous accessibility requirements. BART's ease-of-use to the disabled community owes much to 30 years of effort to comply with the ADA and 50 years of advocacy by BATF founding member Hale Zukas who has worked tirelessly to promote the mobility needs of the broader community.

If you have any questions, please contact Val Menotti, Chief Planning and Development Officer, at 510.287.4794. Thank you.

  
Robert M. Powers

cc: Board Appointed Officers  
Deputy General Manager  
Executive Staff

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

Resolution Commending  
HALE ZUKAS  
In Honor of the 30th Anniversary of the ADA

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

WHEREAS, BART is committed to delivering safe and accessible transit in the San Francisco Bay Area; and

WHEREAS, the Americans with Disabilities Act (ADA) was signed into law on July 26, 1990, marking 30 years since this landmark legislation first championed access and opportunity for people with disabilities throughout the nation; and

WHEREAS, Hale J. Zukas, a founding member of the BART Accessibility Task Force (BATF), was instrumental in forming the independent living movement at local, state and national levels, and has remained active in advocating for disability rights and accessible design since the early 1970s; and

WHEREAS, over the last half-century, Mr. Zukas has demonstrated a fierce commitment to community-centered design and prompted the San Francisco Bay Area Rapid Transit District to adopt accessible design solutions, such as the technical features of station elevator buttons, elevator locations and improved signage and wayfinding; and

WHEREAS, Mr. Zukas, in partnership with District staff, was directly involved with other key BATF members to integrate 1990s station expansion design, planning, and engineering concurrently with the ADA to meet the needs of all BART users; and

WHEREAS, in addition to his legacy of assisting Bay Area transit riders in gaining public access to transit systems, Mr. Zukas has prompted California's statewide adoption of curb ramp designs and co-founded the Center for Independent Living in Berkeley, the first group of its kind in the world dedicated to advocate for the rights of disabled people; and worked with civil rights pioneers Ed Roberts and Judy Heumann for many years; and

WHEREAS, Mr. Zukas was appointed by President Jimmy Carter in 1983 to serve on the Architectural and Transportation Barriers Compliance Board in Washington D.C., and greatly influenced national accessibility standards while consulting for the National Science Foundation and the Federal Highway Administration; and



WHEREAS, Mr. Zukas remains one of the key liaisons between BART and the disability community and has previously been presented with an honorary plaque within the accessible passageway between the Ashby BART Station and Ed Roberts Campus in 2012;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the San Francisco Bay Area Rapid Transit District does hereby recognizes the long-standing contributions that Mr. Hale Zukas has made on behalf of the citizens of the Bay Area, the District, the State and the Nation over the past 50 years in conjunction with commemorating the 30th Anniversary of ADA.

Adopted on \_\_\_\_\_, 2020