

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

**BOARD MEETING AGENDA**

October 24, 2019

9:00 a.m.

A regular meeting of the Board of Directors will be held at 9:00 a.m. on Thursday, October 24, 2019, in the BART Board Room, 2040 Webster Street, Third Floor, Oakland, California.

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

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

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

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

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

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

Meeting notices and agendas are available for review on the District's website (<http://www.bart.gov/about/bod/meetings.aspx>); at [bart.legistar.com](http://bart.legistar.com); and via email ([https://public.govdelivery.com/accounts/CATRANBART/subscriber/new?topic\\_id=CATRANBART\\_1904](https://public.govdelivery.com/accounts/CATRANBART/subscriber/new?topic_id=CATRANBART_1904)) or via regular mail upon request submitted to the District Secretary. Complete agenda packets (in PDF format) are available for review on the District's website 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.

Patricia K. Williams  
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. Recognition of Current and Past Leadership APTA Participants.

2. PUBLIC HEARING

- A. Potential Award of Energy Conservation Contract for Retrofitting Lighting in Fourteen (14) District Parking Garages to ENGIE Services U.S. Inc.\*

3. CONSENT CALENDAR

- A. Approval of Minutes of the Meeting of October 10, 2019.\* Board requested to authorize.
- B. Revision to Succession Resolution.\* Board requested to adopt.
- C. Revision of Equal Employment Opportunity (EEO) and Prevention of Sexual Harassment in the Workplace Policies.\* Board requested to adopt.
- D. District Base Pay Schedule.\* Board requested to authorize.
- E. Award of Invitation For Bid No. 9056, Step Chain Assemblies.\* Board requested to authorize.
- F. Award of Invitation For Bid No. 9062, Step Yellow Demarcation Escalators.\* Board requested to authorize.
- G. Award of Invitation For Bid No. 9063A, Step Cast Units.\* Board requested to authorize.
- H. Award of Invitation For Bid No. 9071, Dry Type Transformers.\* 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. An additional period for Public Comment is provided at the end of the Meeting.)

5. ADMINISTRATION ITEMS

Director Simon, Chairperson  
NO ITEMS.

6. ENGINEERING AND OPERATIONS ITEMS

Director Foley, Chairperson

- A. Response to Roll Call for Introductions Item No. 19-824, Panhandling.\*  
For information.
- B. Award of Contract No. 54RR-610, Systemwide HVAC Upgrades.\*  
Board requested to authorize.

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

Director Raburn, Chairperson

- A. Revision of Surveillance Policy: Automated License Plate Readers.\*
  - i. Surveillance Use Policy – Revised.
  - ii. Surveillance Impact Report – Revised.Board requested to authorize.
- B. Surveillance Policy: Trip Verification Technology.\*
  - i. Surveillance Use Policy.
  - ii. Surveillance Impact Report.Board requested to authorize.
- C. Award of Energy Service Contract No. 6M8172, Retrofit of Lighting in Fourteen (14) District Parking Garages.\* Board requested to authorize.
- D. Update on BART and Valley Transportation Authority Phase I, and the Operations and Maintenance Agreement.\* For information.

8. GENERAL MANAGER'S REPORT

- A. Review of Draft Agenda for the Capitol Corridor Joint Powers Board Meeting of November 20, 2019.\* For information.
- B. Report of Activities, including Updates of Operational, Administrative, and Roll Call for Introductions Items.

9. BOARD MATTERS

- A. 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.)
- B. 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.)
- C. In Memoriam.  
(An opportunity for Board members to introduce individuals to be commemorated.)

10. PUBLIC COMMENT

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

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

A. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Title: Inspector General

Government Code Section: 54957

12. OPEN SESSION

A. Announcement from Closed Session, if any.

# SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

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## MEMORANDUM

**TO:** Board of Directors **DATE:** October 18, 2019

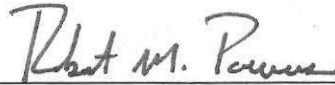
**FROM:** General Manager

**SUBJECT:** Public Hearing on potential award of Energy Service Contract No. 6M8172 for the retrofit of lighting in fourteen (14) District Parking Garages

Pursuant to Section 4217.12 of the Government Code, the San Francisco Bay Area Rapid Transit District (District) will hold a Public Hearing in the Board Room at Kaiser Center commencing at 9:00 a.m. on Thursday October 24, 2019 to take public testimony and receive other evidence in support of, or against, the District executing Energy Service Contract No. 6M8172 with ENGIE Services U.S. Inc., to retrofit the current lighting infrastructure in fourteen (14) District Parking Garages to conserve energy and reduce District costs.

Attached is the Public Hearing presentation that will be presented by staff.

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



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Robert M. Powers

cc: Board Appointed Officers  
Deputy General Manager  
Executive Staff

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

Board of Directors  
Minutes of the 1,850th Meeting  
October 10, 2019

A regular meeting of the Board of Directors was held on October 10, 2019, convening at 9:01 a.m. in the BART Board Room, 2040 Webster Street, Oakland, California. President Dufty presided; Patricia K. Williams, District Secretary.

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

Absent: None.

President Dufty called for Introduction of Special Guests. Director Saltzman recognized and thanked BART Operations staff and the BART Police Department for their service during Pacific Gas & Electric's (PG&E) Public Safety Power Shutoff (PSPS). Mr. Robert Powers, General Manager, introduced and welcomed Mr. Michael Jones as the new Deputy General Manager. Mr. Powers also recognized Mr. Shane Edwards, Chief Maintenance and Engineering Officer, BART staff, and Ms. Jodi Traversaro, Manager of Emergency Preparedness, for their work with PG&E and service during the PSPS. President Dufty asked Mr. Powers to confirm the number of generators installed for the PSPS and Mr. Powers indicated that at least one dozen generators were installed. Director Simon asked Mr. Powers how long the generators last and Mr. Powers indicated that the generators could last a long time because they can be moved and refueled. Director Simon also asked Mr. Powers where the generators are refueled, and Mr. Powers indicated that the generators are large and generally refueled onsite. President Dufty thanked everyone and Mr. Edwards.

Consent Calendar items brought before the Board were:

1. Approval of Minutes of the Meeting of September 26, 2019.
2. Audit of Directors' Use of District Property for Fiscal Year 2019.
3. Revision to 2019 Organization of Committees and Special Appointments.
4. Update to District Guidelines for Disposition of Tangible and Surplus Property.
5. Award of Contract No. 54RR-170, Richmond-Concord-Hayward Dust Collectors Replacement Project.

Director Raburn made the following motions as a unit and requested that Item 2-D, Update to District Guidelines for Disposition of Tangible and Surplus Property, be removed from the Consent Calendar. Director Saltzman seconded the motions, which carried by unanimous electronic vote. Ayes – 9: Directors Allen, Ames, Foley, Li, McPartland, Raburn, Saltzman, Simon, and Dufty. Noes – 0.

1. That the Minutes of the Meeting of September 26, 2019, be approved.
2. That the report of the Audit of Directors' Use of District Property for Fiscal Year 2019, be accepted.
3. That the Board of Directors ratify the proposed revision to the 2019 Organization of Committees and Special Appointments.
4. That the General Manager be authorized to award Contact No. 54RR-170, Richmond-Concord-Hayward Dust Collectors Replacement, in the amount of \$1,646,400, to iTech Solution of San Jose, California, subject to the District's Protest Procedures.

Director Raburn asked clarifying questions about Item 2-D, Update to District Guidelines for Disposition of Tangible and Surplus Property, specifically regarding the threshold for required Board approval. Mr. Jones responded to Director Raburn's questions. Director Raburn moved that the Board of Directors adopt Resolution No. 5425, In the Matter of Authorizing the Guidelines for the Disposition of Tangible and Surplus Property. President Dufty seconded the motion, which carried by unanimous electronic vote. Ayes – 9: Directors Allen, Ames, Foley, Li, McPartland, Raburn, Saltzman, Simon, and Dufty. Noes – 0.

President Dufty called for Public Comment. The following individuals addressed the Board:

Clarence Fischer  
Kelly Abreu  
Director McPartland  
Jennifer Rodrigues

Director Simon, Chairperson of the Administration Committee, brought the matter of Fiscal Year 2019 Year-End Budget Revision before the Board.

Ms. Pamela Herhold, Assistant General Manager, Performance and Budget, introduced the item and Ms. Kate Jordan-Steiner, Director of Budgets, presented the item.

Director Allen had questions regarding the Executive Decision Document (EDD), specifically pertaining to the allocation of the Fiscal Year (FY) 2019 unprogrammed favorable result and the scope of the proposed motion.

Ms. Herhold referenced staff's memorandum to the Board on October 8, 2019 (hereinafter "The Memo") to clarify staff's intention. Director Allen asked additional questions regarding the characterization of pensions in the FY 2019 budget, focusing on adjustments for Governmental Accounting Standards Board (GASB) Statement Numbers 68 and 75. Ms. Steiner, Ms. Rose Poblete, Controller-Treasurer, and Ms. Herhold responded and deferred to Mr. Christopher Gan, Assistant Controller, to provide an additional response. Director Simon requested that staff appear before the Board after comments to address the issues raised by Director Allen. Director Foley asked for confirmation of the budget shortfall projected for the next several years, and expressed concern over the forecast.

Director Foley moved approval of Resolution No. 5426, In the Matter of Amending Resolution No. 5373 regarding Fiscal Year 2019 Annual Budget, and that \$16.2 million dollars be allocated to reserves for economic uncertainty. Director Allen seconded the motion. Director Saltzman

expressed concern over the future; highlighted that there are two allocations for reserves in the FY 2019 budget; commented on staff's recommendation; and discussed funding for projects.

Director Saltzman proposed a substitute motion to approve Resolution No. 5426, In the Matter of Amending Resolution No. 5373 regarding Fiscal Year 2019 Annual Budget, and to include The Memo in the posted agenda packet and meeting minutes. Director Saltzman also requested that, in the future, clear information regarding the planned expenditure of money be provided. President Dufty seconded the substitute motion.

Director Li commented on the FY 2019 budget, staff's recommendation, and former General Manager Grace Crunican's recommendation for an ambassador program. Dr. Li encouraged staff to develop an ambassador program and provide specific dollar amounts for the allocation of quality-of-life efforts to inform the Board's decisions. Director Li noted that she supported Director Saltzman's substitute motion.

Director Raburn commented on the FY 2019 budget and asked clarifying questions regarding historic preservation requirements, allocations for station hardening/capital rehabilitation and quality-of-life items, and the cost of a faregate. Ms. Herhold and Mr. Powers responded to Director Raburn's questions. Director Simon requested that staff read the relevant excerpt of The Memo aloud. Director Raburn continued asking his question about the cost of a faregate and Mr. Powers responded to Director Raburn's question. Ms. Herhold read an excerpt of The Memo out loud. Director Ames commented on the contents of The Memo; acknowledged Director Allen's questions about the FY 2019; and expressed support for the substitute motion pending staff's responses to Director Allen's questions. Director Allen withdrew her second of Director Foley's modified motion and requested that the substitute motion be read aloud.

Mr. Matthew Burrows, General Counsel, stated that Director Saltzman's substitute motion is the staff recommendation, with the addition that The Memo be made public. Director Saltzman noted that the substitute motion should also state that The Memo should be included in the meeting minutes. President Dufty asked whether some of the narrative read and presented could be added to the motion.

Director Saltzman amended her substitute motion to include The Memo and the following:

- \$10 million to reserves for economic uncertainty, to protect the District against severe operating funding shortfalls projected for the next several years,
- \$4.7 million to fund systems hardening and modernization including fare gate improvements, cyber security investments, and communications upgrades to protect our assets and our riders, and
- \$1.5 million to fund Quality of Life efforts, including addressing fare evasion, safety and security, homelessness, cleanliness, and the pilot ambassador program.

President Dufty seconded the amended substitute motion. Director Allen noted her objection to the inclusion of a specific program, such as the ambassador pilot program, in the allocation of the FY 2019 unprogrammed favorable result, and proposed a second substitute motion for the Board of Directors to adopt Resolution No. 5426, In the Matter of Amending Resolution No. 5373 regarding Fiscal Year 2019 Annual Budget; include the information in The Memo; and strike the words "ambassador program" from the motion. Ms. Herhold read an additional excerpt from The Memo. Director Allen asked an additional question and Ms. Herhold responded. Director Saltzman



removed the language pertaining to the Summary of Proposed Year-End Allocations from her substitute motion. President Dufty commented on the progression of an ambassador program and expressed support for the proposed amended substitute motion. Upon Director Simon's request, Mr. Burrows restated the substitute motion: that the Board adopt the staff recommendation and place The Memo in the Minutes. Director Ames asked whether inclusion of The Memo in the minutes provides authorization for the Board to act on the recommendations in The Memo. Director Saltzman explained that the intention is to provide public access to the information in The Memo. Director Ames further commented on the components of the proposed motion and The Memo. Director Simon addressed the confusion surrounding The Memo and clarified that the proposed motion includes the addition of The Memo to the Minutes. Mr. Gan addressed questions regarding the characterization of pension items in the FY 2019 budget, including GASB reporting. Director Saltzman's amended substitute motion, seconded by President Dufy, carried by electronic vote. Ayes – 7: Directors Allen, Li, McPartland, Raburn, Saltzman, Simon, and Dufty. Noes – 2: Directors Ames and Foley.

Director Simon brought the matters of Resolution of Intention to Amend California Public Employees Retirement System (CalPERS) Contract to Include Cost Sharing of Employer Contribution for BART Police Officers' Association (BPOA) and BART Police Managers' Association (BPMA); and Resolution for Pension Cost Sharing under the California Public Employees Retirement System (CalPERS) for Safety Non-Represented Employees, before the Board. Ms. Diane Iwata, Manager of Human Resource Information System and Benefits, Human Resources Administration, presented the items.

Director Raburn moved adoption of Resolution No. 5427, Resolution of Intention to Approve an Amendment to Contract between the Board of Administration California Public Employees' Retirement System and the Board of Directors San Francisco Bay Area Rapid Transit District; and that the Board President be authorized to sign the resolution on behalf of the Board. President Dufty seconded the motion, which carried by unanimous electronic vote. Ayes – 9: Directors Allen, Ames, Foley, Li, McPartland, Raburn, Saltzman, Simon, and Dufty. Noes – 0.

Director Raburn moved adoption of Resolution No. 5428, In the Matter of the Employee Sharing Additional Cost under the California Public Employees Retirement System for Non-Represented Safety Employees. Director Foley seconded the motion, which carried by unanimous electronic vote. Ayes – 9: Directors Allen, Ames, Foley, Li, McPartland, Raburn, Saltzman, Simon, and Dufty. Noes – 0.

Director Foley, Chairperson of the Engineering and Operations Committee, brought the matter of Award of Request for Proposal No. 6M3440, High Pressure Wash of Station Plazas and Parking Lot Structure Stairwells Services, before the Board. Mr. Greg Lombardi, Assistant Chief Maintenance Officer, presented the item. Director Simon asked staff to explain why BART staff does not perform the service that is the subject of this item. Tamar Allen, Assistant General Manager, Operations, advised that this service is generally out-sourced, and that out-sourcing is more economically efficient. Director Raburn moved that the General Manager be authorized to award Agreement No. 6M3440 to Puma Power Wash, Inc. for High Pressure Wash of Station Plazas and Parking Structure Stairwells Services (Areas 1, 3, and 4) for a 3-year period for a total compensation of \$3,178,800 pursuant to notification to be issued by the General Manager and subject to the District's Protest Procedures; and that the General Manager be authorized to exercise one option year to Agreement No. 6M3440 for an amount of \$1,059,600, with the exercise of this option subject to the availability of funding. President Dufty seconded the motion. Director Ames inquired regarding locations that are power-washed, and the temperature of the water used for

power-washing, requested a proposal for additional power-washing inside the stations, and asked whether power-washing occurs at night when the stations are closed. President Dufty commented on the quality of Puma's work at 16<sup>th</sup> Street Mission Station. Director Allen commented on the number of bids and success with the selection of the firm. The motion brought by Director Raburn and seconded by President Dufty carried by unanimous electronic vote. Ayes – 9: Directors Allen, Ames, Foley, Li, McPartland, Raburn, Saltzman, Simon, and Dufty. Noes – 0.

Director Foley brought the matter of Award of Request for Proposal No. 6M3453, Systemwide Parking Lot Sweeping Services, before the Board. Mr. Lombardi presented the item. Director Saltzman moved that the General Manager be authorized to award Agreement No. 6M3453, to provide Systemwide Parking Lot Sweeping Services (Zone 1 and Zone 2) to Universal Site Services Inc., for an amount not to exceed \$2,505,412.64 for a base term of three years; and that the General Manager be authorized to exercise up to two one-year options for Zone 1, each for \$303,940.02 and \$312,945.64, and up to two one-year options for Zone 2, each for \$572,906.12 and \$589,984.48 for a maximum term of five years, pursuant to notification to be issued by the General Manager and subject to compliance with the District's Protest Procedures. President Dufty seconded the motion. Director McPartland asked staff for clarification of the figures in the agreement. Mr. Lombardi and Director Allen assisted Director McPartland with his request. The motion brought by Director Saltzman and seconded by President Dufty carried by unanimous electronic vote. Ayes – 9: Directors Allen, Ames, Foley, Li, McPartland, Raburn, Saltzman, Simon, and Dufty. Noes – 0.

Director Foley brought the matter of Update on BART Safety, Reliability, and Traffic Relief Program (Measure RR) before the Board. Ms. Allen introduced Mr. Carl Holmes, Assistant General Manager, Design and Construction, Ms. Sylvia Lamb, Group Manager, Capital Projects, Maintenance and Engineering, Mr. Joseph Towner, Manager of Program Planning and Support, Office of Civil Rights, and Ms. Rachel Factor, Principal Planner, Systems Development, who presented the item. Mr. Holmes and Ms. Lamb presented the item.

Ms. Allen recognized Ms. Alicia Trost, Director of Communications, Ms. Trost's team, and Ms. Cheryl Stalter, Communications Officer for their assistance with the time-lapse video included in the presentation. The time-lapse video was shown. Director McPartland thanked Ms. Trost for her assistance with the time-lapse video.

Director Saltzman commented on the Safe Routes to BART Program, particularly regarding the funding limitation and outreach requirements. Director Allen requested clarification on whether the information presented to Board was also presented to the Bond Oversight Committee (BOC), the abbreviation "EVM," whether the BOC is presented with detailed budget information, how the Board can receive detailed budget information for individual projects, the actions of the BOC, concerns on the expenditures of the Earthquake Safety Program, and line item project updates. Director Allen's questions were addressed by staff. Director McPartland commented on the success and status of the Earthquake Safety Program. President Dufty complimented Ms. Lamb's presentation and noted that he would send a letter of appreciation to the BOC on behalf of the Board. President Dufty also acknowledged the Inspector General, Ms. Harriet Richardson, and invited Ms. Richardson to attend a meeting of the BOC. Director Li expressed appreciation for Ms. Lamb's presentation and her interest in more detailed budget information. Director Li also asked staff to explain the frequency of future updates. Director Raburn acknowledged the Office of Civil Rights and Mr. Towner for their efforts to facilitate payments to small businesses. Director Raburn also commented on new programs to monitor Disadvantaged Business Enterprise (DBE) utilization; asked staff to clarify the goal for the Cost Performance Index and Schedule

Performance Index; and asked staff to address the progression of safe access to stations. Director Raburn's concerns were addressed by staff. Director Raburn expressed support for the Safe Routes to BART Program.

Director Ames commented on the program, information regarding projects' progression, the percentage of Measure RR work completed, and unfunded capital projects. Director Ames' comments were addressed by staff.

Director Foley commented on the RR Project Progress presentation slide and recognized staff for creating the slide and presentation, and requested that the information on the slide be posted on BART's website.

Director Raburn, Chairperson of the Planning, Public Affairs, Access, and Legislation Committee, brought the matter of Update on the Parking Program before the Board. Mr. Holmes introduced the item and Mr. Robert Franklin, Director of Customer Access, presented the item.

Director Raburn commented on the informational nature of the item and scope of the proposed Title VI study.

Kelly Abreu addressed the Board.

Director Saltzman requested information on a schedule for the rollout of the carpool program at additional stations, regular reporting of parking information, the existing parking pricing system, parking availability, access to BART stations via bus, whether the parking program proposal will affect offsite lots, and whether offsite lots, excluding the lot in Hercules, reach full capacity. Director Saltzman's questions were addressed. Director Li expressed support for the proposed parking pricing policies. Director Li also commented on parking-related costs and revenue, ridership, the proposed Title VI study, working with other transit operators, and Director Saltzman's comments. Director Li commented on and requested regular consideration of parking policy changes. Director McPartland commented on the existing parking fee maximum, Director Li's comments, pricing policies, Title VI issues, enforcement, parking information technology, communication of parking policies to the public, and enforcement. Director Allen commented on the management of the Parking Program and parking revenue and costs. Director Allen commented that parking revenue provides a subsidy to riders and asked staff whether parking revenue is allocated to customer access.

Mr. Val Menotti, Chief Planning and Development Officer responded to Director Allen's question.

Director Allen commented on the subsidy provided by parking revenue, new parking lots, transit-oriented development, communication to riders about available parking, and other topics related to the presentation. Director Ames commented on ridership, parking policy considerations, access to BART stations via bus, topics related to the presentation, and her position on the proposed parking policies.

Director Simon expressed her desire for the Title VI analysis to be performed by BART staff. and Director Simon commented on the Title VI study, access to BART stations via bus, and her use of a Transportation Network Company (TNC) vehicles.

Director Foley expressed his position on the proposed parking policies and commented on access to BART stations via bus, whether the BART application will allow customers to pay for parking

after entering the station, and various aspects of the demand for parking, and he expressed support for consultation with a parking expert. Director Foley commented on the Title VI study and parking discounts for various groups. President Dufty expressed his position on the proposed parking policies and support for the comments from Directors Saltzman and Li. President Dufty also expressed support for the comments from Directors Simon and Foley regarding access to BART stations via bus. Director Raburn commented on climate change, environmental considerations, and the implementation schedule for systemwide automation of payment and enforcement. Director Raburn expressed support for Director Allen's comment regarding the source of funding for parking capital costs. Director Raburn also commented on operating and maintenance costs for parking garages, additional modes of transportation, parking-related costs, consideration of hourly parking rates and use of license plate readers, and topics related to the presentation.

Director Raburn brought the matter of Update on BART and Valley Transportation Authority Phase I, and the Operations and Maintenance Agreement before the Board. Mr. Carl Holmes and Mr. Shane Edwards presented the item.

Kelly Abreu addressed the Board.

President Dufty called for the General Manager's Report. Mr. Powers reported on his Listening Tour; his participation in a Twitter Town Hall session; his attendance at the swearing-in ceremony for new BART Police Officers and Community Service Officers; the status of police officer vacancies in the BART Police Department; ridership statistics and information for September 2019; and Clipper utilization for October 2019. Mr. Powers also recognized staff for their communication with the Board regarding the System late opening on the previous Saturday. Ms. Allen provided a report regarding the Saturday late opening.

President Dufty announced that Items 8 and 9 would be continued until after closed session; that the Board would enter into closed session under Items 10-A (Public Employee Performance Evaluation) and 10-B (Conference with Negotiators) of the Regular Meeting agenda; and that the Board would reconvene in open session at the conclusion of the closed session.

The Board Meeting recessed at 1:14 p.m.

Director Allen exited the meeting.

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The Board reconvened in closed session at 1:25 p.m.

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

Absent: Director Allen.

Director Saltzman exited the meeting.

The Board Meeting recessed at 3:30 p.m.

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The Board reconvened in open session at 3:32 p.m.

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

Absent: Directors Allen and Saltzman.

President Dufty announced that there were no announcements to be made from the closed session.

President Dufty brought the matter of Compensation and Benefits for General Counsel, Controller-Treasurer, District Secretary, and Independent Police Auditor before the Board. President Dufty moved that the base salaries of the General Counsel, Controller/Treasurer, District Secretary, and Independent Police Auditor be increased by 2.75 percent, retroactive to July 1, 2019, when other non-represented employees received the same wage increase, and that the Board President be authorized to execute on behalf of the Board any necessary changes to the Board Appointees' employment agreements to incorporate this change. Director Simon seconded the motion, which carried by unanimous electronic vote. Ayes – 7: Directors Ames, Foley, Li, McPartland, Raburn, Simon, and Dufty. Noes – 0. Absent – 2: Directors Allen and Saltzman.

President Dufty called for Board Member Reports, Roll Call for Introductions, and In Memoriam requests.

Director McPartland reported that he had attended Alameda County Board of Supervisors' meetings regarding homelessness in his geographical area, the Emergency Managers' meeting for Alameda County, Fleet Week events, and a Valley Link staff meeting, and had given a Chamber presentation.

Directors Ames and Simon exited the meeting.

Director Foley thanked Tiffany Posey, Executive Assistant, Administration and Mimi Kyi, Executive Assistant, Office of the General Manager for their assistance. Director Foley reported he had attended the Contra Costa Mayor's Conference in Antioch with Director Allen where they received a presentation from Contra Costa Transportation Authority regarding an electric vehicle readiness blueprint. Director Foley asked staff to provide information regarding BART's fleet and sustainability. Director Foley commented on recent incidents of individuals entering trackways and he requested information about plans to prevent such incidents.

Director Foley requested assistance from staff with drafting a resolution in support of the 2020 Census for the Board to consider. Director Raburn seconded Director Foley's request.

Director Li reported that she had attended the Balboa Reservoir Citizens' Advisory Committee meeting and had walked with a resident who lives near Balboa Park and helps maintain the Havelock Bridge.

Director Raburn reported that he had attended an award ceremony at the Oakland Asian Cultural Center, and FamFest at The Bridge Yard. Director Raburn discussed fare evasion and access changes at 12<sup>th</sup> Street/Oakland City Center Station.

President Dufty noted that Director McPartland had requested that the Board acknowledge and congratulate staff for activating the BART Emergency Operations Center in preparation for possible problems resulting from PG&E's PSPS.

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

The Meeting was adjourned at 3:39 p.m.

Patricia K. Williams  
District Secretary

# SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

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## MEMORANDUM

**TO:** Board of Directors

**DATE:** October 8, 2019

**FROM:** Pamela Herhold  
Assistant General Manager – Performance & Budget

**SUBJECT:** Administration Agenda: Fiscal Year 2019 (FY19) Year End Budget Revision

The FY19 Year End Budget Revision will be heard by the Board on October 10, 2019.

The \$4.7M of the FY19 Year End positive result proposed for investment in critical systems hardening and modernization efforts, is proposed to be expended as follows:

1. \$1.6M for net.com, a critical internal train control communications system;
2. \$1.1M to fund a joint effort between Operations and Office of the Chief Information Officer, enhancing cyber security systems;
3. \$1.0M to offset FY20 overtime costs related to fare gate cinch modifications; and
4. \$1.0M to fund improved fare gate designs.

These projects were identified for funding, in the amounts above based on (a) funds availability, (b) project risk as identified during FY20 budget development, (c) ability for the project to begin work and spend-down immediately, and (d) commitment from the projects that, if the funding amounts above are not sufficient to complete a project, the funds will measurably move the project forward.

The \$1.5M proposed for Quality of Life improvements could be spent on a variety of initiatives including but not limited to fare evasion, safety/security, homelessness, cleanliness, and/or a station ambassador pilot. The FY19 Year End Budget Revision action would place these funds in a reserve account. Staff plan to return to the Board at a future meeting, tentatively November 21, 2019, to present a Quality of Life update. This update will include a proposed expenditure plan for the \$1.5M held in reserve, including additional details on options for a potential Ambassador program (following up on information provided to the Board via several memos in May and June 2019).

If you have any questions, please contact me at (510) 464-6168.

cc: General Manager  
Board Appointed Officers  
Executive Staff

**SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT**

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**MEMORANDUM**

**TO:** Board of Directors

**DATE:** October 18, 2019

**FROM:** District Secretary *PKW*

**SUBJECT:** Consent Calendar Item No. 3-B, Succession Resolution

**PURPOSE:** To update the Board's existing succession plan for vacancies in District offices to reflect new incumbents in the General Manager position, Deputy General Manager position, Assistant Treasurer position, and Deputy Assistant District Secretary position.

**DISCUSSION:** The existing Board Resolution represents the succession plan for the District in the event any officer of the District is absent or disabled. That Resolution lists the names and positions of those who shall act for the absent officer and needs to be updated to reflect the hiring of the above-mentioned positions.

As such, Resolution No. 5336 should be repealed and a new Resolution adopted to ensure the orderly conduct of District business.

**MOTION:** That the Board of Directors adopts the attached Resolution.

cc: Board Appointed Officers  
Deputy General Manager  
Executive Staff



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

**In the Matter of Designating an  
Alternate for the General Manager  
And Authorizing Certain District  
Officers to Use Facsimile Signatures  
On District Warrant-Checks \_\_\_\_\_ /**

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

**WHEREAS, Public Utilities Section 28810 provides in part:**

**“The officers of the district shall consist of the members of the board of directors; a president and vice president of the board, each of whom shall be a member of the board; a secretary, a general manager, a general counsel, a treasurer, a controller, and such other or subordinate officers, assistants and deputies as the board may deem necessary and provide for by ordinance or resolution.” and,**

**WHEREAS, Public Utilities Code Section 28767.8(a) provides:**

**“The board may establish an office of independent police auditor, reporting directly to the board, to investigate complaints against district police personnel.” and,**

**WHEREAS, Public Utilities Code Section 28840(a) provides:**

**"There is hereby created in the district an independent Office of the BART Inspector General to ensure that the district makes effective use of bridge toll revenue and other revenue and operates efficiently, effectively, and in compliance with applicable federal and state laws." and,**

**WHEREAS, Public Utilities Code Section 28817 provides:**

**“The treasurer shall be the custodian of the funds of the district and shall make payments only upon warrants duly and regularly signed by the general manager. [S]he shall keep an account of all receipts and disbursements. With the approval of the board, the treasurer and general manager may designate alternates to act for them.” and,**

**WHEREAS, it is necessary to the orderly conduct of the business of the District that the powers of the General Manager be exercised during the absence or disability of the holder; and**

**WHEREAS, the Board of Directors of the San Francisco Bay Area Rapid Transit District desires to authorize the use of facsimile signatures for signing warrant-checks of the District;**

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors of the San Francisco Bay Area Rapid Transit District hereby confirms that only the following are officers of the District:

**Members of the Board of Directors**  
**President of the Board**  
**Vice President of the Board**  
**Secretary**  
**General Manager**  
**General Counsel**  
**Controller-Treasurer**  
**Assistant District Secretary**  
**Deputy Assistant District Secretary**  
**Associate General Counsel**  
**Deputy General Manager**  
**Assistant General Manager – Operations**  
**Assistant Controller**  
**Assistant Treasurer**  
**Independent Police Auditor**  
**Independent Police Investigator**  
**Inspector General**  
**and**

**BE IT FURTHER RESOLVED** that the Board hereby authorizes Michael Jones (Deputy General Manager) to exercise the powers of the Office of General Manager in the absence or disability of the General Manager. In the case of the absence or disability of the General Manager and the Deputy General Manager, Tamar Allen (Assistant General Manager – Operations) is authorized to exercise the power of the Office of the General Manager. In the absence or disability of the General Manager, Deputy General Manager and Assistant General Manager, Operations, Matthew Burrows ( General Counsel) is authorized to exercise the powers of the Office of the General Manager; and

**BE IT FURTHER RESOLVED** that the Board hereby authorizes the named holders of the positions set forth below to exercise the powers of the office listed opposite such position in the absence or disability of the holder of such office;

<b><u>INCUMBENT</u></b>	<b><u>POSITION</u></b>	<b><u>OFFICE</u></b>
Jacqueline R. Edwards	Assistant District Secretary	Secretary
April Quintanilla	Deputy Assistant District Secretary	Secretary (in the absence of Jacqueline R. Edwards)
Victoria R. Nuetzel	Associate General Counsel	General Counsel
Christopher Gan	Assistant Controller	Controller-Treasurer
Patrick Caceres	Independent Police Investigator	Independent Police Auditor

**and**

**BE IT FURTHER RESOLVED** that the Board hereby authorizes the use of facsimile signatures by Robert Powers (General Manager) or Michael Jones (Deputy General Manager) or Tamar Allen (Assistant General Manager –Operations) and Rose Poblete (Controller-Treasurer) or Christopher Gan (Assistant Controller), all of whose verified signatures have been or will be filed with the Secretary of State, on warrant-checks used for making payments out of the funds of the District; and

**BE IT FURTHER RESOLVED** that Resolution No. 5336 is hereby repealed; and

**BE IT FURTHER RESOLVED** that the District Secretary is directed to transmit a copy of this resolution to the Secretary of State.

###



# EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>16 OCT 2019</i> <i>Robert M. Powers</i>		GENERAL MANAGER ACTION REQ'D:		
DATE: 10/10/2019		BOARD INITIATED ITEM: No		
Originator/Prepared by: Sharon Moore Dept: Office of Civil Rights <i>Sharon C. Moore</i> Signature/Date: <i>10/15/19</i>	General Counsel <i>[Signature]</i> <i>10/14/19</i> [ ]	Controller/Treasurer <i>[Signature]</i> <i>10/15/19</i> [ ]	District Secretary [ ]	BARC <i>[Signature]</i> <i>10/14/19</i> [ ]

## Adoption of the Revised Equal Employment Opportunity and Prevention of Sexual Harassment in the Workplace Policies

### PURPOSE:

To request that the Board of Directors adopt the following revised Policies for the District:

- **Equal Employment Opportunity (EEO) Policy**
- **Prevention of Sexual Harassment in the Workplace Policy**

### DISCUSSION:

#### Equal Employment Opportunity (EEO)

Recipients and sub-recipients of Federal Transit Administration (FTA) financial assistance that employ 50 or more transit-related employees are required to adopt a formal EEO Policy.

The Board of Directors initially adopted an Affirmative Action Program and District-wide goals for minorities and women in September 1974. The most recent adoption of District's EEO Policy was on August 9, 2018.

The proposed revised EEO Policy extends compliance to conduct that has a connection to an employee's work, even when the conduct takes place away from District's premises, such as a business trip or business-related social function. Additionally, the EEO Policy has been revised to include "Corrective Action Guidelines" applicable to EEO Policy violations.

Additional policy revisions include:

- Changes General Manager to Robert M. Powers;
- Changes EEO Officer, Maceo Wiggins' title to Director, Office of Civil Rights;

- Changes title of Katherine Tate to Supervisor of EEO Programs; and
- Changes location of Office of Civil Rights, EEO Office.

*Prevention of Sexual Harassment in the Workplace*

The District is also committed to maintaining a workplace that is free of sexual harassment, in keeping with our long-standing EEO Policy. Sexual harassment is a form of sex discrimination that violates Title VII of the Civil Rights Act of 1964 and the California Fair Employment and Housing Act (FEHA).

The Board adopted the District's Prevention of Sexual Harassment in the Workplace Policy in December 1980. The most recent adoption of District's Prevention of Sexual Harassment in the Workplace Policy was on August 9, 2018.

The proposed Prevention of Sexual Harassment in the Workplace Policy incorporates the following revisions:

- Adds "California Government Code Section 12950.1 Training" which requires California employers with five or more employees to provide at least one-hour of sexual harassment and abusive conduct prevention training to all non-managerial employees and at least two-hours of training to managerial employees, and every two years thereafter;
- Changes General Manager to Robert M. Powers;
- Changes title of Katherine Tate to Supervisor of EEO Programs; and
- Changes location of Office of Civil Rights, EEO Office.

**FISCAL IMPACT:**

There is no fiscal impact.

**ALTERNATIVES:**

Adopt amended or modified policy statement(s).

**RECOMMENDATION:**

Adopt the following motion.

**MOTION:**

The Board adopts the revised Equal Employment Opportunity and Prevention of Sexual Harassment in the Workplace Policies.



## EQUAL EMPLOYMENT OPPORTUNITY (EEO)

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### Statement of Policy:

The San Francisco Bay Area Rapid Transit District (District) is committed to providing a work environment free from discrimination, harassment, and retaliation, including discrimination and harassment based on the EEO protected categories covered by this policy. The District is committed to providing equal employment opportunities to all employees and applicants for employment. This policy extends to conduct with a connection to an employee's work, even when the conduct takes place away from the District's premises, such as a business trip or business-related social function.

As an equal opportunity employer, we strive to have a workforce that is reflective of the community we serve and to provide a professional and respectful work environment. No person is unlawfully excluded from employment opportunities in any personnel transaction including recruitment, hiring, promotion, selection for training, termination, transfer, layoff, demotion, rates of pay or other forms of compensation, benefits and other terms and conditions of employment based on race, color, marital status, sexual orientation, religion (includes religious dress and grooming practices), national origin (including language use restrictions), ancestry, age (40 and above), sex/gender (includes pregnancy, childbirth, breastfeeding, and/or related medical condition), gender identity/ gender expression, disability (mental and physical, including HIV and AIDS), medical condition (cancer or a record or history of cancer/genetic characteristics and information), request for family care leave, request for pregnancy disability leave, request for leave for an employee's own serious health condition, or military or veteran status, domestic violence victim status and any other status protected by state or federal law.

District employees who meet state and federal eligibility requirements are:

- Guaranteed leave if disabled because of pregnancy;
- Guaranteed reasonable accommodation for pregnancy;
- Guaranteed leaves for the birth or adoption of a child, for the employee's own serious health condition, or to care for a "family member" (as defined by law) with a serious health condition;
- Protected from harassment because of their sex, race, or any other category covered under the law;
- Protected from retaliation for filing a complaint, for participating in the investigation of a complaint, or for protesting possible violation of the law; and/or
- Protected from prohibited harassment by coworkers, third parties, as well as supervisors and managers with whom the employee comes into contact.

The District is committed to providing reasonable accommodation to applicants and employees because of a disability or to practice or observe their religion, absent undue hardship. Employees with disabilities are also entitled to reasonable accommodation when necessary in order to perform the essential functions of the job.

The District recognizes and values the diversity of its workforce and the benefits to the District programs and services that are promoted by diverse viewpoints, life experiences, and cultural perspectives. The District supports and encourages diversity and provides education and training related to the benefits and challenges of working productively in a culturally diverse environment.

## **Implementation**

As General Manager, I maintain overall responsibility and accountability for District compliance with the EEO Policy and Program. To ensure day-to-day management, including program preparation, monitoring, and complaint investigation, I have appointed **Maceo Wiggins, Director, Office of Civil Rights** as the EEO Officer (510) 464-7194. The EEO Officer reports directly to me and acts with my authority with all levels of management, labor unions, and employees.

All District executives, management and supervisory personnel, however, share in the responsibility for implementing and monitoring the EEO Policy and Program within their respective areas and will be assigned specific tasks to ensure compliance is achieved. Managers and supervisors will be evaluated based on their successful implementation of the District's EEO Policies and Procedures as they are regarding other District goals.

Consistent with applicable federal and state laws, the District is committed to developing a written nondiscrimination program setting forth the policies, practices and procedures, with stated goals and timetables. Upon request, the District will make the EEO Program available for inspection by an employee or applicant for employment.

All District personnel, including Board members, are responsible for and required to comply with the EEO Policy and Program. District hiring personnel are accountable for evaluating a diverse pool of candidates to select a qualified individual in a manner that is free of artificial impediments.

All BART employees are responsible for conducting themselves in accordance with the District's EEO Policy.

## **Corrective Action Guidelines**

The District will take appropriate corrective action(s) up to and including formal discipline against any employee(s) when an investigation has found that misconduct occurred. Such corrective action(s) may include, but are not limited to, letters of reprimand, suspension, demotion, or termination. Additionally, depending on the nature of the violation, civil liability could be imposed on the violator as well as the District.

## **Reporting**

All applicants and employees have the right to file complaints alleging a violation of the EEO Policy. The District complaint procedure does not require an employee to complain directly to their immediate supervisor. Any employee who believes that they have experienced EEO discrimination, harassment and/or retaliation is encouraged to file a complaint with the District's Office of Civil Rights. Complaints of discrimination, harassment or retaliation must be filed within one year of the last act of discrimination or harassment and should be directed to:

**Office of Civil Rights**  
**ATTN: Katherine Tate, Supervisor of EEO Programs**  
300 Lakeside Drive, Suite 1682T  
Oakland, CA 94612  
(510) 464-6107  
[ktate1@bart.gov](mailto:ktate1@bart.gov)

District policy and state law prohibit retaliation against an individual who files a charge or complains about EEO discrimination or harassment, who participates in an employment discrimination proceeding (such as an investigation or lawsuit), or who otherwise engages in protected activity including participation as a witness in an EEO investigation. Any such retaliation is strictly prohibited and is a violation of the District's Equal Employment Opportunity Policy, regardless of whether the original complaint is sustained.

All BART employees have the right to file their complaint with the Department of Fair Employment and Housing (DFEH), the Equal Employment Opportunity Commission (EEOC), or the U.S. Department of Transportation (DOT). The statute of limitations to file with DFEH is 365 days from the date of the last discriminatory incident. The statute of limitations for the EEOC is 300 days from the date of the alleged harm. Complaints should be filed with DOT within 180 days of the alleged act of discrimination.

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Robert M. Powers  
General Manager

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Date





## EQUAL EMPLOYMENT OPPORTUNITY (EEO)

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### Statement of Policy:

The San Francisco Bay Area Rapid Transit District (District) ~~is committed has a strong commitment to the community we serve and our employees. to providing a work environment free from As an equal opportunity employer, we strive to have a workforce that reflects the community we serve and to provide a work place free of~~ discrimination and, harassment, including discrimination and harassment based on the protected categories covered by this policy. The District is committed to providing equal employment opportunities to all employees and applicants for employment. As used in this policy, the term "employee" includes contractors and volunteers in our workplace. In addition, this policy extends to conduct with a connection to an employee's work, even when the conduct takes place away from the District's premises, such as a business trip or business-related social function. ~~and retaliation for filing a complaint.~~

As an equal opportunity employer, we strive to provide a professional and respectful work environment that is reflective of the community we serve. No person is unlawfully excluded from employment opportunities in any personnel transaction including recruitment, hiring, promotion, selection for training, termination, transfer, layoff, demotion, rates of pay or other forms of compensation, benefits and other terms and conditions of employment based on race, color, marital status, sexual orientation, religion (includes religious dress and grooming practices), national origin (including language use restrictions), ancestry, age (40 and above), sex/gender (includes pregnancy, childbirth, breastfeeding, and/or related medical condition), gender identity/gender expression, disability (mental and physical, including HIV and AIDS), medical condition (cancer or a record or history of cancer/genetic characteristics and information), request for family care leave, request for pregnancy disability leave, request for leave for an employee's own serious health condition, or military or veteran status, domestic violence victim status and any other status protected by state or federal law.

District employees who meet state and federal eligibility requirements are:

- Guaranteed leave if disabled because of pregnancy;
- Guaranteed reasonable accommodation for pregnancy;
- Guaranteed leaves for the birth or adoption of a child, for the employee's own serious health condition, or to care for a "family member" (as defined by law) with a serious health condition;
- Protected from harassment because of their sex, race, or any other category covered under the law;
- Protected from retaliation for filing a complaint, for participating in the investigation of a complaint, or for protesting possible violation of the law; and/or
- Protected from prohibited harassment by coworkers, third parties, as well as supervisors and managers with whom the employee comes into contact.

The District is committed to providing reasonable accommodation to applicants and employees because of a disability or to practice or observe their religion, absent undue hardship. Employees with disabilities are also entitled to reasonable accommodation when necessary in order to perform the job.

The District recognizes and values the diversity of its workforce and the benefits to the District programs and services that are promoted by diverse viewpoints, life experiences, and cultural perspectives. The District supports and encourages diversity and provides education and training related to the benefits and challenges of working productively in a culturally diverse environment.

## Implementation

As General Manager, I maintain overall responsibility and accountability for District compliance with the EEO Policy and Program. To ensure day-to-day management, including program preparation, monitoring, and complaint investigation, I have appointed **Maceo Wiggins, Department Manager, Office of Civil Rights** as the EEO Officer (510) 464-7194. The EEO Officer reports directly to me and acts with my authority with all levels of management, labor unions, and employees.

All District executives, management and supervisory personnel, however, share in the responsibility for implementing and monitoring the EEO Policy and Program within their respective areas and will be assigned specific tasks to ensure compliance is achieved. Managers and supervisors will be evaluated based on their successful implementation of the District's EEO Policies and Procedures as they are regarding other District goals.

Consistent with applicable federal and state laws, the District is committed to developing a written nondiscrimination program setting forth the policies, practices and procedures, with stated goals and timetables. Upon request, the District will make the EEO Program available for inspection by an employee or applicant for employment.

All District personnel, including Board members, are responsible for and required to comply with the EEO Policy and EEOP. District hiring personnel are accountable for evaluating a diverse pool of candidates to select a qualified individual in a manner that is free of artificial impediments.

All BART employees are responsible for conducting themselves in accordance with the District's EEO Policy.

## Corrective Action Guidelines

The District will take appropriate corrective action(s) up to and including formal discipline against any employee(s) when an investigation has found that misconduct occurred. Such corrective action(s) may include, but are not limited to, letters of reprimand, suspension, demotion, or termination. Additionally, depending on the nature of the violation, civil liability could be imposed on the violator as well as the District.

## Reporting

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Office of Civil Rights  
ATTN: Katherine Tate, ~~Principal Administrative Analyst~~ Supervisor of EEO Programs  
300 Lakeside Drive, Suite 1800682T  
Oakland, CA 94612  
(510) 464-6107  
[ktate1@bart.gov](mailto:ktate1@bart.gov)

District policy and state law prohibit retaliation against an individual who files a charge or complains about EEO discrimination or harassment, who participates in an employment discrimination proceeding (such as an investigation or lawsuit), or who otherwise engages in protected activity including participation as a witness in an EEO investigation. Any such retaliation is strictly prohibited and is a violation of the District's Equal Employment Opportunity Policy, regardless of whether the original complaint is sustained.

All BART employees have the right to file their complaint with the Department of Fair Employment and Housing (DFEH), the Equal Employment Opportunity Commission (EEOC), or the U.S. Department of Transportation (DOT). The statute of limitations to file with DFEH is 365 days from the date of the last discriminatory incident. The statute of limitations for the EEOC is 300 days from the date of the alleged harm. Complaints should be filed with DOT within 180 days of the alleged act of discrimination.

\_\_\_\_\_  
Robert Powers~~Grace Crunican~~  
\_\_\_\_\_  
General Manager

\_\_\_\_\_  
Date



## PREVENTION OF SEXUAL HARASSMENT IN THE WORKPLACE

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### **Statement of Policy:**

The San Francisco Bay Area Rapid Transit District (District) is committed to maintaining a workplace that is free of sexual harassment. In keeping with the District's long-standing Equal Employment Opportunity (EEO) Policy, sexual harassment in the workplace will not be tolerated. The District is committed to enforcing this policy and to providing State of California mandated training to all of its employees to assist them in dealing sensitively and effectively with this important issue.

All BART employees are responsible for conducting themselves in accordance with the District's rules of employee conduct, including but not limited to, the EEO Policy.

Any employee who believes that they have been the victim of harassment on the basis of sex has the right to file a complaint with the District's Office of Civil Rights. All complaints of sexual harassment will be investigated. Retaliation against an employee for filing a complaint is prohibited by law. All parties involved will be treated in a fair and impartial manner. Employee privacy and confidentiality will be protected to the extent permitted by law.

Employees who violate this policy will be subject to disciplinary action, up to and including discharge.

### **Definition**

Sexual harassment is a form of sex discrimination and is an unlawful employment practice. It is a personal affront to the affected employee and negatively impacts morale, motivation, and job performance. This policy includes sexual harassment of District employees by non-employees. Unwelcome sexual advances, request for sexual favors, and verbal, physical, visual, or other conduct of a sexual nature constitutes sexual harassment and are prohibited by this policy when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- Submission to or rejection of such conduct by an individual is used as the basis for an employment decision; and/or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

### **Reporting**

Prompt and appropriate action should be taken to prevent or stop incidents of sexual harassment. Any employee who believes that they have been the target of sexual harassment is encouraged to inform the offending person verbally or in writing that such conduct is unwelcome, offensive, and must stop. An employee, however, is not required to communicate directly with the offending person, or if communication has been ineffective, the employee can complain directly to the Office of Civil Rights or any District manager, supervisor, foreworker or

lead personnel. Failure to communicate with the perpetrator does not prevent an employee from filing a complaint, nor does it in any way exonerate the harasser.

Any manager, supervisor, foreworker or lead personnel who witnesses or has knowledge of sexual harassment or other forms of harassment or conduct prohibited by District rules must promptly report such conduct to and consult with the Office of Civil Rights. Managers, supervisors, foreworkers, and lead personnel have a legal responsibility to take action if they know or have reason to believe of a harassing situation. Managers, supervisors, foreworkers and lead personnel must take action to address the situation regardless of the victim's stated desire to pursue or not to pursue the matter.

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### **California Government Code Section 12950.1 Training**

California employers with five or more employees must provide at least one hour of sexual harassment and abusive conduct prevention training to non-managerial employees and at least two hours of sexual harassment and abusive conduct prevention training to managerial employees within six months of hire or promotion, and every two years thereafter.

Under the regulations, temporary employees, unpaid interns, unpaid volunteers, and persons providing services pursuant to a contract, may be required to receive the same training as District employees.

For more information on the District's Prevention of Sexual Harassment training, contact the Office of Civil Rights.

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### **Enforcement**

The Office of Civil Rights can provide both formal and informal consultation and provide information regarding harassment concerns. Complaints and cases of sexual harassment brought to the attention of the Office of Civil Rights or any District manager, supervisor, foreworker or lead personnel will be handled promptly through a confidential process.

Retaliation against employees alleging sexual harassment or involved as witnesses in a sexual harassment investigation is prohibited.

Complaints of sexual harassment or inquiries concerning the application of federal and state laws and regulations should be directed to:

**Office of Civil Rights**  
**ATTN: Katherine Tate, Supervisor of EEO Programs**  
**300 Lakeside Drive, Suite 1682T**  
**Oakland, CA 94612**  
**(510) 464-6107**  
[ktate1@bart.gov](mailto:ktate1@bart.gov)

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Robert M. Powers  
General Manager

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Date



## PREVENTION OF SEXUAL HARASSMENT IN THE WORKPLACE

---

### **Statement of Policy:**

The San Francisco Bay Area Rapid Transit District (District) is committed to maintaining a workplace that is free of sexual harassment. In keeping with the District's long-standing Equal Employment Opportunity (EEO) Policy, sexual harassment in the workplace will not be tolerated. The District is committed to enforcing this policy and to providing State of California mandated training to all of its employees ~~its managers, supervisors, foreworkers, lead personnel and employees~~ to assist them in dealing sensitively and effectively with this important issue.

All BART employees are responsible for conducting themselves in accordance with the District's rules of employee conduct, including but not limited to, the EEO Policy.

Any employee who believes that they have been the victim of harassment on the basis of sex has the right to file a complaint with the District's Office of Civil Rights. All complaints of sexual harassment will be investigated. Retaliation against an employee for filing a complaint is prohibited by law. All parties involved will be treated in a fair and impartial manner. Employee privacy and confidentiality will be protected to the extent permitted by law.

Employees who violate this policy will be subject to disciplinary action, up to and including discharge.

### **Definition**

Sexual harassment is a form of sex discrimination and is an unlawful employment practice. It is a personal affront to the affected employee and negatively impacts morale, motivation, and job performance. This policy includes sexual harassment of District employees by non-employees. Unwelcome sexual advances, request for sexual favors, and verbal, physical, visual, or other conduct of a sexual nature constitutes sexual harassment and are prohibited by this policy when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- Submission to or rejection of such conduct by an individual is used as the basis for an employment decision; and/or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

### **Reporting**

Prompt and appropriate action should be taken to prevent or stop incidents of sexual harassment. Any employee who believes that they have been the target of sexual harassment is encouraged to inform the offending person verbally or in writing that such conduct is unwelcome, offensive, and must stop. An employee, however, is not required to

communicate directly with the offending person, or if communication has been ineffective, the employee can complain directly to the Office of Civil Rights or any District manager, supervisor, foreworker or lead personnel. Failure to communicate with the perpetrator does not prevent an employee from filing a complaint, nor does it in any way exonerate the harasser.

Any manager, supervisor, foreworker or lead personnel who witnesses or has knowledge of sexual harassment or other forms of harassment or conduct prohibited by District rules must promptly report such conduct to and consult with the Office of Civil Rights. Managers, supervisors, foreworkers and lead personnel have a legal responsibility to take action if they know or have reason to believe of a harassing situation. Managers, supervisors, foreworkers and lead personnel must take action to address the situation regardless of the victim's stated desire to pursue or not to pursue the matter.

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### **California Government Code Section 12950.1 Training**

California employers with 50 or more employees must provide at least one hour of sexual harassment and abusive conduct prevention training to non-managerial employees and at least two hours of interactive sexual harassment and abusive conduct prevention training to managerial employees supervisors within six months of hire or promotion, and every two years thereafter. ~~Employers are also required to include a training component on the prevention of "abusive conduct" in its mandatory harassment prevention training.~~

Under the regulations, the definition of "employee" for training purposes includes full-time, part-time, and temporary employees, unpaid interns, unpaid volunteers, and persons providing services pursuant to a contract (independent contractors).

For more information on the District's Prevention of Sexual Harassment training, contact the Office of Civil Rights.

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### **Enforcement**

The Office of Civil Rights can provide both formal and informal consultation and provide information regarding harassment concerns. Complaints and cases of sexual harassment brought to the attention of the Office of Civil Rights or any District manager, supervisor, foreworker or lead personnel will be handled promptly through a confidential process.

Retaliation against employees alleging sexual harassment or involved as witnesses in a sexual harassment investigation is prohibited.

Complaints of sexual harassment or inquires concerning the application of federal and state laws and regulations should be directed to:

**Office of Civil Rights**  
**ATTN: Katherine Tate, ~~Principal Administrative Analyst~~ Supervisor of EEO Programs**  
**300 Lakeside Drive, Suite ~~1800~~ 682T**  
**Oakland, CA 94612**  
**(510) 464-6107**  
**[ktate1@bart.gov](mailto:ktate1@bart.gov)**

Grace Crunican

Robert Powers

Date

General Manager





## EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>16 Oct 2019</i> <i>Robert M. Paine</i>		GENERAL MANAGER ACTION REQ'D:		
DATE: 10/11/2019		BOARD INITIATED ITEM: No		
Originator/Prepared by: Ray Hathorn Dept: Human Resources Administration Signature/Date: <i>Ray Hathorn</i> <i>10/15/2019</i>	General Counsel <i>[Signature]</i> <i>10/15/19</i> [ ]	Controller/Treasurer <i>Chin Gao</i> <i>10/16/19</i> [ ]	District Secretary [ ]	BARC <i>[Signature]</i> <i>10/15/19</i> [ ]

### District Base Pay Schedule

**PURPOSE:**

To approve a base pay schedule effective July 1, 2019, in a form prescribed by CalPERS.

**DISCUSSION:**

The District contracts with the California Public Employees' Retirement System (CalPERS) for employee retirement benefits. CalPERS' rules control whether compensation qualifies as reportable to CalPERS for purposes of retirement calculations. For base compensation to be reportable for purposes of retirement calculation, CalPERS requires that the District's pay schedules be formally approved by the Board, including each position title and pay rate, and that they be publicly available (e.g., the District website).

Attachment A is the base pay schedule effective July 1, 2019. It is important to note this table does not make changes to compensation for any District employee. It reflects negotiated salary changes with each union already approved by the Board through its ratification of the Collective Bargaining Agreements (CBAs). The pay for Board-appointees has been approved by the Board. The pay bands for non-represented employees has been approved by the Board with the adoption of the annual budget or notice has been provided by the General Manager to the Board. Staff requests that the Board approve the attached salary schedule.

**FISCAL IMPACT:**

There is no fiscal impact to the District for this proposed action.

**ALTERNATIVES:**

To not approve the attached salary schedule. However, failure to do so may result in

CalPERS' disqualification of pay as "compensation earnable" for reporting and determination of District employees' retirement benefits.

**RECOMMENDATION:**

Approve the following motion.

**MOTION:**

The Board approves the base pay schedule in effect July 1, 2019.

San Francisco Bay Area Rapid Transit District  
Pay Schedule (Noted by Job Title)  
As of July 1, 2019  
ATTACHMENT A

#	Job Code	Job Title	Bargaining Unit	Salary Grade	Minimum/Annual	Maximum/Annual
1	QC208	Access Coordinator	AFSCME, Local 3993	AFE	\$100,252.37	\$130,327.76
2	FA200	Account Clerk	SEIU, Local 1021 - Clerical & Maintenance	011	\$45,348.37	\$59,279.17
3	FA205	Accountant	SEIU, Local 1021 - Professional Chapter	S08	\$73,215.48	\$95,706.48
4	FA210	Accounting Analyst	SEIU, Local 1021 - Professional Chapter	S11	\$84,664.80	\$110,672.88
5	000070	Accounting Supervisor	AFSCME, Local 3993	AFG	\$114,081.83	\$148,306.37
6	FA215	Accounting Technician	SEIU, Local 1021 - Clerical & Maintenance	036	\$60,898.24	\$79,605.76
7	OF050	ACTO Central Control	Non-Represented Employees	N12	\$147,736.00	\$223,819.00
8	OF075	ACTO Service Delivery	Non-Represented Employees	N12	\$147,736.00	\$223,819.00
9	AE200	Administrative Analyst - BPOA	BART Police Officers' Association	058	\$78,463.01	\$94,151.41
10	AF200	Administrative Analyst NR	Non-Represented Employees	N04	\$85,983.00	\$130,265.00
11	AA200	Administrative Analyst SEIU	SEIU, Local 1021 - Professional Chapter	S08	\$73,215.48	\$95,706.48
12	000208	Administrative Coordinator	Non-Represented Employees	N04	\$85,983.00	\$130,265.00
13	AF101	Administrative Secretary - NR	Non-Represented Employees	071	\$64,628.10	\$76,619.09
14	AG100	Administrative Secretary SEIU	SEIU, Local 1021 - Clerical & Maintenance	071	\$58,613.57	\$76,619.09
15	AA230	Administrative Support Officer	SEIU, Local 1021 - Professional Chapter	S13	\$93,283.44	\$121,939.20
16	CB190	Administrative Technician ATU	ATU, Local 1555	036	\$67,664.90	\$79,605.76
17	CF190	Administrative Technician NR	Non-Represented Employees	036	\$67,123.68	\$79,605.76
18	CA190	Administrative Technician SEIU	SEIU, Local 1021 - Clerical & Maintenance	036	\$60,898.24	\$79,605.76
19	MA100	AFC Electronic Technician	SEIU, Local 1021 - Clerical & Maintenance	301	\$73,145.07	\$95,614.69
20	MA105	AFC Foreworker	SEIU, Local 1021 - Clerical & Maintenance	825	\$80,401.57	\$105,100.32
21	MA560	AFC Parts Runner	SEIU, Local 1021 - Clerical & Maintenance	151	\$55,053.65	\$71,965.71
22	IA100	Appl Programmer Analyst	SEIU, Local 1021 - Professional Chapter	S08	\$73,215.48	\$95,706.48
23	000046	Architect	Non-Represented Employees	N06	\$98,442.00	\$149,140.00
24	000051	Asset Coordinator	AFSCME, Local 3993	AFF	\$106,286.37	\$138,173.50
25	000178	Asset Data Manager	AFSCME, Local 3993	AFI	\$129,246.45	\$168,020.13
26	000272	Asset Mgmt Risk Coordinator	Non-Represented Employees	N08	\$112,707.00	\$170,751.00
27	LF100	Associate General Counsel	Non-Represented Employees	N13	\$162,509.00	\$246,201.00
28	AA100	Asst Admin Analyst - SEIU	SEIU, Local 1021 - Professional Chapter	S06	\$66,462.60	\$86,879.16
29	AF100	Asst Admin Analyst NR	Non-Represented Employees	N01	\$69,769.00	\$105,701.00
30	UA200	Asst Buyer	SEIU, Local 1021 - Professional Chapter	S06	\$66,462.60	\$86,879.16
31	000273	Asst Chief Engineering Officer	Non-Represented Employees	N12	\$147,736.00	\$223,819.00
32	000083	Asst Chief Labor Relations	Non-Represented Employees	N10	\$129,038.00	\$195,493.00
33	000086	Asst Chief Maint & Eng Officer	Non-Represented Employees	N12	\$147,736.00	\$223,819.00
34	000274	Asst Chief Maintenance Officer	Non-Represented Employees	N12	\$147,736.00	\$223,819.00
35	000082	Asst Chief Mechanical Officer	Non-Represented Employees	N12	\$147,736.00	\$223,819.00
36	UA205	Asst Contract Administrator	SEIU, Local 1021 - Professional Chapter	S06	\$66,462.60	\$86,879.16
37	FF225	Asst Controller	Non-Represented Employees	N13	\$162,509.00	\$246,201.00
38	AF105	Asst District Secretary	Non-Represented Employees	N08	\$112,707.00	\$170,751.00
39	ZF050	Asst GM Administration*	Non-Represented Employees	N14	\$178,760.00	\$270,821.00
40	ZF118	Asst GM Design & Construction*	Non-Represented Employees	N14	\$178,760.00	\$270,821.00
41	ZF105	Asst GM Operations*	Non-Represented Employees	N14	\$178,760.00	\$270,821.00
42	XF213	Asst GM Performance & Budget*	Non-Represented Employees	N14	\$178,760.00	\$270,821.00
43	XF125	Asst GM Technology*	Non-Represented Employees	N14	\$178,760.00	\$270,821.00
44	ZF117	Asst GM, External Affairs*	Non-Represented Employees	N14	\$178,760.00	\$270,821.00
45	000019	Asst Logistics Program Manager	AFSCME, Local 3993	AFG	\$114,081.83	\$148,306.37
46	FC230	Asst Mgr of Revenue Control	AFSCME, Local 3993	AFH	\$121,143.23	\$157,486.09
47	SA100	Asst Safety Specialist	SEIU, Local 1021 - Professional Chapter	S06	\$66,462.60	\$86,879.16
48	000090	Asst Sup eBART Vehicle Maint	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
49	MF822	Asst Sup Rolling Stock Maint	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
50	000020	Asst Super Way & Facilities	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
51	000091	Asst Superintendent Ops eBART	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
52	000061	Asst Superintendent PwrMec Mnt	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
53	MF830	Asst Superintendent Sys Mnt	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
54	000163	Asst Superintendent System Svc	Non-Represented Employees	N09	\$120,596.00	\$182,703.00

San Francisco Bay Area Rapid Transit District  
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#	Job Code	Job Title	Bargaining Unit	Salary Grade	Minimum/Annual	Maximum/Annual
55	000150	Asst Supr of eBART Systems	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
56	000209	Asst Supt Maint Plan and Logs	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
57	FF230	Asst Treasurer	Non-Represented Employees	N13	\$162,509.00	\$246,201.00
58	FA274	Asst Treasury Analyst	SEIU, Local 1021 - Professional Chapter	S06	\$66,462.60	\$86,879.16
59	LF105	Attorney I	Non-Represented Employees	N06	\$98,442.00	\$149,140.00
60	LF110	Attorney II	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
61	LF115	Attorney III	Non-Represented Employees	N11	\$138,071.00	\$209,177.00
62	MA200	Auto & Equip Foreworker	SEIU, Local 1021 - Clerical & Maintenance	825	\$80,401.57	\$105,100.32
63	MC215	Auto & Equip Maint Supv	AFSCME, Local 3993	AFE	\$100,252.37	\$130,327.76
64	MA205	Auto & Equip Mechanic	SEIU, Local 1021 - Clerical & Maintenance	301	\$73,145.07	\$95,614.69
65	000275	Benefits Specialist	Non-Represented Employees	036	\$67,123.68	\$79,605.76
66	000222	Board Analyst	Non-Represented Employees	N05	\$92,002.00	\$139,383.00
67	FA100	Budget Analyst	SEIU, Local 1021 - Professional Chapter	S08	\$73,215.48	\$95,706.48
68	FB141	Budget Clerk - ATU	ATU, Local 1555	031	\$64,550.10	\$75,941.42
69	MA300	Buildings Foreworker	SEIU, Local 1021 - Clerical & Maintenance	825	\$80,401.57	\$105,100.32
70	MA310	Buildings Worker	SEIU, Local 1021 - Clerical & Maintenance	301	\$73,145.07	\$95,614.69
71	UA210	Buyer	SEIU, Local 1021 - Professional Chapter	S08	\$73,215.48	\$95,706.48
72	UA213	Buyer Technician	SEIU, Local 1021 - Clerical & Maintenance	036	\$60,898.24	\$79,605.76
73	TA298	CAD Drafter	SEIU, Local 1021 - Professional Chapter	S08	\$73,215.48	\$95,706.48
74	FA245	Cash Handler	SEIU, Local 1021 - Clerical & Maintenance	025	\$53,609.50	\$70,077.90
75	000095	Cash Handler PT	SEIU, Local 1021 - Clerical & Maintenance	026	\$58,970.29	\$58,970.29
76	FA249	Cash Handling Elec Technician	SEIU, Local 1021 - Clerical & Maintenance	301	\$73,145.07	\$95,614.69
77	FA250	Cash Handling Foreworker	SEIU, Local 1021 - Clerical & Maintenance	813	\$80,401.57	\$105,100.32
78	TC220	Central Maintenance Supervisor	AFSCME, Local 3993	AFF	\$106,286.37	\$138,173.50
79	TF275	Central Veh Trouble Desk Super	Non-Represented Employees	N11	\$138,071.00	\$209,177.00
80	EF050	Chief Maint & Engineer Officer	Non-Represented Employees	N13	\$162,509.00	\$246,201.00
81	MF805	Chief Mechanical Officer	Non-Represented Employees	N13	\$162,509.00	\$246,201.00
82	000094	Chief Op Officer eBART/OAC	Non-Represented Employees	N13	\$162,509.00	\$246,201.00
83	000276	Chief Plan Dev Officer	Non-Represented Employees	N13	\$162,509.00	\$246,201.00
84	SF200	Chief Safety Officer	Non-Represented Employees	N12	\$147,736.00	\$223,819.00
85	000050	Chief Transit Sys Dev Officer	Non-Represented Employees	N13	\$162,509.00	\$246,201.00
86	XF100	Chief Transportation Officer	Non-Represented Employees	N13	\$162,509.00	\$246,201.00
87	EF200	Civil Engineer	Non-Represented Employees	N05	\$92,002.00	\$139,383.00
88	CF100	Clerk NR/PT	Non-Represented Employees	010	\$55,110.43	\$65,131.46
89	CG100	Clerk SEIU	SEIU, Local 1021 - Clerical & Maintenance	011	\$45,348.37	\$59,279.17
90	000013	Communication Coordinator	SEIU, Local 1021 - Professional Chapter	S11	\$84,664.80	\$110,672.88
91	MA115	Communications Electronic Tech	SEIU, Local 1021 - Clerical & Maintenance	301	\$73,145.07	\$95,614.69
92	MA120	Communications Foreworker	SEIU, Local 1021 - Clerical & Maintenance	825	\$80,401.57	\$105,100.32
93	VF101	Communications Officer	AFSCME, Local 3993	AFI	\$129,246.45	\$168,020.13
94	OB100	Communications Specialist	ATU, Local 1555	831	\$92,555.22	\$108,888.62
95	000074	Community Outreach Specialist	Non-Represented Employees	N07	\$105,333.00	\$159,580.00
96	PE076	Community Services Officer	BART Police Officers' Association	027	\$55,546.61	\$68,224.21
97	000155	Comp Vehicle Maint eBART	SEIU Maintenance eBART	400	\$73,145.07	\$95,614.69
98	IA105	Computer Documentation Asst	SEIU, Local 1021 - Clerical & Maintenance	031	\$58,095.02	\$75,941.42
99	MA700	Computer Electronic Technician	SEIU, Local 1021 - Clerical & Maintenance	321	\$73,145.07	\$95,614.69
100	IA110	Computer Operator	SEIU, Local 1021 - Clerical & Maintenance	031	\$58,095.02	\$75,941.42
101	000064	Computer Support Administrator	SEIU, Local 1021 - Professional Chapter	S05	\$63,325.44	\$82,778.28
102	IA115	Computer Support Coordinator	SEIU, Local 1021 - Professional Chapter	S14	\$97,918.68	\$127,998.24
103	EF102	Computer Systems Engineer	Non-Represented Employees	N05	\$92,002.00	\$139,383.00
104	EF205	Construction Engineer	Non-Represented Employees	N05	\$92,002.00	\$139,383.00
105	UA215	Contract Administrator	SEIU, Local 1021 - Professional Chapter	S08	\$73,215.48	\$95,706.48
106	UF221	Contract Specialist I	Non-Represented Employees	N02	\$75,101.00	\$113,778.00
107	UF222	Contract Specialist II	AFSCME, Local 3993	AFD	\$93,205.36	\$121,167.19
108	UF223	Contract Specialist III	AFSCME, Local 3993	AFE	\$100,252.37	\$130,327.76

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#	Job Code	Job Title	Bargaining Unit	Salary Grade	Minimum/Annual	Maximum/Annual
109	000202	Contract Specialist III	AFSCME eBART	AFE	\$100,252.37	\$130,327.76
110	000049	Contracts Technician SEIU	SEIU, Local 1021 - Clerical & Maintenance	036	\$60,898.24	\$79,605.76
111	XF105	Controllor Treasurer	Board Appointed Officer	CT	\$275,835.17	\$275,835.17
112	000277	Core Capacity Program Manager	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
113	000168	Crew Office Supervisor	AFSCME, Local 3993	AFG	\$114,081.83	\$148,306.37
114	000183	Crime Analyst	BART Police Officers' Association	068	\$80,031.95	\$96,034.22
115	CA120	Customer Service Clerk	SEIU, Local 1021 - Clerical & Maintenance	031	\$58,095.02	\$75,941.42
116	VA110	Customer Service Rep	SEIU, Local 1021 - Professional Chapter	S11	\$84,664.80	\$110,672.88
117	VA120	Customer Services Admin	SEIU, Local 1021 - Professional Chapter	S13	\$93,283.44	\$121,939.20
118	000016	Customer Services Assistant	SEIU, Local 1021 - Professional Chapter	S06	\$66,462.60	\$86,879.16
119	000173	Customer Services Supervisor	SEIU, Local 1021 - Professional Chapter	S13	\$93,283.44	\$121,939.20
120	000180	Customer Services Technician	SEIU, Local 1021 - Clerical & Maintenance	036	\$60,898.24	\$79,605.76
121	000072	Cyber Security Engineer	Non-Represented Employees	N07	\$105,333.00	\$159,580.00
122	IA135	Data Controller	SEIU, Local 1021 - Clerical & Maintenance	031	\$58,095.02	\$75,941.42
123	IA140	Data Entry Operator	SEIU, Local 1021 - Clerical & Maintenance	031	\$58,095.02	\$75,941.42
124	IC120	Database Administrator	AFSCME, Local 3993	AFH	\$121,143.23	\$157,486.09
125	AF115	Deputy Asst District Secretary	Non-Represented Employees	N06	\$98,442.00	\$149,140.00
126	ZF110	Deputy General Manager*	Non-Represented Employees	N15	\$196,636.00	\$297,904.00
127	000028	Deputy Managing Dir Cap Cor	Non-Represented Employees	N11	\$138,071.00	\$209,177.00
128	000043	Deputy Police Chief	Non-Represented Employees	N13	\$162,509.00	\$246,201.00
129	000156	Diesel Train DMU Eng eBART	ATU eBART	651	\$81,169.30	\$95,493.42
130	FF095	Dir of Budgets	Non-Represented Employees	N12	\$147,736.00	\$223,819.00
131	XF142	Dir of Communications	Non-Represented Employees	N12	\$147,736.00	\$223,819.00
132	QF101	Dir of Customer Access	Non-Represented Employees	N12	\$147,736.00	\$223,819.00
133	XF117	Dir of Customer Services	Non-Represented Employees	N12	\$147,736.00	\$223,819.00
134	FF090	Dir of Financial Planning	Non-Represented Employees	N12	\$147,736.00	\$223,819.00
135	XF123	Dir of Govt and Comm Relations	Non-Represented Employees	N12	\$147,736.00	\$223,819.00
136	000093	Dir of Human Resources	Non-Represented Employees	N12	\$147,736.00	\$223,819.00
137	000084	Dir of Labor Relations	Non-Represented Employees	N12	\$147,736.00	\$223,819.00
138	XF132	Dir of Marketing and Research	Non-Represented Employees	N12	\$147,736.00	\$223,819.00
139	XF115	Dir of Office of Civil Rights	Non-Represented Employees	N12	\$147,736.00	\$223,819.00
140	XF040	Dir of Operations Planning	Non-Represented Employees	N12	\$147,736.00	\$223,819.00
141	XF126	Dir of Performance and Audit	Non-Represented Employees	N12	\$147,736.00	\$223,819.00
142	XF135	Dir of Procurement	Non-Represented Employees	N12	\$147,736.00	\$223,819.00
143	000027	Dir of RE and Prop Dev	Non-Represented Employees	N12	\$147,736.00	\$223,819.00
144	XF106	Dir of Risk and Insur Mgmt	Non-Represented Employees	N12	\$147,736.00	\$223,819.00
145	SF100	Dir of Security Programs	Non-Represented Employees	N12	\$147,736.00	\$223,819.00
146	000153	Dir of Technology	Non-Represented Employees	N12	\$147,736.00	\$223,819.00
147	EF060	District Architect	Non-Represented Employees	N11	\$138,071.00	\$209,177.00
148	QC216	District Right of Way Surveyor	AFSCME, Local 3993	AFG	\$114,081.83	\$148,306.37
149	XF150	District Secretary	Board Appointed Officer	DS	\$206,273.64	\$217,162.80
150	TA300	Document Config Controller	SEIU, Local 1021 - Professional Chapter	S09	\$76,847.40	\$100,454.04
151	000161	Document Control Spec eBART	SEIU Professional eBART	500	\$76,847.40	\$100,454.04
152	TA310	Drafting Supervisor	SEIU, Local 1021 - Professional Chapter	S11	\$84,664.80	\$110,672.88
153	HF108	Drug Testing Coordinator	Non-Represented Employees	N04	\$85,983.00	\$130,265.00
154	MA313	Dump Truck/Equipment Operator	SEIU, Local 1021 - Clerical & Maintenance	301	\$73,145.07	\$95,614.69
155	000078	Elec/Electro-Mech Assembler II	SEIU, Local 1021 - Clerical & Maintenance	152	\$57,080.40	\$74,615.01
156	MA145	Elect/Electro-Mech Assembler	SEIU, Local 1021 - Clerical & Maintenance	151	\$55,053.65	\$71,965.71
157	EF215	Electrical Engineer	Non-Represented Employees	N05	\$92,002.00	\$139,383.00
158	MA500	Electrical Foreworker	SEIU, Local 1021 - Clerical & Maintenance	824	\$83,912.19	\$109,689.22
159	000034	Electrical Helper	SEIU, Local 1021 - Clerical & Maintenance	151	\$55,053.65	\$71,965.71
160	MA510	Electrician	SEIU, Local 1021 - Clerical & Maintenance	301	\$73,145.07	\$95,614.69
161	EF110	Electronics & Comm Engineer	Non-Represented Employees	N05	\$92,002.00	\$139,383.00
162	000302	Elevator Escalator Inspector	SEIU, Local 1021 - Clerical & Maintenance	301	\$73,145.07	\$95,614.69

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#	Job Code	Job Title	Bargaining Unit	Salary Grade	Minimum/Annual	Maximum/Annual
163	MA515	Elevator/Escalator Foreworker	SEIU, Local 1021 - Clerical & Maintenance	825	\$80,401.57	\$105,100.32
164	MA530	Elevator/Escalator Trainee	SEIU, Local 1021 - Clerical & Maintenance	331	\$65,888.99	\$86,129.47
165	MA525	Elevator/Escalator Worker	SEIU, Local 1021 - Clerical & Maintenance	301	\$73,145.07	\$95,614.69
166	000196	Employee Dev Specialist FW	ATU, Local 1555	839	\$97,150.77	\$114,295.17
167	000190	Employee Dev Specialist SA	ATU, Local 1555	839	\$97,150.77	\$114,295.17
168	HJ105	Employee Dev Specialist SEIU	SEIU, Local 1021 - Professional Chapter	EDS	\$87,436.32	\$114,295.92
169	000197	Employee Dev Specialist TO	ATU, Local 1555	839	\$97,150.77	\$114,295.17
170	HB105	Employee Dev Specialist TO	ATU, Local 1555	839	\$97,150.77	\$114,295.17
171	EF500	Engineer	Non-Represented Employees	N06	\$98,442.00	\$149,140.00
172	000032	Engineer Intern	Non-Represented Employees	081	\$37,440.00	\$37,440.00
173	SF145	Environmental Administrator	AFSCME, Local 3993	AFH	\$121,143.23	\$157,486.09
174	000006	Environmental Engineer	Non-Represented Employees	N05	\$92,002.00	\$139,383.00
175	MA150	ERS Foreworker	SEIU, Local 1021 - Clerical & Maintenance	825	\$80,401.57	\$105,100.32
176	MA155	ERS Technician	SEIU, Local 1021 - Clerical & Maintenance	301	\$73,145.07	\$95,614.69
177	000210	Executive Assistant	Non-Represented Employees	N05	\$92,002.00	\$139,383.00
178	UA195	Expeditor	SEIU, Local 1021 - Professional Chapter	S06	\$66,462.60	\$86,879.16
179	UA100	Expeditor/Clerk	SEIU, Local 1021 - Clerical & Maintenance	031	\$58,095.02	\$75,941.42
180	MC350	Facilities Maint Supv	AFSCME, Local 3993	AFE	\$100,252.37	\$130,327.76
181	000021	Facilities/Utilities Loc Coord	AFSCME, Local 3993	AFF	\$106,286.37	\$138,173.50
182	000182	Fare Inspection Officer	BART Police Officers' Association	035	\$66,135.47	\$79,358.86
183	000278	Fare Programs Administrator	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
184	MA550	Fire Protection Worker	SEIU, Local 1021 - Clerical & Maintenance	301	\$73,145.07	\$95,614.69
185	MA330	Fire Service Worker	SEIU, Local 1021 - Clerical & Maintenance	301	\$73,145.07	\$95,614.69
186	XF160	General Counsel	Board Appointed Officer	GC	\$304,975.50	\$304,975.50
187	ZF130	General Manager	Board Appointed Officer	GM	\$390,554.78	\$395,024.09
188	VA050	Gov & Community Relations Spec	SEIU, Local 1021 - Professional Chapter	S11	\$84,664.80	\$110,672.88
189	TA313	Graphic Artist	SEIU, Local 1021 - Professional Chapter	S09	\$76,847.40	\$100,454.04
190	MA335	Grounds Foreworker	SEIU, Local 1021 - Clerical & Maintenance	825	\$80,401.57	\$105,100.32
191	MA345	Grounds Worker	SEIU, Local 1021 - Clerical & Maintenance	201	\$62,116.70	\$81,198.42
192	MA346	Grounds Worker/Applicator	SEIU, Local 1021 - Clerical & Maintenance	301	\$73,145.07	\$95,614.69
193	EF122	Group Manager, Capital Project	Non-Represented Employees	N11	\$138,071.00	\$209,177.00
194	EF113	Grp Mgr AFC Capital Program	Non-Represented Employees	N11	\$138,071.00	\$209,177.00
195	KF300	Grp Mgr Capitol Corridor	Non-Represented Employees	N11	\$138,071.00	\$209,177.00
196	EF223	Grp Mgr Elec Mech Engineering	Non-Represented Employees	N11	\$138,071.00	\$209,177.00
197	EF222	Grp Mgr Engineering	Non-Represented Employees	N11	\$138,071.00	\$209,177.00
198	OF426	Grp Mgr Operations Liaison	Non-Represented Employees	N11	\$138,071.00	\$209,177.00
199	OF112	Grp Mgr Ops Support & Review	Non-Represented Employees	N11	\$138,071.00	\$209,177.00
200	XF128	Grp Mgr Planning	Non-Represented Employees	N11	\$138,071.00	\$209,177.00
201	000171	Grp Mgr Production Support	Non-Represented Employees	N11	\$138,071.00	\$209,177.00
202	EF121	Grp Mgr Project Controls	Non-Represented Employees	N11	\$138,071.00	\$209,177.00
203	EF107	Grp Mgr Rail Vehicle Cap Prog	Non-Represented Employees	N11	\$138,071.00	\$209,177.00
204	MF807	Grp Mgr Rolling Stock & Shops	Non-Represented Employees	N11	\$138,071.00	\$209,177.00
205	EF124	Grp Mgr Seismic Retrofit Cap	Non-Represented Employees	N11	\$138,071.00	\$209,177.00
206	000088	Grp Mgr Sustainability Program	Non-Represented Employees	N11	\$138,071.00	\$209,177.00
207	EF080	Grp Mgr Systems Engineer	Non-Represented Employees	N11	\$138,071.00	\$209,177.00
208	EF075	Grp Mgr Vehicle Maint Engineer	Non-Represented Employees	N11	\$138,071.00	\$209,177.00
209	000041	Grp Mgr, Capital Projects	Non-Represented Employees	N11	\$138,071.00	\$209,177.00
210	EF224	Grp Mgr, Integration Eng	Non-Represented Employees	N11	\$138,071.00	\$209,177.00
211	000280	Grp Mgr, Policy Planning	Non-Represented Employees	N11	\$138,071.00	\$209,177.00
212	000279	Grp Mgr, Station Planning	Non-Represented Employees	N11	\$138,071.00	\$209,177.00
213	000211	HRIS Analyst	Non-Represented Employees	N04	\$85,983.00	\$130,265.00
214	000281	HRIS Specialist	Non-Represented Employees	036	\$67,123.68	\$79,605.76
215	000212	Independent Police Adminstr	Non-Represented Employees	N05	\$92,002.00	\$139,383.00
216	000042	Independent Police Auditor	Board Appointed Officer	IPA	\$207,722.64	\$207,722.64

San Francisco Bay Area Rapid Transit District  
Pay Schedule (Noted by Job Title)  
As of July 1, 2019  
ATTACHMENT A

#	Job Code	Job Title	Bargaining Unit	Salary Grade	Minimum/Annual	Maximum/Annual
217	000054	Independent Police Invest	Non-Represented Employees	N08	\$112,707.00	\$170,751.00
218	SC132	Industrial Hygienist	AFSCME, Local 3993	AFG	\$114,081.83	\$148,306.37
219	IC159	Information Sys Security Offcr	AFSCME, Local 3993	AFF	\$106,286.37	\$138,173.50
220	FF260	Information Systems Auditor	Non-Represented Employees	N05	\$92,002.00	\$139,383.00
221	000207	Inspector General	Board Appointed Officer	IG	\$207,957.74	\$207,957.74
222	OF025	Instructional Design Spec	AFSCME, Local 3993	AFE	\$100,252.37	\$130,327.76
223	FC240	Insurance Analyst	AFSCME, Local 3993	AFF	\$106,286.37	\$138,173.50
224	FA265	Intermediate Account Clerk	SEIU, Local 1021 - Clerical & Maintenance	021	\$51,957.36	\$67,918.24
225	CJ105	Intermediate Clerk SEIU	SEIU, Local 1021 - Clerical & Maintenance	021	\$51,957.36	\$67,918.24
226	FF251	Internal Auditor I	Non-Represented Employees	N02	\$75,101.00	\$113,778.00
227	FF252	Internal Auditor II	Non-Represented Employees	N04	\$85,983.00	\$130,265.00
228	UA105	Inventory Control Analyst	SEIU, Local 1021 - Professional Chapter	S08	\$73,215.48	\$95,706.48
229	UA120	Inventory Control Technician	SEIU, Local 1021 - Clerical & Maintenance	036	\$60,898.24	\$79,605.76
230	MA348	Irrigation/Grounds Worker	SEIU, Local 1021 - Clerical & Maintenance	301	\$73,145.07	\$95,614.69
231	000059	IT Project Manager	AFSCME, Local 3993	AFI	\$129,246.45	\$168,020.13
232	IA160	Jr Appl Programmer Analyst	SEIU, Local 1021 - Professional Chapter	S03	\$57,492.00	\$75,152.88
233	000282	Jr Computer Systems Engineer	Non-Represented Employees	N03	\$80,358.00	\$121,743.00
234	FA275	Junior Accountant	SEIU, Local 1021 - Professional Chapter	S05	\$63,325.44	\$82,778.28
235	000306	Junior Elec & Comm Engineer	Non-Represented Employees	N03	\$80,358.00	\$121,743.00
236	000305	Junior Electrical Engineer	Non-Represented Employees	N03	\$80,358.00	\$121,743.00
237	EF400	Junior Engineer	Non-Represented Employees	N03	\$80,358.00	\$121,743.00
238	000304	Junior Mechanical Engineer	Non-Represented Employees	N03	\$80,358.00	\$121,743.00
239	000283	Junior Project Engineer	Non-Represented Employees	N03	\$80,358.00	\$121,743.00
240	000284	Junior Traction Power Engineer	Non-Represented Employees	N03	\$80,358.00	\$121,743.00
241	000285	Junior Train Control Engineer	Non-Represented Employees	N03	\$80,358.00	\$121,743.00
242	HF122	Labor Relations Rep I	Non-Represented Employees	N02	\$75,101.00	\$113,778.00
243	HF123	Labor Relations Rep II	Non-Represented Employees	N04	\$85,983.00	\$130,265.00
244	000286	Leave Management Analyst	Non-Represented Employees	N04	\$85,983.00	\$130,265.00
245	000213	Leave Management Specialist	Non-Represented Employees	036	\$67,123.68	\$79,605.76
246	LA115	Legal Administrative Analyst	SEIU, Local 1021 - Professional Chapter	S06	\$66,462.60	\$86,879.16
247	LA100	Legal Administrative Asst	SEIU, Local 1021 - Professional Chapter	S05	\$63,325.44	\$82,778.28
248	LC118	Legal Office Supervisor	AFSCME, Local 3993	AFD	\$93,205.36	\$121,167.19
249	FC282	Liability Risk Analyst	AFSCME, Local 3993	AFF	\$106,286.37	\$138,173.50
250	MA350	Locksmith	SEIU, Local 1021 - Clerical & Maintenance	301	\$73,145.07	\$95,614.69
251	OB108	Lost & Found Clerk	ATU, Local 1555	019	\$64,550.10	\$75,941.42
252	CA110	Mail and Supply Clerk	SEIU, Local 1021 - Clerical & Maintenance	021	\$51,957.36	\$67,918.24
253	000060	Maintenance Engineer	Non-Represented Employees	N05	\$92,002.00	\$139,383.00
254	TA215	Maintenance Planner	SEIU, Local 1021 - Professional Chapter	S08	\$73,215.48	\$95,706.48
255	000001	Maintenance Support Admin	AFSCME, Local 3993	AFD	\$93,205.36	\$121,167.19
256	000188	Manager of Acquisition Support	AFSCME, Local 3993	AFI	\$129,246.45	\$168,020.13
257	000189	Manager of Asset Management	Non-Represented Employees	N10	\$129,038.00	\$195,493.00
258	000288	Manager of Equity Programs	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
259	000291	Manager of Leave Programs	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
260	000293	Manager of Media Relations	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
261	000199	Manager of Rail Operations	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
262	000077	Manager of Special Projects	Non-Represented Employees	N08	\$112,707.00	\$170,751.00
263	000198	Manager of Station Operations	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
264	000248	Manager of System Integration	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
265	000172	Manager of Technology Programs	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
266	FC205	Manager of Time and Admin	AFSCME, Local 3993	AFI	\$129,246.45	\$168,020.13
267	000063	Manager, Engineering Liaison	Non-Represented Employees	N10	\$129,038.00	\$195,493.00
268	ZF200	Managing Director Cap Corridor*	Non-Represented Employees	N14	\$178,760.00	\$270,821.00
269	VC081	Marketing Rep II	AFSCME, Local 3993	AFE	\$100,252.37	\$130,327.76
270	PE132	Master Police Officer	BART Police Officers' Association	798	\$115,221.39	\$115,221.39

## San Francisco Bay Area Rapid Transit District

## Pay Schedule (Noted by Job Title)

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#	Job Code	Job Title	Bargaining Unit	Salary Grade	Minimum/Annual	Maximum/Annual
271	UA130	Material Control Analyst	SEIU, Local 1021 - Professional Chapter	S08	\$73,215.48	\$95,706.48
272	UA135	Material Control Sys Analyst	SEIU, Local 1021 - Professional Chapter	S08	\$73,215.48	\$95,706.48
273	UA145	Material Coordinator	SEIU, Local 1021 - Clerical & Maintenance	301	\$73,145.07	\$95,614.69
274	UA150	Material Expeditor	SEIU, Local 1021 - Professional Chapter	S08	\$73,215.48	\$95,706.48
275	EF240	Mechanical Engineer	Non-Represented Employees	N06	\$98,442.00	\$149,140.00
276	HF151	Media Producer	Non-Represented Employees	N05	\$92,002.00	\$139,383.00
277	000296	Mgr of Absence Mgmt	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
278	000024	Mgr of Access & Accessible Svc	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
279	000023	Mgr of Access Programs	AFSCME, Local 3993	AFH	\$121,143.23	\$157,486.09
280	FC215	Mgr of Accounting	AFSCME, Local 3993	AFI	\$129,246.45	\$168,020.13
281	000167	Mgr of Ad Franchise Program	AFSCME, Local 3993	AFI	\$129,246.45	\$168,020.13
282	MC225	Mgr of Auto & Equip Maint	AFSCME, Local 3993	AFH	\$121,143.23	\$157,486.09
283	000299	Mgr of Budget & Admin, Cap Cor	AFSCME, Local 3993	AFI	\$129,246.45	\$168,020.13
284	000215	Mgr of Cap Corr Market/Comm	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
285	FF119	Mgr of Capital Budgets	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
286	FF116	Mgr of Capital Project Control	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
287	000174	Mgr of Capital Project Support	AFSCME, Local 3993	AFI	\$129,246.45	\$168,020.13
288	OF115	Mgr of Central Control	Non-Represented Employees	N10	\$129,038.00	\$195,493.00
289	EF225	Mgr of Civil & Structural Eng	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
290	QF109	Mgr of Community Relations	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
291	000287	Mgr of Comp & Analytics	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
292	EF119	Mgr of Computer Sys Engineer	Non-Represented Employees	N10	\$129,038.00	\$195,493.00
293	MF400	Mgr of Construction Services	Non-Represented Employees	N10	\$129,038.00	\$195,493.00
294	UF225	Mgr of Contract Administration	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
295	000170	Mgr of Creative Services	AFSCME, Local 3993	AFI	\$129,246.45	\$168,020.13
296	000009	Mgr of Credit/Debit Fare Prog	AFSCME, Local 3993	AFG	\$114,081.83	\$148,306.37
297	AC400	Mgr of Customer Services	AFSCME, Local 3993	AFH	\$121,143.23	\$157,486.09
298	000071	Mgr of Cyber Security	Non-Represented Employees	N10	\$129,038.00	\$195,493.00
299	TC102	Mgr of Drafting & Configuratio	AFSCME, Local 3993	AFI	\$129,246.45	\$168,020.13
300	000295	Mgr of Drug & Alcohol Programs	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
301	EF120	Mgr of Elect & Comm Engineer	Non-Represented Employees	N10	\$129,038.00	\$195,493.00
302	EF233	Mgr of Electrical Engineer	Non-Represented Employees	N10	\$129,038.00	\$195,493.00
303	000065	Mgr of Emergency Preparedness	Non-Represented Employees	N08	\$112,707.00	\$170,751.00
304	SC075	Mgr of Employee/Patron Safety	AFSCME, Local 3993	AFI	\$129,246.45	\$168,020.13
305	AF206	Mgr of Energy	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
306	SF111	Mgr of Engineer Safety	Non-Represented Employees	N10	\$129,038.00	\$195,493.00
307	000169	Mgr of Engineering Programs	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
308	SF140	Mgr of Environ Compliance	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
309	000289	Mgr of Fin Analysis Admin	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
310	FF297	Mgr of Financial Planning	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
311	FF290	Mgr of Fleet & Capacity Plann	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
312	000290	Mgr of Gov't Rel & Leg Affairs	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
313	FF117	Mgr of Grant Dev & Reporting	Non-Represented Employees	N10	\$129,038.00	\$195,493.00
314	000216	Mgr of HRIS & Benefits	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
315	IF177	Mgr of Information Systems	Non-Represented Employees	N10	\$129,038.00	\$195,493.00
316	FF285	Mgr of Internal Audit	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
317	UC125	Mgr of Inventory Management	AFSCME, Local 3993	AFG	\$114,081.83	\$148,306.37
318	HF130	Mgr of Labor Relations	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
319	QF107	Mgr of Local Govt & Com Rel	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
320	UF130	Mgr of Logistics	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
321	MF405	Mgr of Maint Administration	AFSCME, Local 3993	AFI	\$129,246.45	\$168,020.13
322	000159	Mgr of Maint Plan & Logistics	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
323	TF241	Mgr of Maintenance Engineer	Non-Represented Employees	N10	\$129,038.00	\$195,493.00
324	OF425	Mgr of Maintenance Support	Non-Represented Employees	N09	\$120,596.00	\$182,703.00



## San Francisco Bay Area Rapid Transit District

## Pay Schedule (Noted by Job Title)

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## ATTACHMENT A

#	Job Code	Job Title	Bargaining Unit	Salary Grade	Minimum/Annual	Maximum/Annual
325	000214	Mgr of Marketing	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
326	EF234	Mgr of Mechanical Engr.	Non-Represented Employees	N10	\$129,038.00	\$195,493.00
327	FF125	Mgr of Operating Budgets	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
328	TF230	Mgr of Operations Reliability	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
329	SC105	Mgr of Operations Safety	AFSCME, Local 3993	AFH	\$121,143.23	\$157,486.09
330	000055	Mgr of Ops Training and Dev	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
331	QC205	Mgr of Parking Programs	AFSCME, Local 3993	AFI	\$129,246.45	\$168,020.13
332	000203	Mgr of Performance Analytics	AFSCME, Local 3993	AFI	\$129,246.45	\$168,020.13
333	QF115	Mgr of Planning	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
334	000294	Mgr of Program Planning Sppt	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
335	UF215	Mgr of Purchasing	AFSCME, Local 3993	AFI	\$129,246.45	\$168,020.13
336	TC105	Mgr of Quality Assurance	AFSCME, Local 3993	AFI	\$129,246.45	\$168,020.13
337	000005	Mgr of Real Estate Services	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
338	EF159	Mgr of Research & Development	Non-Represented Employees	N10	\$129,038.00	\$195,493.00
339	FF295	Mgr of Revenue Control	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
340	000303	Mgr of RS&S Administration	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
341	OF111	Mgr of Schedules & Services	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
342	000247	Mgr of Small Business Sppt Svc	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
343	AC300	Mgr of Special Projects	AFSCME, Local 3993	AFI	\$129,246.45	\$168,020.13
344	MF840	Mgr of Strategic Main Prog	Non-Represented Employees	N11	\$138,071.00	\$209,177.00
345	000249	Mgr of Sys Capacity Planning	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
346	000008	Mgr of Telecommunications	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
347	000250	Mgr of Title VI & Env Justice	Non-Represented Employees	N08	\$112,707.00	\$170,751.00
348	EF236	Mgr of Traction Power Engr	Non-Represented Employees	N10	\$129,038.00	\$195,493.00
349	EF130	Mgr of Train Control Engineer	Non-Represented Employees	N10	\$129,038.00	\$195,493.00
350	000251	Mgr of Transit Oriented Dev	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
351	MC805	Mgr of Transit Vehcl Cleaning	AFSCME, Local 3993	AFH	\$121,143.23	\$157,486.09
352	OF170	Mgr of Transportation Ops Supp	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
353	TF237	Mgr of Vehicle Sys Engineer	Non-Represented Employees	N10	\$129,038.00	\$195,493.00
354	MF850	Mgr of Warranty Administration	Non-Represented Employees	N08	\$112,707.00	\$170,751.00
355	000252	Mgr of Workforce Dev	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
356	VA125	Multimedia Assistant Producer	SEIU, Local 1021 - Professional Chapter	S11	\$84,664.80	\$110,672.88
357	HF152	Multimedia Producer	Non-Represented Employees	N05	\$92,002.00	\$139,383.00
358	CA115	Office Services Supervisor	SEIU, Local 1021 - Clerical & Maintenance	800	\$67,832.96	\$88,670.61
359	CA111	Office Services Support Clerk	SEIU, Local 1021 - Clerical & Maintenance	021	\$51,957.36	\$67,918.24
360	OB120	Operations Foreworker	ATU, Local 1555	821	\$84,200.06	\$99,058.96
361	OC118	Operations Supervisor Liaison	AFSCME, Local 3993	AFF	\$106,286.37	\$138,173.50
362	OC115	Operations Supv	AFSCME, Local 3993	AFF	\$106,286.37	\$138,173.50
363	HF111	Operations Training Supervisor	AFSCME, Local 3993	AFG	\$114,081.83	\$148,306.37
364	MA547	Overhead Door Worker	SEIU, Local 1021 - Clerical & Maintenance	301	\$73,145.07	\$95,614.69
365	MA360	Painter	SEIU, Local 1021 - Clerical & Maintenance	301	\$73,145.07	\$95,614.69
366	000092	Paralegal	Non-Represented Employees	710	\$80,092.48	\$94,961.57
367	QF135	Planner	AFSCME, Local 3993	AFC	\$84,426.79	\$109,755.40
368	CE175	Police Admin Specialist	BART Police Officers' Association	045	\$69,222.61	\$80,901.81
369	PD111	Police Admin Supervisor	BART Police Managers' Association	CS	\$116,292.00	\$134,940.00
370	PD116	Police CAD/RMS Admin	BART Police Managers' Association	CS	\$116,292.00	\$134,940.00
371	PF110	Police Chief*	Non-Represented Employees	N14	\$178,760.00	\$270,821.00
372	PD115	Police Civilian Supv Admin	BART Police Managers' Association	CS	\$116,292.00	\$134,940.00
373	PD118	Police Civilian Supv Comm	BART Police Managers' Association	CS	\$116,292.00	\$134,940.00
374	PE115	Police Dispatcher	BART Police Officers' Association	048	\$71,957.81	\$87,583.18
375	PD125	Police Lieutenant	BART Police Managers' Association	LT	\$147,984.00	\$169,452.00
376	PE130	Police Officer	BART Police Officers' Association	778	\$75,425.38	\$106,477.90
377	PE129	Police Officer in Academy	BART Police Officers' Association	777	\$66,551.89	\$66,551.89
378	PD135	Police Sergeant	BART Police Managers' Association	SGT	\$119,004.00	\$141,204.00

San Francisco Bay Area Rapid Transit District  
Pay Schedule (Noted by Job Title)  
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ATTACHMENT A

#	Job Code	Job Title	Bargaining Unit	Salary Grade	Minimum/Annual	Maximum/Annual
379	000081	Police Services Administrator	Non-Represented Employees	N08	\$112,707.00	\$170,751.00
380	PD138	Police Support Svcs Supv	BART Police Managers' Association	CS	\$116,292.00	\$134,940.00
381	MA535	Power & Mechanical Foreworker	SEIU, Local 1021 - Clerical & Maintenance	824	\$83,912.19	\$109,689.22
382	MA545	Power & Mechanical Worker	SEIU, Local 1021 - Clerical & Maintenance	301	\$73,145.07	\$95,614.69
383	OB130	Power & Support Controller	ATU, Local 1555	831	\$92,555.22	\$108,888.62
384	AC222	Principal Admin Analyst AFSCME	AFSCME, Local 3993	AFG	\$114,081.83	\$148,306.37
385	AF222	Principal Admin Analyst NR	Non-Represented Employees	N07	\$105,333.00	\$159,580.00
386	000045	Principal Architect	Non-Represented Employees	N08	\$112,707.00	\$170,751.00
387	EF256	Principal Civil Engineer	Non-Represented Employees	N08	\$112,707.00	\$170,751.00
388	EF090	Principal Computer Systems Eng	Non-Represented Employees	N08	\$112,707.00	\$170,751.00
389	EF262	Principal Construction Engr	Non-Represented Employees	N08	\$112,707.00	\$170,751.00
390	UF230	Principal Contract Specialist	AFSCME, Local 3993	AFG	\$114,081.83	\$148,306.37
391	000067	Principal EGIS Analyst	AFSCME, Local 3993	AFG	\$114,081.83	\$148,306.37
392	000253	Principal Elec Comm Engineer	Non-Represented Employees	N08	\$112,707.00	\$170,751.00
393	EF267	Principal Electrical Engineer	Non-Represented Employees	N08	\$112,707.00	\$170,751.00
394	EF502	Principal Engineer	Non-Represented Employees	N08	\$112,707.00	\$170,751.00
395	FC139	Principal Financial Analyst	AFSCME, Local 3993	AFG	\$114,081.83	\$148,306.37
396	VC055	Principal Gov & Comm Rel Rep	AFSCME, Local 3993	AFG	\$114,081.83	\$148,306.37
397	000192	Principal Grants Analyst	AFSCME, Local 3993	AFG	\$114,081.83	\$148,306.37
398	000254	Principal Integration Engineer	Non-Represented Employees	N08	\$112,707.00	\$170,751.00
399	FF301	Principal Internal Auditor	Non-Represented Employees	N07	\$105,333.00	\$159,580.00
400	HF128	Principal Labor Relations Rep	Non-Represented Employees	N07	\$105,333.00	\$159,580.00
401	000205	Principal Landscape Architect	Non-Represented Employees	N08	\$112,707.00	\$170,751.00
402	VC084	Principal Marketing Rep	AFSCME, Local 3993	AFH	\$121,143.23	\$157,486.09
403	EF271	Principal Mechanical Engineer	Non-Represented Employees	N08	\$112,707.00	\$170,751.00
404	000298	Principal Ops Safety Spec	AFSCME, Local 3993	AFH	\$121,143.23	\$157,486.09
405	000201	Principal Performance Analyst	AFSCME, Local 3993	AFG	\$114,081.83	\$148,306.37
406	QC112	Principal Planner	AFSCME, Local 3993	AFH	\$121,143.23	\$157,486.09
407	000255	Principal Project Engineer	Non-Represented Employees	N08	\$112,707.00	\$170,751.00
408	QC226	Principal Property Devlmtn Ofc	AFSCME, Local 3993	AFH	\$121,143.23	\$157,486.09
409	TF256	Principal Reliability Engineer	Non-Represented Employees	N08	\$112,707.00	\$170,751.00
410	QC225	Principal Right of Way Officer	AFSCME, Local 3993	AFH	\$121,143.23	\$157,486.09
411	AF234	Principal Rsch Proj Analyst	AFSCME, Local 3993	AFG	\$114,081.83	\$148,306.37
412	SF129	Principal Safety Engineer	Non-Represented Employees	N08	\$112,707.00	\$170,751.00
413	EF276	Principal Structural Engineer	Non-Represented Employees	N08	\$112,707.00	\$170,751.00
414	EF279	Principal Track Engineer	Non-Represented Employees	N08	\$112,707.00	\$170,751.00
415	EF146	Principal Train Control Eng	Non-Represented Employees	N08	\$112,707.00	\$170,751.00
416	TF236	Principal Vehicle Sys Engineer	Non-Represented Employees	N08	\$112,707.00	\$170,751.00
417	000184	Procurement Support Mgr	AFSCME, Local 3993	AFI	\$129,246.45	\$168,020.13
418	MF842	Program Logistics Manager	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
419	FA130	Project Control Administrator	SEIU, Local 1021 - Professional Chapter	S08	\$73,215.48	\$95,706.48
420	000256	Project Controls Manager	Non-Represented Employees	N08	\$112,707.00	\$170,751.00
421	000257	Project Engineer	Non-Represented Employees	N05	\$92,002.00	\$139,383.00
422	EF250	Project Manager	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
423	000080	Project Manager II	Non-Represented Employees	N10	\$129,038.00	\$195,493.00
424	000258	Project Manager, Accessibility	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
425	000259	Project Manager, Capital	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
426	000261	Project Manager, Construction	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
427	000264	Project Manager, Extensions	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
428	000268	Project Manager, Stations	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
429	000224	Project Manager, Train Control	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
430	000262	Project Mgr, Architect	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
431	000260	Project Mgr, Cathodic	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
432	000263	Project Mgr, Earthquake	Non-Represented Employees	N09	\$120,596.00	\$182,703.00

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#	Job Code	Job Title	Bargaining Unit	Salary Grade	Minimum/Annual	Maximum/Annual
433	000265	Project Mgr, Fire Life Safety	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
434	000266	Project Mgr, Int Agreements	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
435	000267	Project Mgr, Property Dev	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
436	000269	Project Mgr, Sys Integration	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
437	000270	Project Mgr, Traction Power	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
438	EF451	Project Support Manager	AFSCME, Local 3993	AFI	\$129,246.45	\$168,020.13
439	000204	Property Manager	AFSCME, Local 3993	AFH	\$121,143.23	\$157,486.09
440	VC110	Public Information Officer	AFSCME, Local 3993	AFE	\$100,252.37	\$130,327.76
441	VA115	Public Information Rep	SEIU, Local 1021 - Professional Chapter	S11	\$84,664.80	\$110,672.88
442	TA110	Quality Assurance Analyst	SEIU, Local 1021 - Professional Chapter	S08	\$73,215.48	\$95,706.48
443	000066	Quality Assurance Officer	SEIU, Local 1021 - Professional Chapter	S11	\$84,664.80	\$110,672.88
444	000035	Quality Team Leader	SEIU, Local 1021 - Clerical & Maintenance	313	\$76,789.02	\$100,377.89
445	000015	Query & Reports Spec	AFSCME, Local 3993	AFF	\$106,286.37	\$138,173.50
446	KF175	Rail Svs Compl Officer Capitol	AFSCME, Local 3993	AFG	\$114,081.83	\$148,306.37
447	QA205	Real Estate Officer	SEIU, Local 1021 - Professional Chapter	S11	\$84,664.80	\$110,672.88
448	QA100	Real Estate Tech	SEIU, Local 1021 - Clerical & Maintenance	036	\$60,898.24	\$79,605.76
449	IA185	Real Time Programmer Analyst	SEIU, Local 1021 - Professional Chapter	S13	\$93,283.44	\$121,939.20
450	000225	Receptionist	Non-Represented Employees	036	\$67,123.68	\$79,605.76
451	000217	Recruiter I	Non-Represented Employees	N02	\$75,101.00	\$113,778.00
452	000226	Recruiter II	Non-Represented Employees	N04	\$85,983.00	\$130,265.00
453	000227	Recruiting Specialist	Non-Represented Employees	036	\$67,123.68	\$79,605.76
454	000193	Reliability Analyst	AFSCME, Local 3993	AFE	\$100,252.37	\$130,327.76
455	TF245	Reliability Engineer	Non-Represented Employees	N05	\$92,002.00	\$139,383.00
456	CA140	Reprographics Equipment Oper	SEIU, Local 1021 - Clerical & Maintenance	031	\$58,095.02	\$75,941.42
457	EF142	Research & Dev Specialist	AFSCME, Local 3993	AFG	\$114,081.83	\$148,306.37
458	AF233	Research Projects Supv	AFSCME, Local 3993	AFG	\$114,081.83	\$148,306.37
459	PE140	Revenue Protection Guard	BART Police Officers' Association	098	\$70,988.74	\$85,182.24
460	000228	Rolling Stock Acquisitn Admin	Non-Represented Employees	N08	\$112,707.00	\$170,751.00
461	MF818	Rolling Stock and Shops Sup	Non-Represented Employees	N11	\$138,071.00	\$209,177.00
462	MA810	Rolling Stock Foreworker	SEIU, Local 1021 - Clerical & Maintenance	827	\$85,972.43	\$112,382.40
463	000149	Safety & Training Mgr eBART	AFSCME eBART	EB9	\$129,246.45	\$168,020.13
464	SF120	Safety Specialist	AFSCME, Local 3993	AFD	\$93,205.36	\$121,167.19
465	OB135	Scheduling Analyst	ATU, Local 1555	731	\$97,150.77	\$114,295.17
466	000048	Scheduling Supervisor	AFSCME, Local 3993	AFF	\$106,286.37	\$138,173.50
467	MC725	Sect Mgr Elev/Escalator Maint	AFSCME, Local 3993	AFG	\$114,081.83	\$148,306.37
468	MC724	Sect Mgr Power & Mech Maint	AFSCME, Local 3993	AFG	\$114,081.83	\$148,306.37
469	MC726	Sect Mgr Struct Insp & Maint	AFSCME, Local 3993	AFG	\$114,081.83	\$148,306.37
470	MC721	Sect Mgr Structures Maint	AFSCME, Local 3993	AFG	\$114,081.83	\$148,306.37
471	MC720	Sect Mgr Systems Maint	AFSCME, Local 3993	AFG	\$114,081.83	\$148,306.37
472	MC722	Sect Mgr Track Maint	AFSCME, Local 3993	AFG	\$114,081.83	\$148,306.37
473	000229	Security Access Analyst	Non-Represented Employees	N03	\$80,358.00	\$121,743.00
474	000230	Senior Board Analyst	Non-Represented Employees	N07	\$105,333.00	\$159,580.00
475	000176	Senior Buyer	SEIU, Local 1021 - Professional Chapter	S10	\$80,660.64	\$105,438.72
476	000237	Senior Manager of Procurement	Non-Represented Employees	N10	\$129,038.00	\$195,493.00
477	000191	Senior Performance Analyst	AFSCME, Local 3993	AFF	\$106,286.37	\$138,173.50
478	000195	Senior Quality Administrator	AFSCME, Local 3993	AFG	\$114,081.83	\$148,306.37
479	000181	Senior Quality Manager	Non-Represented Employees	N10	\$129,038.00	\$195,493.00
480	000239	Senior Recruiter	Non-Represented Employees	N05	\$92,002.00	\$139,383.00
481	000240	Senior Safety Engineer	Non-Represented Employees	N07	\$105,333.00	\$159,580.00
482	000241	Senior Traction Power Engineer	Non-Represented Employees	N07	\$105,333.00	\$159,580.00
483	000194	Senior Transportation Analyst	AFSCME, Local 3993	AFF	\$106,286.37	\$138,173.50
484	TF232	Senior Transportation Planner	AFSCME, Local 3993	AFF	\$106,286.37	\$138,173.50
485	MA225	Shop Machinist	SEIU, Local 1021 - Clerical & Maintenance	301	\$73,145.07	\$95,614.69
486	TA260	Shop Scheduler	SEIU, Local 1021 - Professional Chapter	S10	\$80,660.64	\$105,438.72

## San Francisco Bay Area Rapid Transit District

## Pay Schedule (Noted by Job Title)

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#	Job Code	Job Title	Bargaining Unit	Salary Grade	Minimum/Annual	Maximum/Annual
487	MA230	Shop Welder	SEIU, Local 1021 - Clerical & Maintenance	301	\$73,145.07	\$95,614.69
488	MC701	Spec Proj Mgr Track & Struct	AFSCME, Local 3993	AFH	\$121,143.23	\$157,486.09
489	000158	Special Projects Mgr AFSCME	AFSCME, Local 3993	AFG	\$114,081.83	\$148,306.37
490	FA288	Sr Account Clerk	SEIU, Local 1021 - Clerical & Maintenance	031	\$58,095.02	\$75,941.42
491	AC220	Sr Admin Analyst AFSCME	AFSCME, Local 3993	AFD	\$93,205.36	\$121,167.19
492	AF220	Sr Admin Analyst NR	Non-Represented Employees	N05	\$92,002.00	\$139,383.00
493	IA190	Sr Appl Programmer Analyst	SEIU, Local 1021 - Professional Chapter	S14	\$97,918.68	\$127,998.24
494	IC142	Sr Applications Analyst	AFSCME, Local 3993	AFH	\$121,143.23	\$157,486.09
495	LF120	Sr Attorney	Non-Represented Employees	N12	\$147,736.00	\$223,819.00
496	000218	Sr Benefits Analyst	Non-Represented Employees	N06	\$98,442.00	\$149,140.00
497	FH140	Sr Budget Clerk SEIU	SEIU, Local 1021 - Clerical & Maintenance	031	\$58,095.02	\$75,941.42
498	000166	Sr CAD Drafter	SEIU, Local 1021 - Professional Chapter	S10	\$80,660.64	\$105,438.72
499	FA290	Sr Cash Handler	SEIU, Local 1021 - Clerical & Maintenance	035	\$57,289.44	\$74,888.32
500	TC222	Sr Central Maint Supv	AFSCME, Local 3993	AFH	\$121,143.23	\$157,486.09
501	EF255	Sr Civil Engineer	Non-Represented Employees	N06	\$98,442.00	\$149,140.00
502	000219	Sr Class and Comp Analyst	Non-Represented Employees	N05	\$92,002.00	\$139,383.00
503	CB145	Sr Clerk ATU	ATU, Local 1555	031	\$64,550.10	\$75,941.42
504	CG145	Sr Clerk SEIU	SEIU, Local 1021 - Clerical & Maintenance	031	\$58,095.02	\$75,941.42
505	000075	Sr Computer Support Coord	SEIU, Local 1021 - Professional Chapter	S16	\$106,827.72	\$139,644.12
506	EF138	Sr Computer Systems Engineer	Non-Represented Employees	N07	\$105,333.00	\$159,580.00
507	EF260	Sr Construction Engineer	Non-Represented Employees	N06	\$98,442.00	\$149,140.00
508	000231	Sr EEO Analyst	Non-Represented Employees	N05	\$92,002.00	\$139,383.00
509	EF265	Sr Electrical Engineer	Non-Represented Employees	N07	\$105,333.00	\$159,580.00
510	EF140	Sr Electronics & Comm Engineer	Non-Represented Employees	N07	\$105,333.00	\$159,580.00
511	HF114	Sr Employee Dev Specialist	Non-Represented Employees	N05	\$92,002.00	\$139,383.00
512	FC137	Sr Energy Analyst	AFSCME, Local 3993	AFF	\$106,286.37	\$138,173.50
513	EF501	Sr Engineer	Non-Represented Employees	N07	\$105,333.00	\$159,580.00
514	FC138	Sr Financial Analyst AFSCME	AFSCME, Local 3993	AFE	\$100,252.37	\$130,327.76
515	000187	Sr Financial Analyst eBART	AFSCME eBART	EB5	\$100,252.37	\$130,327.76
516	VC051	Sr Gov & Comm Relations Rep	AFSCME, Local 3993	AFE	\$100,252.37	\$130,327.76
517	TA314	Sr Graphic Artist	SEIU, Local 1021 - Professional Chapter	S10	\$80,660.64	\$105,438.72
518	FF253	Sr Internal Auditor	Non-Represented Employees	N05	\$92,002.00	\$139,383.00
519	UC108	Sr Inventory Control Analyst	AFSCME, Local 3993	AFD	\$93,205.36	\$121,167.19
520	000089	Sr Labor Relations Analyst	Non-Represented Employees	N05	\$92,002.00	\$139,383.00
521	HF126	Sr Labor Relations Rep	Non-Represented Employees	N06	\$98,442.00	\$149,140.00
522	000232	Sr Leave Mgmt Analyst	Non-Represented Employees	N05	\$92,002.00	\$139,383.00
523	AA130	Sr Legal Secretary	SEIU, Local 1021 - Clerical & Maintenance	071	\$58,613.57	\$76,619.09
524	UC190	Sr Logistics Supv	AFSCME, Local 3993	AFF	\$106,286.37	\$138,173.50
525	TA220	Sr Maint Planner	SEIU, Local 1021 - Professional Chapter	S11	\$84,664.80	\$110,672.88
526	000053	Sr Maintenance Engineer	Non-Represented Employees	N07	\$105,333.00	\$159,580.00
527	VC082	Sr Marketing Rep	AFSCME, Local 3993	AFF	\$106,286.37	\$138,173.50
528	000029	Sr Marketing Rep PT	AFSCME, Local 3993	AFE	\$100,252.37	\$130,327.76
529	EF270	Sr Mechanical Engineer	Non-Represented Employees	N07	\$105,333.00	\$159,580.00
530	000233	Sr Mgr Contr Labor Compliance	Non-Represented Employees	N10	\$129,038.00	\$195,493.00
531	000235	Sr Mgr Maint Acquisition	Non-Represented Employees	N10	\$129,038.00	\$195,493.00
532	000292	Sr Mgr Maint Plan Sched	Non-Represented Employees	N10	\$129,038.00	\$195,493.00
533	000234	Sr Mgr of Econ Oppy Policies	Non-Represented Employees	N10	\$129,038.00	\$195,493.00
534	000179	Sr Mgr of Engineering Programs	Non-Represented Employees	N10	\$129,038.00	\$195,493.00
535	000175	Sr Mgr of Engineering, eBART	Non-Represented Employees	N10	\$129,038.00	\$195,493.00
536	MF410	Sr Mgr of Maintenance Support	Non-Represented Employees	N10	\$129,038.00	\$195,493.00
537	000177	Sr Mgr of Perf Analytics	Non-Represented Employees	N10	\$129,038.00	\$195,493.00
538	000236	Sr Mgr of RS&S Ops Admin	Non-Represented Employees	N10	\$129,038.00	\$195,493.00
539	000238	Sr Mgr Wkfc Policy Compliance	Non-Represented Employees	N10	\$129,038.00	\$195,493.00
540	000185	Sr Mgr, Finance Analysis & Admn	Non-Represented Employees	N10	\$129,038.00	\$195,493.00

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#	Job Code	Job Title	Bargaining Unit	Salary Grade	Minimum/Annual	Maximum/Annual
541	CA155	Sr Office Services Supv	SEIU, Local 1021 - Professional Chapter	S09	\$76,847.40	\$100,454.04
542	CA112	Sr Office Svs Support Clerk	SEIU, Local 1021 - Clerical & Maintenance	031	\$58,095.02	\$75,941.42
543	OB145	Sr Operations Foreworker	ATU, Local 1555	831	\$92,555.22	\$108,888.62
544	OC155	Sr Operations Supvr Liaison	AFSCME, Local 3993	AFG	\$114,081.83	\$148,306.37
545	SC135	Sr Ops Safety Spec	AFSCME, Local 3993	AFG	\$114,081.83	\$148,306.37
546	IB190	Sr Ops Suppt Sys Analyst	ATU, Local 1555	742	\$103,060.26	\$121,247.36
547	QC145	Sr Planner	AFSCME, Local 3993	AFF	\$106,286.37	\$138,173.50
548	000105	Sr Police Officer - Adv.	BART Police Officers' Association	792	\$112,962.30	\$112,962.30
549	PE131	Sr Police Officer - Int.	BART Police Officers' Association	788	\$109,672.16	\$109,672.16
550	000052	Sr Production Engineer	Non-Represented Employees	N06	\$98,442.00	\$149,140.00
551	000220	Sr Project Engineer	Non-Represented Employees	N07	\$105,333.00	\$159,580.00
552	EF238	Sr Quality Engineer	Non-Represented Employees	N07	\$105,333.00	\$159,580.00
553	QC210	Sr Real Estate Officer	AFSCME, Local 3993	AFF	\$106,286.37	\$138,173.50
554	TF255	Sr Reliability Engineer	Non-Represented Employees	N07	\$105,333.00	\$159,580.00
555	AF232	Sr Research Projects Analyst	AFSCME, Local 3993	AFE	\$100,252.37	\$130,327.76
556	QC224	Sr Right of Way Officer	AFSCME, Local 3993	AFF	\$106,286.37	\$138,173.50
557	SC130	Sr Safety Specialist	AFSCME, Local 3993	AFF	\$106,286.37	\$138,173.50
558	000031	Sr Scheduling Analyst ATU	ATU, Local 1555	732	\$106,800.93	\$125,648.22
559	AB135	Sr Secretary ATU	ATU, Local 1555	061	\$64,550.10	\$75,941.42
560	AJ135	Sr Secretary SEIU	SEIU, Local 1021 - Clerical & Maintenance	061	\$54,482.69	\$71,219.41
561	UA160	Sr Storekeeper	SEIU, Local 1021 - Clerical & Maintenance	171	\$67,832.96	\$88,670.61
562	EF275	Sr Structural Engineer	Non-Represented Employees	N06	\$98,442.00	\$149,140.00
563	IC200	Sr Systems Programmer	AFSCME, Local 3993	AFE	\$100,252.37	\$130,327.76
564	IA210	Sr Telecommunications Tech	SEIU, Local 1021 - Professional Chapter	S14	\$97,918.68	\$127,998.24
565	FC200	Sr Time & Labor Admin Analyst	AFSCME, Local 3993	AFD	\$93,205.36	\$121,167.19
566	EF145	Sr Train Control Engineer	Non-Represented Employees	N07	\$105,333.00	\$159,580.00
567	000044	Sr Transp Training Clerk	ATU, Local 1555	036	\$67,664.90	\$79,605.76
568	CB160	Sr Transportation Clerk	ATU, Local 1555	031	\$64,550.10	\$75,941.42
569	TF234	Sr Vehicle Systems Engineer	Non-Represented Employees	N07	\$105,333.00	\$159,580.00
570	000297	Sr Wkfrce & Policy Compl Anlys	Non-Represented Employees	N05	\$92,002.00	\$139,383.00
571	000242	Sr Workforce Dev Analyst	Non-Represented Employees	N05	\$92,002.00	\$139,383.00
572	OB155	Station Agent	ATU, Local 1555	521	\$69,018.35	\$81,198.21
573	OB156	Station Agent PT	ATU, Local 1555	541	\$75,920.21	\$89,317.90
574	UA170	Storekeeper	SEIU, Local 1021 - Clerical & Maintenance	201	\$62,116.70	\$81,198.42
575	000223	Strategic Budget Administrator	AFSCME, Local 3993	AFH	\$121,143.23	\$157,486.09
576	000057	Strategic Prg Mgr, Ext Affairs	Non-Represented Employees	N10	\$129,038.00	\$195,493.00
577	EF280	Structural Engineer	Non-Represented Employees	N05	\$92,002.00	\$139,383.00
578	MA615	Structures Equipment Operator	SEIU, Local 1021 - Clerical & Maintenance	301	\$73,145.07	\$95,614.69
579	MA620	Structures Foreworker	SEIU, Local 1021 - Clerical & Maintenance	825	\$80,401.57	\$105,100.32
580	MA638	Structures Inspect Foreworker	SEIU, Local 1021 - Clerical & Maintenance	810	\$84,057.17	\$109,878.70
581	MA637	Structures Inspector	SEIU, Local 1021 - Clerical & Maintenance	311	\$76,468.70	\$99,959.18
582	MA636	Structures Inspector Asst	SEIU, Local 1021 - Clerical & Maintenance	201	\$62,116.70	\$81,198.42
583	MA630	Structures Welder	SEIU, Local 1021 - Clerical & Maintenance	301	\$73,145.07	\$95,614.69
584	MA635	Structures Worker	SEIU, Local 1021 - Clerical & Maintenance	201	\$62,116.70	\$81,198.42
585	000036	Structures Worker PT	SEIU, Local 1021 - Clerical & Maintenance	221	\$68,328.21	\$68,328.21
586	MF535	Super of Power & Mech Maint	Non-Represented Employees	N11	\$138,071.00	\$209,177.00
587	000087	Super of Sys eBART	Non-Represented Employees	N11	\$138,071.00	\$209,177.00
588	000164	Superintendent of System Serv	Non-Represented Employees	N11	\$138,071.00	\$209,177.00
589	MF703	Superintendent of Systems Main	Non-Represented Employees	N11	\$138,071.00	\$209,177.00
590	MF610	Superintendent of Way & Fac	Non-Represented Employees	N11	\$138,071.00	\$209,177.00
591	000244	Supervisor of HRIS	Non-Represented Employees	N07	\$105,333.00	\$159,580.00
592	000245	Supervisor of Recruiting	Non-Represented Employees	N07	\$105,333.00	\$159,580.00
593	000085	Supr of eBART Operations	Non-Represented Employees	N11	\$138,071.00	\$209,177.00
594	000010	Supv Bus Sys Operations	AFSCME, Local 3993	AFI	\$129,246.45	\$168,020.13

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595	HF133	Supv Human Resources Programs	Non-Represented Employees	N08	\$112,707.00	\$170,751.00
596	000301	Supv of Compensation	Non-Represented Employees	N07	\$105,333.00	\$159,580.00
597	000243	Supv of EEO Programs	Non-Represented Employees	N07	\$105,333.00	\$159,580.00
598	000300	Supv of Leave Mgmt	Non-Represented Employees	N07	\$105,333.00	\$159,580.00
599	000148	Supv of Operations eBART	AFSCME eBART	EB7	\$114,081.83	\$148,306.37
600	000221	Supv of Workforce Development	Non-Represented Employees	N07	\$105,333.00	\$159,580.00
601	TF263	Survey Taker	Non-Represented Employees	093	\$77,048.82	\$77,048.82
602	EA315	Survey Tech	SEIU, Local 1021 - Clerical & Maintenance	091	\$63,708.32	\$83,279.04
603	000157	Sys General Custodian eBART	SEIU Maintenance eBART	401	\$52,861.54	\$69,100.30
604	000152	System Main Signal Comm eBART	SEIU Maintenance eBART	400	\$73,145.07	\$95,614.69
605	000154	System Main Track Signal eBART	SEIU Maintenance eBART	400	\$73,145.07	\$95,614.69
606	MA385	System Service Crewleader	SEIU, Local 1021 - Clerical & Maintenance	141	\$54,561.73	\$71,322.58
607	MA390	System Service Foreworker	SEIU, Local 1021 - Clerical & Maintenance	818	\$74,382.67	\$97,232.51
608	MC395	System Service Supv	AFSCME, Local 3993	AFD	\$93,205.36	\$121,167.19
609	MA400	System Service Worker	SEIU, Local 1021 - Clerical & Maintenance	111	\$52,861.54	\$69,100.30
610	MA399	System Service Worker 141	SEIU, Local 1021 - Clerical & Maintenance	141	\$54,561.73	\$71,322.58
611	MA401	System Service Worker PT	SEIU, Local 1021 - Clerical & Maintenance	121	\$58,147.65	\$58,147.65
612	IC198	Systems Programmer	AFSCME, Local 3993	AFF	\$106,286.37	\$138,173.50
613	000007	Tech Maintenance Support Coord	AFSCME, Local 3993	AFE	\$100,252.37	\$130,327.76
614	TA140	Tech Publications Admin	SEIU, Local 1021 - Professional Chapter	S10	\$80,660.64	\$105,438.72
615	TA302	Technical Administrator	SEIU, Local 1021 - Professional Chapter	S11	\$84,664.80	\$110,672.88
616	TA125	Technical Editor	SEIU, Local 1021 - Professional Chapter	S03	\$57,492.00	\$75,152.88
617	IA300	Technical Programmer Analyst	SEIU, Local 1021 - Professional Chapter	S11	\$84,664.80	\$110,672.88
618	000025	Technical Publications Analyst	SEIU, Local 1021 - Professional Chapter	S09	\$76,847.40	\$100,454.04
619	TA301	Technical Resources Admin	SEIU, Local 1021 - Professional Chapter	S13	\$93,283.44	\$121,939.20
620	IA200	Telecommunications Specialist	SEIU, Local 1021 - Professional Chapter	S06	\$66,462.60	\$86,879.16
621	IA205	Telecommunications Technician	SEIU, Local 1021 - Professional Chapter	S09	\$76,847.40	\$100,454.04
622	000068	Time & Labor Admin Analyst ATU	ATU, Local 1555	741	\$89,823.14	\$105,674.40
623	FA212	Time and Labor Admin Analyst	SEIU, Local 1021 - Professional Chapter	TAD	\$80,841.24	\$105,674.76
624	UA180	Tool Room Attendant	SEIU, Local 1021 - Clerical & Maintenance	201	\$62,116.70	\$81,198.42
625	MA640	Track Equipment Operator	SEIU, Local 1021 - Clerical & Maintenance	301	\$73,145.07	\$95,614.69
626	MA645	Track Foreworker	SEIU, Local 1021 - Clerical & Maintenance	825	\$80,401.57	\$105,100.32
627	MA655	Track Welder	SEIU, Local 1021 - Clerical & Maintenance	301	\$73,145.07	\$95,614.69
628	MA660	Track Worker	SEIU, Local 1021 - Clerical & Maintenance	201	\$62,116.70	\$81,198.42
629	000022	Track Worker PT	SEIU, Local 1021 - Clerical & Maintenance	221	\$68,328.21	\$68,328.21
630	MA720	Train Control Electronic Tech	SEIU, Local 1021 - Clerical & Maintenance	301	\$73,145.07	\$95,614.69
631	EF165	Train Control Engineer	Non-Represented Employees	N05	\$92,002.00	\$139,383.00
632	MA725	Train Control Foreworker	SEIU, Local 1021 - Clerical & Maintenance	825	\$80,401.57	\$105,100.32
633	OC190	Train Controller	AFSCME, Local 3993	AFI	\$129,246.45	\$168,020.13
634	OB160	Train Operator	ATU, Local 1555	621	\$69,018.35	\$81,198.21
635	OB161	Train Operator PT	ATU, Local 1555	641	\$75,920.21	\$89,317.90
636	CA165	Transit Information Clerk	SEIU, Local 1021 - Clerical & Maintenance	031	\$58,095.02	\$75,941.42
637	CA175	Transit Information Supv	SEIU, Local 1021 - Professional Chapter	S11	\$84,664.80	\$110,672.88
638	CA159	Transit Information Tech	SEIU, Local 1021 - Clerical & Maintenance	036	\$60,898.24	\$79,605.76
639	MA825	Transit Veh Elec Tec	SEIU, Local 1021 - Clerical & Maintenance	301	\$73,145.07	\$95,614.69
640	MA830	Transit Vehicle Mechanic	SEIU, Local 1021 - Clerical & Maintenance	301	\$73,145.07	\$95,614.69
641	000037	Transit Vehicle Mechanic PT	SEIU, Local 1021 - Clerical & Maintenance	314	\$80,459.39	\$80,459.39
642	000033	Transportation Adm Specialist	ATU, Local 1555	031	\$64,550.10	\$75,941.42
643	CB175	Transportation Clerk	ATU, Local 1555	021	\$64,550.10	\$75,941.42
644	OF080	Transportation Operations Mgr	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
645	OC150	Transportation Supervisor	AFSCME, Local 3993	AFG	\$114,081.83	\$148,306.37
646	FC275	Treasury Analyst	AFSCME, Local 3993	AFD	\$93,205.36	\$121,167.19
647	CA180	Trouble Desk Data Specialist	SEIU, Local 1021 - Clerical & Maintenance	036	\$60,898.24	\$79,605.76
648	MA826	TVET Trainee	SEIU, Local 1021 - Clerical & Maintenance	331	\$65,888.99	\$86,129.47

San Francisco Bay Area Rapid Transit District  
 Pay Schedule (Noted by Job Title)  
 As of July 1, 2019  
 ATTACHMENT A

#	Job Code	Job Title	Bargaining Unit	Salary Grade	Minimum/Annual	Maximum/Annual
649	MA840	Utility Foreworker	SEIU, Local 1021 - Clerical & Maintenance	818	\$74,382.67	\$97,232.51
650	MA835	Utility Worker	SEIU, Local 1021 - Clerical & Maintenance	111	\$52,861.54	\$69,100.30
651	MA836	Utility Worker PT	SEIU, Local 1021 - Clerical & Maintenance	121	\$58,147.65	\$58,147.65
652	TA130	Vehicle Inspector	SEIU, Local 1021 - Clerical & Maintenance	311	\$76,468.70	\$99,959.18
653	MC830	Vehicle Performance Analyst	AFSCME, Local 3993	AFF	\$106,286.37	\$138,173.50
654	TF233	Vehicle Systems Engineer	Non-Represented Employees	N06	\$98,442.00	\$149,140.00
655	MA900	Warranty Administrator	SEIU, Local 1021 - Professional Chapter	S11	\$84,664.80	\$110,672.88
656	TA135	Wayside Inspector	SEIU, Local 1021 - Clerical & Maintenance	311	\$76,468.70	\$99,959.18
657	TA311	Web Page Specialist	SEIU, Local 1021 - Professional Chapter	S10	\$80,660.64	\$105,438.72
658	000246	Workforce Dev Specialist	Non-Represented Employees	036	\$67,123.68	\$79,605.76

\* Due to the unique nature of these jobs as executive management employees reporting directly to the General Manager, these classifications are eligible to receive Management Incentive Pay of \$4,800 annually (26 equal pay period installments of \$184.61).



## EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>16 Oct 2019</i> <i>Rbat M. Pawan</i>		GENERAL MANAGER ACTION REQ'D:		
DATE: 7/8/2019		BOARD INITIATED ITEM: No		
Originator/Prepared by: Michael Lemon Dept: Maintenance and Engineering <i>Michael Lemon</i> Signature/Date: <i>10/3/2019</i>	General Counsel <i>[Signature]</i> <i>10/3/19</i> [ ]	Controller/Treasurer <i>[Signature]</i> <i>10/4/19</i> [ ]	District Secretary [ ]	BARC <i>Michael Edward</i> <i>10/14/19</i> [ ]

### IFB 9056 Escalator Step Chain Assemblies

**PURPOSE:** To request Board Authorization to award Invitation for Bid ("IFB") No. 9056, to ECS Corporation, Broadview, Illinois in the amount of \$368,716.56 (which includes all taxes) for the purpose of purchasing Escalator Step Chain Assemblies spare inventory.

**DISCUSSION:** Fujitec escalators were installed on District property in the late 1990's and early 2000 and the step chain life has proven to be extremely consistent. Reliability data analysis indicates the District will need to be prepared to perform approximately eight (8) step chain replacements over the next five years on the existing Fujitec escalators.

The District currently operates 25 Fujitec Escalators, thirteen (13) are older model PS-ST 1200 versions requiring 20 ton tensile strength chain and twelve (12) are newer model PS-S 1200 requiring a 42 ton tensile strength chain specification.

This is a five (5) year estimated quantity contract. Pursuant to the terms of the District's standard estimated quantity contract, during the term of the Contract the District is required to purchase from the supplier a minimum amount of 50% of the contract bid price. Upon approval of this contract, the General Manager will also have the authority to purchase up to 150% of the contract bid price, subject to availability of funding.

A notice requesting bids was published on January 2, 2019. On the same day, this solicitation was uploaded onto the BART Vendor Portal. Bids were opened on January 29, 2019 and three (3) bids were received.



<b>Bidder</b>	<b>Item Description</b>	<b>Total</b>	<b>Grand Total Including 9.25% Sales Tax</b>
ECS Corporation; Broadview, IL.	Various	\$337,498.00	\$368,716.56
Precision Escalator; Kenilworth, NJ.	Various	\$378,300.00	\$413,292.75
Kettenwulf. Inc. Küchelheim, Germany	Various	\$259,411.00	\$283,406.51

**\*Kettenwulf was deemed non-responsive because they did not bid on all items on the Bid Form.**

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

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

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 first and second lowest responsive Bidders, ECS Corporation and Precision Escalator, are not certified Small Businesses and, therefore, are not eligible for the 5% Small Business Prime Preference.

IFB Delivery Schedule: 5 year, Estimated Quantity Contract, As Required.

**FISCAL IMPACT:** The subject EDD proposes a five year contract at a total cost of \$368,716.56 (including all taxes) from 01012020 - 06302025.

Funds will be budgeted in the Maintenance & Engineering operating budget (Dept. 0802850 - M&E Financial Admin, Account 680010 - Inventory Materials Usage) as follows:

<b>Proposed Funding</b>	
FY20	\$75,000.00
FY21	\$75,000.00
FY22	\$75,000.00
FY23	\$75,000.00
FY24	\$68,716.56
<b>TOTAL</b>	<b>\$368,716.56</b>

Funding for services in this Fiscal Year are included in the Department's existing operating budget. 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.

**ALTERNATIVES:** Reject all Bids and re-advertise the Contract. This, however, is not likely to result in increased competition or lower prices and could potentially result in excessive extended outages of critical escalators.

**RECOMMENDATION:** It is recommended that the Board adopt the following Motion.

**MOTION:** The General Manager is authorized to award IFB # 9056, an estimated quantity contract, for the purchase of escalator step chain assemblies to ECS Corporation, Broadview, Ill. for the amount of \$368,716.56, including taxes, pursuant to notification to be issued by the General Manager, subject to compliance with the District's Protest Procedure.



# EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: 16 OCT 2019 <i>Robert M. Powner</i>		GENERAL MANAGER ACTION REQ'D:		
DATE: 7/8/2019		BOARD INITIATED ITEM: Yes		
Originator/Prepared by: Michael Lemon Dept: Maintenance and Engineering <i>Michael Lemon</i> Signature/Date: 10/13/19	General Counsel <i>[Signature]</i> 10/3/19 [ ]	Controller/Treasurer <i>[Signature]</i> 10/14/19 [ ]	District Secretary [ ]	BARC <i>Michael S. Gward</i> 10/14/19 [ ]

## To Request Board Authorization to Award IFB 9062 Step Yellow Demarcations Escalators

**PURPOSE:** To request Board Authorization to Award Invitation for Bid ("IFB") No. 9062, to ECS Corporation located in Broadview, Illinois, in the amount of \$310,816.25 (includes all taxes) for the purchase of spare inventory Schindler 9700 Escalator Step Assemblies with Yellow Demarcations.

**DISCUSSION:** The District currently operates ten (10) Schindler 9700 escalators with a combined total of approximately 1,000 step assemblies. The District began installing Schindler escalators in 2011 and to date, ten (10) are in operation. An additional seven (7) will be placed in service when Berryessa and Milpitas stations open. In addition, Schindler Corporation was recently awarded the contract for the 41 new, or truss-up Market Street Escalator renovation program. In order to comply with ASME 17.1, the District should be prepared to replace approx. 100 Schindler 9700 step assemblies annually over the next five (5) years.

This a five (5) year estimated quantity contract for spare parts inventory. Pursuant to the terms of the District's standard estimated quantity contract, the District is required to purchase from the supplier a minimum amount of 50% of the contract bid price. Upon approval of this contract, the General Manager will also have the authority to purchase up to 150% of the contract bid price, subject to availability of funding.

A notice requesting bids was published on April 12, 2019. On the same day, this solicitation was uploaded onto the BART Vendor Portal. Correspondence was sent to three (3) prospective bidders inviting them to view the solicitation on the Vendor Portal. One (1) bid was received and opened on May 7, 2019.

<b>Bidder</b>	<b>Unit Price</b>	<b>Total</b>	<b>Grand Total including 9.25% Sales Tax</b>
ECS Corporation, Broadview, IL.	\$569.00	\$284,500.00	\$310,816.25

Independent cost estimate by BART staff: \$249,995.00

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

Pursuant to the District's Non-Federal Small Business Program, the Office of Civil Rights set a 5% Small Business Prime Preference for this IFB for Small Businesses certified by the California Department of General Services. The sole responsive Bidder, ECS Corporation, is not a certified Small Business and, therefore, is not eligible for the 5% Small Business Prime Preference.

Delivery of the yellow step demarcation escalators shall commence in January 2020, followed by a delivery of 100 escalator step assemblies each January thereafter through 2024.

**FISCAL IMPACT:** The subject EDD proposes a five (5) year contract at a total cost of \$310,816.25 (including all taxes) from January 1, 2020 - June 30, 2025.

Funds will be budgeted in the Maintenance & Engineering operating budget (Dept. 0802850 - M&E Financial Admin, Account 680010 - Inventory Materials Usage) as follows:

<b>Proposed Funding</b>	
FY20	\$62,163.25
FY21	\$62,163.25
FY22	\$62,163.25
FY23	\$62,163.25
FY24	\$62,163.25
<b>TOTAL</b>	<b>\$310,816.25</b>

Funding for services in this Fiscal Year are included in the Department's existing operating budget. 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.

**ALTERNATIVES:** Reject all Bids and re-advertise the Contract. This, however, is not likely to result in increased competition or lower prices and could potentially result in excessive extended outages of critical escalators.

**RECOMMENDATION:** It is recommended that the Board adopt the following Motion.

**MOTION:** The General Manager is authorized to award IFB No.# 9062, an estimated quantity contract for the purchase of step yellow demarcation escalators, to ECS Corporation located in, Broadview, Illinois for the amount of \$310,816.25, including taxes, pursuant to notification to be issued by the General Manager.



# EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>Robert M. Pourn</i> 16 OCT 2019		GENERAL MANAGER ACTION REQ'D:		
DATE: 7/8/2019		BOARD INITIATED ITEM: Yes		
Originator/Prepared by: Michael Lemon Dept: Maintenance and Engineering Signature/Date: <i>Michael Lemon</i> 10/3/2019	General Counsel <i>[Signature]</i> 10/4/19 [ ]	Controller/Treasurer <i>[Signature]</i> 10/4/19 [ ]	District Secretary [ ]	BARC <i>Michael B. Schmid</i> 10/14/19 [ ]

## IFB 9063A STEP CAST UNITS

**PURPOSE:** To request Board Authorization to award Invitation for Bid ("IFB") No. 9063A, to Kone, Inc. (Kone Spares), Moline, Illinois in the amount of \$257,174.50 (includes all taxes) for the purchase of spare inventory Montgomery Escalator 5E Step Cast Unit Assemblies.

**DISCUSSION:** The District currently operates twenty-five (25) Montgomery 5E escalators with a combined total step count of approximately 2500 step assemblies. Reliability data indicates we should be prepared to replace approximately 100 Montgomery escalator step assemblies annually over the next five (5) years.

This a three (3) year estimated quantity contract for spare parts inventory. 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 approval of this contract, the General Manager will also have the authority to purchase up to 150% of the contract bid price, subject to availability of funding.

A notice requesting bids was published on May 13, 2019. On the same day, this solicitation was uploaded onto the BART Vendor Portal. Bids were opened on June 11, 2019 and one (1) bid was received.

<b>Bidder</b>	<b>Unit Price</b>	<b>Total</b>	<b>Grand Total including 9.25% Sales Tax</b>
Kone, Inc. (Kone Spares) Moline, IL.	\$535.00	\$235,400.00	\$257,174.50

Independent cost estimate by BART staff: \$341,000.00

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

Pursuant to the District's Non-Federal Small Business Program, the Office of Civil Rights set a 5% Small Business Prime Preference for this IFB for Small Businesses certified by the California Department of General Services. The sole responsive Bidder, Kone Spares, is not a certified Small Business and, therefore, is not eligible for the 5% Small Business Prime Preference.

IFB Delivery Schedule: Delivery shall be no later than July 1, 2020. Delivery shall be in quantity of one-hundred and ten (110) every year the item is ordered, beginning July 1, 2020 after District approval of each item's respective First Article.

**FISCAL IMPACT:** The subject EDD proposes a three (3) year contract at a total cost of \$257,174.50 (including all taxes) from 1/1/2020 - 6/30/2025.

Funds will be budgeted in the Maintenance & Engineering operating budget (Dept. 0802850 - M&E Financial Admin, Account 680010 - Inventory Materials Usage) as follows:

<b>Proposed Funding</b>	
FY21	\$85,724.83
FY22	\$85,724.83
FY23	\$85,724.83
<b>TOTAL</b>	<b>\$257,174.50</b>

Funding for services in this Fiscal Year are included in the Department's existing operating budget. 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. The Controller-Treasurer certifies that funds are available for this purpose.

**ALTERNATIVES:** Reject all Bids and re-advertise the Contract. This, however, is not likely to result in increased competition or lower prices and could potentially result in excessive extended outages of critical escalators.

**RECOMMENDATION:** It is recommended that the Board adopt the following Motion.

**MOTION:** The General Manager is authorized to award IFB # 9063A, an estimated quantity contract, for the purchase of Montgomery 5E Escalator Step Cast Unit Assemblies to Kone Inc. (Kone Spares), Moline, Ill. for the bid price of \$257,174.50, including taxes, pursuant to notification to be issued by the General Manager.





## EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>Robert M. Penner</i> 16 Oct 2019		GENERAL MANAGER ACTION REQ'D: Yes		
DATE: 10/1/2019		BOARD INITIATED ITEM: No		
Originator/Prepared by: Hong Ho Dept: Maintenance and Engineering <i>Hong Ho</i> Signature/Date: 10/14/19	General Counsel <i>[Signature]</i> 10/14/19 [ ]	Controller/Treasurer <i>[Signature]</i> 10/14/19 [ ]	District Secretary [ ]	BARC <i>Michael S. [Signature]</i> 10/16/19 [ ]
Status: Approved		Date Created: 10/1/2019		

### IFB No. 9071 Dry Type Transformers Procurement

#### PURPOSE:

To obtain Board Authorization for the General Manager to Award Invitation for Bid (“IFB”) No. 9071 to Alameda Electrical Dist., from Hayward, CA, in the amount of \$928,787.91 (including 9.75% sales tax) for the purchase of dry type transformers.

#### DISCUSSION:

The District is undergoing an extensive rebuild and refurbishment of its existing traction power substations (TPSS). During construction of the new facilities, portable substations will be required to supply reliable power to our trains.

The District currently owns and maintains two portable substations, which consist of two portable rectifiers, two DC houses, and two oil-type transformers. The transformers are over 40 years old and have exceeded their design life. There is concern that they may spill oil during transportation. In addition, these transformers have lower capacity than the existing rectifiers, preventing the TPSS from running at full capacity.

IFB No. 9071, for the purchase of two new transformers, will allow the District to upgrade to dry type transformers with 5MW capacities. Dry type transformers are lighter than the oil-type, reduce risk of environmental contamination during transportation, and enable the TPSS to run at full 5MW capacity.

A notice requesting bids was published and uploaded to Vendor Portal on August 27, 2019. Bids were opened on September 10, 2019 and two (2) bids were received.

Bidder	Units	Unit Price	Total Price	Total Price (Including 9.75% Sales Tax)
Electrical Design Technology, Nevada City, CA	2	379,500.00	759,000.00	833,003.50
Alameda Electrical Dist., Hayward, CA	2	423,138.00	846,276.00	928,787.91

Independent cost estimate by BART staff: **\$ 894,462.50.**

Electrical Design Technology was the apparent low Bidder. However, its Bid was deemed nonresponsive because it failed to attach the receipt of acknowledgement of the Addendum No.1. Since Alameda Electrical Dist. submitted a responsive Bid, it is the lowest responsive Bidder.

Staff has determined that the bid pricing is fair and reasonable based upon the Independent Cost Estimate.

Pursuant to the District’s Disadvantaged Business Enterprise (“DBE”) Program, the Office of Civil Rights found no sub-contracting opportunities on this federal Invitation for Bid (IFB). Therefore, no Disadvantaged Business Enterprise (DBE) or Small Business Entity (SBE) goal was set for this IFB.

**FISCAL IMPACT:**

Funding of \$928,788 for Bid No. 9071 is included in total project budget for FMS # 15EK201 – TRAC/POWER Portable Substation. The Office of Controller/Treasurer certifies that funds are currently available to meet this obligation. The following table depicts funding assigned to the referenced project and is included in totality to track funding history against spending authority. Funds needed to meet this request will be expended from a combination of these sources as listed.

As of October 1, 2019 \$31,587,000 is available for this project from the following sources:

Fund No	Fund Description	Fund Source	Amount
3602	FY13 Capital Improvements CA-54-0007-00	Federal	229,600

3609	FY16 Capital Improvements CA-2017-029	Federal	11,000,000
3013	FY17 Capital Improvements CA-2018-084	Federal	12,240,000
3015	FY18 Capital Improvements CA-2019-126	Federal	1,800,000
851W	FY07-11 Operation to Capital Allocation	BART	57,400
8529	FY15 Operation to Capital Allocation	BART	2,750,000
8530	FY16 Operation to Capital Allocation	BART	3,060,000
8532	FY18 Operation to Capital Allocation	BART	450,000
Total			31,587,000

BART has expended \$682,164, committed \$34,685 and reserved \$0 to date for other action. This action will commit \$928,788 leaving an available fund balance of \$29,941,363 in this project.

There is no fiscal impact on available unprogrammed District Reserves.

**ALTERNATIVES:**

The alternative is to reject all Bids and re-advertise the Contract. Staff does not believe that re-advertising will result in increased competition or lower prices. In addition, it can take over one year to get replacement transformers on site. Postponement of this purchase places the traction power supply to our trains at risk if the transformers fail.

**RECOMMENDATION:**

It is recommended that the Board adopt the following Motion.

**MOTION:**

The General Manager is authorized to award IFB No. 9071 for the purchase of Dry Type Transformers to Alameda Electrical Dist. for the Bid price of \$928,787.91 including sales tax, pursuant to notification to be issued by the General Manager, subject to compliance with the District's Protest Procedure (and FTA's requirements related to Protest Procedure).

# SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

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## MEMORANDUM

**TO:** Board of Directors

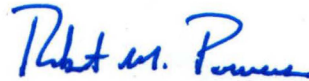
**DATE:** October 17, 2019

**FROM:** General Manager

**SUBJECT:** Response to Roll Call for Introduction Item No. 19-824, Panhandling

Attached is the "Panhandling" presentation, in response to Roll Call for Introduction Item No. 19-824, that will be presented at the October 24, 2019 meeting as an information item.

If you have any questions about the document, please contact Tim Chan, Group Manager – Station Area Planning, Planning and Development at (510) 287-4705.



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Robert M. Powers

cc: Board Appointed Officers  
Executive Staff



# EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>16 OCT 2019</i> <i>Rhett M. Powner</i>		GENERAL MANAGER ACTION REQ'D: Request Board Authorization to award Contract 54RR-610		
DATE: 9/26/2019		BOARD INITIATED ITEM: No		
Originator/Prepared by: Michael Gerbracht Dept: Maintenance and Engineering Signature/Date: <i>[Signature]</i> <i>10/15/19</i>	General Counsel <i>[Signature]</i> <i>10/15/19</i> [ ]	Controller/Treasurer <i>[Signature]</i> <i>10/15/19</i> [ ]	District Secretary [ ]	BARC <i>[Signature]</i> <i>10/15/19</i> [ ]

## Award of Contract 54RR-610 Systemwide HVAC Upgrades

### PURPOSE:

To request Board Authorization to award Contract Number 54RR-610 Systemwide HVAC Upgrades in the amount of \$4,654,444 to Blocka Construction, Inc., of Fremont, California.

### DISCUSSION:

This contract will replace and upgrade seven (7) HVAC systems serving Train Control or Communications rooms at six (6) locations on the C- and L- lines. Train Control and Communications rooms house critical electronic equipment that are at risk of failure at extreme temperatures. On hot days, failure of the HVAC systems can lead to failure of the Train Control equipment and disrupt operations. This contract is for the installation of new, more efficient and reliable HVAC systems at each location. The project will also add built-in redundancy to allow maintenance on the HVAC systems without impacting operations.

On August 14, 2019, the District sent out advance notices to three hundred fifty-four (354) potential Bidders and posted the contract on the BART Procurement Portal. A total of twenty (20) firms downloaded copies of the Bid Documents. A Pre-Bid Meeting was conducted on August 27, 2019, with a total of ten (10) potential Bidders in attendance. On September 24, the District received Bids from the two (2) Contractors listed below.

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No	Bidder	Location	Bid
1	Blocka Construction Inc	Fremont, CA	\$4,654,444
2	Thompson Builders	Novato, CA	\$5,989,000
	Engineer's Estimate		\$5,362,554

The apparent low-bidder is Blocka Construction with a Bid price of \$4,654,444. The Bid price is 13% below the Engineering Estimate and is deemed fair and reasonable. In addition, Blocka Construction meets all technical requirements provided for in the Invitation For Bid.

Pursuant to the District's Non-Discrimination Program for Subcontracting, the Availability Percentages for this Contract are 6.0% for Minority Business Enterprises ("MBEs") and 3.9% for Women Business Enterprises ("WBEs"). The Office of Civil Rights has determined that the apparent low Bidder, Blocka Construction, Inc., has exceeded both the MBE and WBE Availability Percentages for this Contract at 32.4% for MBEs and 5.3% for WBEs.

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 (DGS) and verified as Local (i.e., located in Alameda, Contra Costa or San Francisco counties) by the District. It was determined that there were no certified Local Small Businesses certified by the DGS among the responsive Bidders and, therefore, the Local Small Business Prime Preference is not applicable.

#### **FISCAL IMPACT:**

Funding in the amount of \$4,654,444 for Contract No. 54RR-610 is included in the total project budget for FMS# 54RR610 – Facilities HVAC Replacement Phase 1 & 2.

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:

Proposed Funding	
F/G 802A – 2017 Measure RR GOB	10,367,426
TOTAL	10,367,426

As of September 26, 2019, \$10,367,426 is the total budget for this project. BART has expended \$27,478, committed \$0, and reserved \$0 to date. This action will commit \$4,654,444, leaving an available fund balance of \$5,685,504 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 Board can elect not to authorize the General Manager to award the Contract.

The District would continue to operate and maintain the HVAC systems at these locations in their existing condition. As they continue to age, they will increase the burden on Maintenance with a potential 'cascading failure' disruption to Operations.

**RECOMMENDATION:**

Staff recommends that the Board approve the following Motion:

**MOTION:**

The General Manager is authorized to award Contract Number 54RR-610 Systemwide HVAC Upgrades in the amount of \$4,654,444 to Blocka Construction of Fremont, California, subject to the District's protest procedures.



# EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>Rbt M. Powner</i> 16 OCT 2019		GENERAL MANAGER ACTION REQ'D:		
DATE: 10/2/2019		BOARD INITIATED ITEM: No		
Originator/Prepared by: Ryan Greene-Roesel Dept: Systems Development	General Counsel <i>[Signature]</i>	Controller/Treasurer <i>Chris Gaa</i>	District Secretary	BARC
Signature/Date: <i>Ryan Greene</i> 10/16/19	<i>[Signature]</i> 10/16/19 [ ]	<i>[Signature]</i> 10/15/19 [ ]	[ ]	<i>[Signature]</i> 10/15/2019 [ ]

## Revision to Surveillance Policy Documents for Automated License Plate Recognition Technology

### PURPOSE:

To obtain authorization to implement Automated License Plate Recognition (ALPR) technology for parking enforcement and to obtain approval of the attached revisions to the ALPR Surveillance Use Policy and Surveillance Impact Report.

### DISCUSSION:

The Board of Directors approved a Surveillance Use Policy and Surveillance Impact Report for Automated License Plate Recognition (ALPR) on April 25th, 2019, allowing use of ALPR technology for criminal law enforcement purposes. The attached proposed revisions to these documents add parking enforcement as an additional authorized use of ALPR. Use of ALPR technology for parking enforcement purposes is expected to improve enforcement efficiency, increase parking availability and ridership, and improve the customer experience.

Pursuant to the Ordinance, the Board was notified 21 days in advance, and the public was notified 15 days in advance via posting on bart.gov and advertisement in several newspapers within the District.

Through Board motion on April 25th, 2019, staff was directed to return to the Board for reconsideration and potential amendments before or at the same time as contract award for ALPR technology. Staff will return to the Board again in 2020 in advance of any ALPR technology procurement, to provide additional opportunity for comment and revision.



Attachment A contains the revised ALPR Surveillance Use Policy.

Attachment B contains the updated California Civil Code Annex.

Attachment C provides a redline markup of the April 25th, 2019 adopted Policy.

**FISCAL IMPACT:**

None. This EDD is requesting approval for the use of the Surveillance Technology for parking enforcement purposes, not for funding authorization for any ALPR technology procurement. Funding approval will be handled by a separate action if required in the future.

**ALTERNATIVES:**

BART enforcement personnel could continue to enforce parking via manual methods, resulting in lower parking compliance rates and reduced parking availability.

**RECOMMENDATION:**

Adoption of the following motion:

**MOTION:**

1. Pursuant to District Ordinance No. 2018-1, the Board of Directors finds:

a) That the benefits to the community arising from the implementation of ALPR Technology outweigh the costs, and thereby authorizes the General Manager or his designee to proceed with the ALPR implementation and data collection thereof.

b) That the Surveillance Use Policy for ALPR Technology will reasonably safeguard civil liberties and civil rights.

2. The Board approves the attached revisions to the Surveillance Use Policy and Impact Reports adding parking enforcement as an authorized use of Automated License Plate Reader technology.



# Surveillance Use Policy BART Automated License Plate Recognition (ALPR)

BART Police and Customer Access Departments

BPD-ALPR-SUP-02

21 Day BART Board Notice – October 3rd, 2019

15 Day Public Notice – October 9th, 2019

Board Meeting – October 24th, 2019



## **A. Purpose**

The use of Automated License Plate Recognition (ALPR) technology seeks to increase the confidence of the public while using BART's public transportation system. Specifically, this technology seeks to improve the safety and protection of BART patrons, employees and their vehicles while in BART owned and operated parking areas and garages. In the future, BART may also consider use of ALPR for parking lot density and potential fee compliance. The ALPR system would record images of vehicle license plates in BART Parking locations. This technology is currently being used by a wide variety of agencies throughout the State of California for both Law Enforcement functions and parking functions. One of the most notably recognizable uses is by the FasTrak system, by the Bay Area Toll Authority for the purposes of fee collection over toll bridges, toll roads and high occupancy vehicle (HOV) express lanes. San Francisco International Airport (SFO) also uses ALPR technology at parking garages at SFO. The proposed implementation of the ALPR system in BART Parking areas would serve the following key purposes:

### **Crime Prevention**

- Reduce the fear of crime and reassure the public and employees of being able to safely park their car in BART parking facilities, which will result in greater ridership for BART.
- Collect license plate numbers to assist in the identification, apprehension and prosecution of criminal offenders.
- Provide evidential support to prosecute offenders for criminal offenses.
- Provides both riders and employees a means of redress against property crimes, such as burglary and auto theft.

### **Efficient Parking Program Compliance**

- Provides a uniform methodology for the enforcement of BART's parking rules.
- Aids in dispute mediation and provides documentation support for complaint resolution.
- Streamline parking validation.
- Help to increase ridership by determining parking lot density and space availability through and enhance efficient enforcement that parking is available only for BART passengers.
- Allow for the capability to automate parking fee collection in the future.

### Location of ALPR and Associated Cameras

The ALPR come in three formats and include Fixed, Mobile or Hand-Held units. Fixed units may be installed in the following locations:

Fixed: Installed in BART owned and/or operated parking facilities, areas and structures.

Mobile: may be installed in the following locations:

On BART Law Enforcement Vehicles

Hand-Held: By Parking Enforcement Officers.

## **B. Authorized Use**

License plate images captured by ALPR shall be used only to advance the BART purposes identified in this section and in Section A of this Policy. Use of the ALPR system and associated cameras will take place 24 hours a day, 7 days per week, and 365 days per year within all San Francisco Bay Area Rapid Transit District parking properties and parking properties owned and operated by BART. The ALPR system shall be used in compliance with the District's Surveillance Ordinance and California Civil Code 1798.90.51 and 1798.90.53. The cameras shall not be used in areas where there is a reasonable expectation of privacy, such as off BART property, and shall not be used to harass, intimidate, or discriminate against any individual or group.

For purposes of this Use Policy, BART purposes include use for BART criminal investigations and to monitor activity to protect against harm to persons and property. It shall be permissible for data collected from the cameras to be used for the following public safety and BART investigation purposes:

- To assist in identifying and preventing crimes against persons and property;
- To locate missing children, adults, and/or elderly individuals, including in response to Amber Alerts and Silver Alerts;
- To assist in identifying, apprehending, and prosecuting criminal offenders;
- To assist in gathering evidence for administrative, civil, and criminal investigations and court actions in accordance with California State Law;
- To help Law Enforcement and Public Safety Personnel respond to emergency events;
- To assist in investigating and resolving staff and customer complaints and/or issues;
- To locate stolen, wanted, and/or other vehicles that are the subject of investigation;
- To locate and/or apprehend individuals subject to arrest warrants.
- To locate victims, witnesses, suspects, and others associated with a law enforcement investigation;
- To support local, state, federal, and regional Law Enforcement departments in the identification of vehicles and drivers associated with criminal investigations, including investigations of serial crimes;
- To protect participants at special events;
- To protect BART Parking Facilities.
- Parking efficiency and enforcement

Administrative functions of ALPR data used for criminal enforcement purposes will be managed by BART and the Northern California Regional Intelligence Center (NCRIC). Any data obtained from ALPR technology shall be used and handled pursuant to this use policy, BART's Surveillance Use Ordinance and applicable State and Federal law.

BART Police shall be permitted to review ALPR Data Images to protect and to respond to law enforcement inquiries, to investigate complaints by customers and employees, and to provide law enforcement authorities with ALPR Data when legally required to do so. All other uses not referenced in this document shall be prohibited. ALPR technology shall not be used for personal or non-law enforcement or parking efficiency purposes and shall adhere to this use policy.

### **C. Data Collection**

Data collection shall be limited to vehicles entering, exiting and parking on BART owned and operated property. Collection may include information on the vehicle license plate and the image of the vehicle. Routine Data Collection shall not be stored beyond 30 days, except when lawfully required to by subpoena, court order or during an ongoing investigation. Data used to substantiate parking citations will be retained for 5 years to allow time for citation appeal and identification of scofflaws.

### **D. Data Access**

Access to ALPR Data shall be restricted to the following personnel:

- All persons designated by the BART Police Department.
- Designated NCRIC Staff involved in the ALPR Administration.
- BART personnel involved in the operation, installation and maintenance of the ALPR system.
- Customer/Public Access (Restricted per the Surveillance Ordinance in item G)
- Per Court Order or Subpoena, or during an ongoing investigation.
- Office of Independent Police Auditor and Internal Affairs Department
- District Legal Affairs Department
- Authorized BART Service Providers hosting parking efficiency and enforcement applications

### **E. Data Protection**

The data collected by the ALPR system that is used for criminal enforcement purposes will be maintained in a secure manner between the BART Police Department and the NCRIC where physical access is limited to authorized individuals and includes physical access protections and firewalls.

Data used for parking efficiency and enforcement purposes will be separately stored and maintained in a secure location where physical access is limited to authorized individuals and includes physical access protections and/or firewall protections from external intrusion.

All ALPR data shall be maintained in a secure manner and be encrypted via BART's IT encryption requirements from the data source capture through transmission and storage.

Data used for criminal enforcement purposes that is stored in the NCRIC offices in the federal building in San Francisco shall maintain 24/7 staffed security, multiple locked doors requiring both electronic keys and knowledge-based PINs and limit access to active NCRIC employees that also possess a valid security clearance of SECRET or better.

- All activity is logged for audit and tracking purposes. Audits are available for an agency to view the actions of their officers.

## **F. Data Retention**

Staff will adhere to the District's Surveillance Ordinance and this policy. All data from the ALPR system will be collected, retained and stored in accordance with the Ordinance and this policy. Data captured from the ALPR and camera system will automatically be downloaded onto a secure data storage system where it will be stored based on the systems' design and recording capabilities before being overwritten by new data; which is thirty (30) days as outlined in section 707.1.5 of BART Surveillance Ordinance. Data shall not be stored beyond 30 days except when lawfully required to by subpoena, court order or during an ongoing investigation. Further a written Memorandum of Agreement with the NCRIC shall specify the retention policy of the ALPR data is only retained for the period as specified by the originating agency (BART). The creation date is automatically tracked for every ALPR data point, and once the lifespan of that point is exceeded, it is removed via automated nightly processes.

Data used to substantiate parking citations will be retained for 5 years to allow time for citation appeal and identification of scofflaws (vehicles with multiple unpaid citations).

## **G. Public Access**

BART shall grant Public access to data collected from the ALPR system per BART Surveillance Ordinance 707.1.8, 707.1.9 only in accordance to California State Law. Information gathered will not be disclosed to the public unless such disclosure is required by law or court order. The BART Police Department is subject to BART's Surveillance Ordinance that has been publicly noticed and approved by the BART Board. ALPR Data Collection will be monitored by BART Police as well as be subject to Police Internal Affairs and State Auditors to ensure the security of information and compliance with applicable privacy laws.

Such data will not otherwise be disclosed/released by the BART Police Department without the consent of the Chief of Police and District Legal. If an ALPR operator is required to provide access to ALPR information, the ALPR operator shall do the following:

- (a) Maintain a record of that access. At a minimum, the record shall include the following:
  - (1) The date and time the information is accessed.
  - (2) The license plate number or other data elements used to query the ALPR system.

- (3) The username of the person who accesses the information, and, as applicable, the organization or entity with whom the person is affiliated.
- (4) The purpose for accessing the information.
- (b) Require that ALPR information only be used for the authorized purposes described in the usage and privacy policy.
  - (1) Indicate the authorized use; such as for criminal investigation.

**707.1.8 RELEASE OF ALPR DATA TO THE GENERAL PUBLIC**

All ALPR Data shall be used by law enforcement for public safety, security, and parking efficiency/enforcement purposes only; except as required by law, subpoenas or other court process, such data will not otherwise be disclosed/released by the BART Police Department without the consent of the Chief of Police and District Legal.

Department employees shall not release any information, including capabilities regarding the District's ALPR systems to the public without prior authorization from the Chief of Police, or District Legal.

**707.1.9 REQUESTS FOR VIDEO IMAGES FROM THE MEMBERS OF THE PUBLIC**

Persons that have a subpoena or preservation letter, and are interested in requesting ALPR, shall be directed to the Department's Records Division during normal business hours, or via fax at 510- 464-7089 for consideration of their request. Records shall consult with the Chief of Police and District Legal Prior to any approval of release.

Persons that do not have a subpoena or preservation letter and are interested in requesting ALPR Data are to be directed to the District Secretary's Office for review by District Legal at 510-464-6080 or via fax at 510-464-6011.

**H. Third Party Data Sharing**

BART shall maintain robust security procedures and practices, including operational, administrative, technical, and physical safeguards, to protect ALPR information from unauthorized access, destruction, use, modification, or disclosure. The Administrator of the data collection will not share information with ICE or any agency conducting immigration enforcement or removal operations. Information is only shared with other law enforcement possessing a need and legal right to know, including the following:

- In response to subpoenas
- Pursuant to a Court Order
- Request by Law Enforcement Agencies for active Criminal Investigations
- In accordance with all applicable California State law

BART will retain all ownership rights to the data. Private vendors cannot share the data unless directed to by BART in writing and in accordance with this policy, and will forward any subpoena requests for the data to BART.

Notwithstanding any other law or regulation:

(a) A public agency such as BART that operates or intends to operate an ALPR system shall provide an opportunity for public comment at a regularly scheduled public meeting of the governing body of the public agency before implementing the program. BART shall present this Impact and Use document to the BART Board of Directors and provide notice to the public in accordance with BART's Surveillance Ordinance. BART Police Department shall also conduct outreach with privacy groups to address any privacy concerns that may be raised.

(b) A public agency shall not sell, share, or transfer ALPR information, except to another public agency, and only as otherwise permitted by law. For purposes of this section, the provision of data hosting or towing services shall not be considered the sale, sharing, or transferring of ALPR information.

## **I. Training**

Training for BART's ALPR system will be provided by BART internal staff and by ALPR service providers and the NCRIC. Training will consist of ALPR operation, installation, data protection and administration of the ALPR System and ALPR Data. Technical training will be both hands on and via electronic instruction.

## **J. Auditing and Oversight**

The BART Police Department shall oversee the BART ALPR System and data retention to ensure compliance with this policy. Additionally, both BART Police will require the management of the system to be open for administrative auditors to ensure the Surveillance Ordinance, Use Policy, and California State Laws are adhered to. The audit process shall ensure that no misuse of the system or parts of the system occurs. Additionally, a secondary check with the reporting agency will be required by BART Police to adjudicate all crimes prior to taking enforcement action on crimes that are not a crime in progress or otherwise present exigent circumstances.

Personnel who are authorized to have access to the system shall be designated in writing and the designation shall ensure that their access to and use of the data complies with the Ordinance.

A log shall be maintained that records when access to ALPR data is requested. This shall include the date, time, data record accessed, and staff member involved. The log shall be available for presentation for all required audits.



# Surveillance Impact Report

## BART Automated License Plate Recognition (ALPR)

BART Police and Customer Access Departments

**BPD-ALPR-SUP-02**

21 Day BART Board Notice – October 3<sup>rd</sup>, 2019

15 Day Public Notice – October 9<sup>th</sup>, 2019

Board Meeting – October 24<sup>th</sup>, 2019



## **A. Information describing the proposed surveillance technology and how it generally works.**

Automated License Plate Recognition (ALPR) systems are camera technologies that can capture vehicle license plate images and a portion of the vehicle. This technology will be used for the safety and security of patrons and employees and protection of their vehicles while using BART owned and operated parking facilities.

ALPR systems may include Fixed visible, mounted technologies. Mobile scan options include mobile units which can be mounted to a police car. Future use may include hand held options and mobile units may be considered parking program enforcement by roving parking enforcement officers.

ALPR technology increases law enforcement's ability to recover lost/stolen property and provide evidentiary support for criminal prosecution. In 2012 the RAND Corporation conducted a study on ALPR Technologies across the United States and found that ALPR was responsible for increasing Stolen Vehicle recovery by 50%. (RAND, Safety and Justice Program; *ALPR for Law Enforcement Opportunities and Obstacles*).

Currently, the ability for BART police to solve crimes such as auto burglaries and thefts is greatly reduced due to a lack of video evidence. ALPR technologies records images of a vehicle's license plate. The image, when compared against a hot list provides information that the vehicle may have been used in a crime. This information often leads to a timelier ability to capture offenders. Accurate information provided to BART Police will increase the ability to successfully prosecute offenders and greatly increase the chances of returning stolen property to the victim.

## **B. Information on the proposed purpose(s) for the surveillance technology.**

Implementation of the proposed BART ALPR technology system would serve the following key purposes:

- Aid in the recovery of lost or stolen vehicles.
- Prevent, deter and detect crime, damage to patron and employee vehicles.
- Reduce crime and in doing so, reassure the public and employees using BART owned and operated Parking Facilities.
- Assist in the monitoring, identification, apprehension and prosecution for criminal offenses.
- Aid in the Investigation of complaints or offenses and provide evidentiary support upon which to take criminal and civil penalty actions.
- Parking efficiency and enforcement

**C. Recommendation for Fixed Reader Installations location(s), to be deployed, based on current statistics for Auto Theft and Auto Burglary.**

- A10 – Lake Merritt 5/2 Low Priority Installation
- A20 – Fruitvale 26/16 Priority Installation
- A30 – Coliseum 21/23 Priority Installation
- A40 - San Leandro 21/17 Priority Installation
- A50 - Bay Fair 24/9 Priority Installation
- A60 – Hayward 21/21 Priority Installation
- A70 – South Hayward 17/16 Priority Installation
- A80 – Union City 10/3 Low Priority Installation
- A90 – Fremont 9/5 Low Priority Installation
- L10 - Castro Valley 1/9 Low Priority Installation
- L20 - West Dublin 5/3 Low Priority Installation
- L30 - Dublin / Pleasanton 18/8 Priority Installation
- K10 – 12th Street 0/0 N/A
- K20 – 19th Street 8/4 Low Priority Installation
- K30 – MacArthur 3/2 Low Priority Installation
- R10 – Ashby 4/5 Low Priority Installation
- R20 – Berkeley 0/0 N/A
- R30 – North Berkeley 4/11 Priority Installation
- R40 – El Cerrito Plaza 4/5 Low Priority Installation
- R50 – El Cerrito Del Norte 15/14 Priority Installation
- R60 – Richmond 9/22 Priority Installation
- C10 – Rockridge 6/4 Low Priority Installation
- C20 – Orinda 5/7 Low Priority Installation
- C30 – Lafayette 4/2 Low Priority Installation
- C40 – Walnut Creek 1/4 Low Priority Installation
- C50 – Pleasant Hill 5/4 Low Priority Installation
- C60 – Concord 16/10 Priority Installation
- C70 – North Concord 18/14 Priority Installation
- C80 – Pittsburg Pay Point 27/13 Priority Installation
- M10 – West Oakland 20/9 Priority Installation
- M16 – Embarcadero 0/0 N/A
- M 30 – Powell 0/0 N/A
- M 20 – Montgomery 0/0 N/A
- M 40 – Civic Center 0/0 N/A
- M 50 – 16th Street 0/0 N/A
- M60 – 24th Street 0/0 N/A
- M70 – Glen Park 0/0 N/A
- M80 – Balboa Park 0/0 N/A
- M 90 – Daly City 13/13 Priority Installation

- W10 – Colma 1/3 Low Priority Installation
- W20 – South SF 1/0 Low Priority Installation
- W30 – San Bruno 0/1 Low Priority Installation
- W40 – Millbrae 2/1 Low Priority Installation
- Y10 – SFO 0/0 N/A
- S10 – Irvington (Future) 0/0 TBD
- S 20 – Warm Springs 1/7 Low Priority Installation
- S 40 – Milpitas 0/0 TBD
- S 50 – Berryessa 0/0 TBD
- E 20 – Pittsburg Center 0/0 Low Priority Installation by Operating Contractor
- E 30 – Antioch 0/12 Priority Installation by Operating Contractor
- Hercules Park-and-Ride
- Isabel (Livermore) Park-and-Ride
- Laughlin (Livermore) (Park-and-Ride)
- Irvington (Fremont) (future station)
- All future BART station parking facilities, either owned, operated and/or managed by BART and intended for BART passengers.

**A. Crime statistics used to determine location installation, to deter or detect crime.**

Statistics on Auto Burglary Auto Theft and Catalytic Converter Theft were used to provide recommended priority installations. The proposed implementation of the ALPR System is part of an overall Districtwide security system with functions for crime deterrence and detection, as well as future considerations for a more efficient parking program enforcement through automation. The proposed ALPR system would target hot spots crime areas as identified by the Crime Analysis Unit. Additionally, statistics were used to outline the problem expressed by BART Riders. Numbers for Auto Burglary, Auto Theft and Catalytic Converter Theft were analyzed for 2018 through March of 2019. The cost benefit analysis below was used in part to determine the viability of this technology.

<b>Current Annual Crime Statistics</b>	<b>2018</b>	<b>2019 (March)</b>	<b>15 Month Average</b>
Auto Burglary:	198	264	231
Auto Theft:	102	43	145
Catalytic Converter Theft:	205	51	128

<b>Cost Benefit Analysis</b>	<b>Cost to BART Riders</b>
Auto Burglary: (Average Deductible and Property)	\$1,000 x 231 cases annually = \$231,000
Auto Theft: (No comprehensive Insurance)	\$15,000 x 145 cases annually = \$2,175,000
Catalytic Converter Theft: (Average cost w/labor)	\$1,500 X 128 cases annually = \$192,000
	<b>Total Loss for 15 Months \$2,598,000</b>

Approximate cost of a fixed ALP Reader is between \$15,000 to \$22,000 per installed unit, for 16 Priority Installations total cost \$352,000 for one ALPR at all recommended parking areas.

**B. An assessment identifying any potential impact on privacy rights and discussing any plans to safeguard the rights of the public.**

Data collection by the ALPR System includes information found on the vehicle license plate. BART recognizes that all people have an inalienable right to privacy and BART is committed to protecting and safeguarding this right.

In 2013, data experts introduced to the public the concept of “meta data”, which detailed that larger data can be gathered from individual data points. A recent example included, that by using a simple homemade app that captured simple data points such as phone number called, and time of day, Stanford lawyer and computer scientist Jonathan Mayer was able to accurately identify 80% of the volunteers in his study, using only open source databases such as Yelp, Facebook, and Google. Among the many individuals he identified, he successfully identified a woman that had an abortion, another woman that had cancer, and a man collecting guns and growing marijuana in his home.

Today, data scientists can accurately identify over 95% of individuals based solely on 4 geospatial (time, location) “meta data” points. Human are creatures of habit, typically driving the same way to work, our house of worship, and our neighborhood grocery store. Current attempts to “de-identify” or anonymize data are insufficient, due to modern day computing power and the sheer collection of data points available from public and private sources. License plate scans are collected by both public and private parties, and often shared via large commingled databases accessible by a simple subscription service.

In recognition of these concerns, BART has taken the following steps to mitigate the potential risk inherent in collecting this data from its customers.

As discussed in this Report and the Surveillance Use Policy, only authorized BART personnel, authorized NCRIC personnel or outside law enforcement pursuant to a court order or subpoena, will have access to this data for the purposes identified in this report and in the Surveillance Use Policy. BART and NCRIC shall maintain robust security procedures and practices, including multi layered engineering and administrative protections with the following details: CARD access locked doors with restricted and approved access only for designated personnel. Restricted Administrative rights to data access to provide operational, administrative, technical, and physical safeguards, to protect ALPR information from unauthorized access, destruction, use, modification, or disclosure. BART and NCRIC shall not provide data to federal immigration agencies. Data shall not be stored beyond 30 days, unless lawfully required by subpoena, court order or during an ongoing investigation.

**C. The fiscal costs for the surveillance technology, including initial purchase, personnel and other ongoing costs, and any current or potential sources of funding.**

Initial Purchase Cost

Based on an estimated budget, the cost is approximately \$15,000 to \$22,000 per installed ALPR unit. Costs for ALPR mobile units for enforcement vehicles would be approximately \$20,000 per vehicle.

Personnel Costs

BART personnel could provide installation for the ALPR System, which is estimated to be approximately \$100,000 at normal BART labor rates. However, depending upon the complexity of the installation and the availability of BART labor, the ALPR vendor may also provide ALPR installation at significant cost savings to BART when negotiated into the ALPR purchase contract.

Ongoing Costs

The ongoing costs associated with the deployment of a systemwide ALPR System will be primarily preventative and corrective maintenance costs. There may also be an annual leasing software for the ALPR units used for parking enforcement, depending upon contract details, which is estimated initially to be about \$200,000 annually.

The anticipated lifespan of the ALPR system is about ten (10) years. However, with proper maintenance staff, anticipates the useful operational lifespan of the system could be extended.

Potential Sources of Funding

- FTA Security Grant
- Operating Funds
- FEMA Grants
- Bonds
- Parking Fee Revenue

**D. Whether use or maintenance of the technology will require data gathered by the technology to be handled or stored by a third-party vendor on an ongoing basis.**

Yes, third party in the way of vendor support may require the use of log files and sample image data to be collected for analysis of errors and system malfunctions. The data is not stored after any maintenance or trouble shooting is complete.

The Northern California Regional Intelligence Center (NCRIC) will be the handling center for the captured data that will be accessed by BART Police for law enforcement investigative purposes.

Data used for parking enforcement purposes may be shared with authorized BART Service Providers hosting parking efficiency and enforcement applications.

**E. A summary of alternative methods (whether involving the use of a new technology or not) considered before deciding to use the proposed surveillance technology, including the costs and benefits associated with each alternative and an explanation of the reasons why each alternative is inadequate or undesirable.**

BART examined the current capabilities for preventing and deterring auto burglary and auto. The current law enforcement system uses manpower to physically verify a crime in progress and conduct investigations. The current system is both labor intensive and not highly effective for preventing or deterring auto crimes. As parking lots continue to expand beyond the 47,000 parking spaces, enforcement actions are not able to keep pace with the criminal activity in these new locations. Currently the enforcement actions are limited to observing a crime in progress and catching criminal activity in the parking areas. Statistics from Federal and State Criminal Apprehensions indicate that more than 70% of crimes are committed by people using vehicles. There is currently no method for vehicles entering BART parking areas to be identified. Without this technology, identification of vehicles and associated criminals' activity is limited to observing crime in progress or limited investigative recovery. There is no alternative technology that can meet the needs of the District. The benefits and disadvantages of ALPR are:

Benefits of ALPR

- Improves public safety and security.
- Gives BART Riders using BART Parking Facilities a redress for crimes against their persons and property.
- Provides documentary evidence for prosecution.
- Enhances public confidence when Parking at BART.
- Offers low maintenance operating costs.
- Requires minimal training of personnel on the use of the technology.

Disadvantages of ALPR

- Requires initial installation investment, although recoverable within a few years' time.
- Must be protected from vandalism.
- Privacy risk to customers that use BART Parking Facilities from the collection of their locational data.

**F. A summary of the experience, if any is known, other law enforcement entities have had with the proposed technology, including information about the effectiveness, any known adverse information about the technology such as unanticipated costs, failures, civil rights or civil liberties issues.**

Many other Agencies, including a robust number of Law Enforcement Agencies use ALPR Systems throughout California and the Nation. ALPR System Efficiencies are 98% with a correct Read Rate of 95% resulting in high validity of documentation of incidents. Highly effective read rates protect individuals and civil liberties by ensuring proper, correct capturing of information.

BART would require Annual Certification of the System conducted by third party calibration service parties will ensure the system is maintained at factory read rates.

- California Highway Patrol and multiple County and City LE Agencies use ALPR Technologies for law enforcement function.
- SFMTA Uses ALPR Technologies.
- California State Universities including UC Berkley, Hayward and Merced use ALPR Technologies.
- CALTRANS uses ALPR Technologies for all Bridges, and Tolls via FasTrak which has been widely well received by the Public, with specific positive comments for FasTrak Fare collection and ease of use.
- San Francisco International Airport uses ALPR Technologies using FasTrak to pay for parking at airport lots.

Adverse information on ALPR Technology includes:

- ALPR can be fooled using false plates. Although if reported, this would show as a stolen plate in the ALPR System.
- ALPR System Data must be maintained, failure to do so could reflect old records in the system. It is imperative the agency (BART Police Department) implement a secondary verification procedure for all non-exigent or crimes in progress.
- Some individuals and privacy groups do not like the use of ALPR by law enforcement, because they feel it is an infringement of their privacy. ALPR Technologies record all license plates; including those that have not committed offences or infractions in addition to those that have.
- ALPR has a 95 percent correct read rate which means it also has a 5 percent incorrect read rate. This can be best managed by ensuring a robust policy on acceptable ALPR reads and secondary verification for non-crimes in progress.
- Inaccurate data in the system or inaccurate scans can lead to civil rights abuses. In 2015, the taxpayers of San Francisco paid \$495,000 to Denise Green, a 45-year-old Muni driver after police officers pulled her over at gunpoint based on an erroneous alert from their system – the scan was off by one digit, and officers failed to verify its accuracy.

It is important to note that when used properly and judicially along with proper oversight and with written policies in place, ALPR can greatly enhance the safety and security of all personnel using BART owned and operated parking facilities. The State of California has the largest concentration of Agencies using ALPR, followed by New York and Florida. Enclosed below is a direct link to other California Agencies ALPR Use Policies.



- Central Marin Police Authority
- City and County of San Francisco
- City of Alameda
- City of Alhambra
- City of American Canyon
- City of Anaheim
- City of Antioch
- City of Arcadia
- City of Arcata
- City of Atherton
- City of Auburn
- City of Avenal
- City of Azusa
- City of Bakersfield
- City of Beaumont
- City of Bell
- City of Bell Gardens
- City of Berkeley
- City of Belvedere
- City of Beverly Hills
- City of Brawley
- City of Brea
- City of Brentwood
- City of Brisbane
- City of Buena Park
- City of Burbank
- City of Burlingame
- City of Campbell
- City of Carlsbad
- City of Chico
- City of Chino
- City of Chula Vista
- City of Claremont
- City of Clayton
- City of Clovis
- City of Concord
- City of Corning
- City of Corona
- City of Coronado
- City of Covina
- City of Culver City
- City of Cypress

- City of Daly City
- City of Davis
- City of Dublin
- City of El Cajon
- City of El Centro
- City of Elk Grove
- City of Emeryville
- City of Escondido
- City of Fairfield
- City of Folsom
- City of Fontana
- City of Fountain Valley
- City of Fremont
- City of Fresno
- City of Fullerton
- City of Galt
- City of Gardena
- City of Glendale
- City of Glendora
- City of Hanford
- City of Hawthorne
- City of Hayward
- City of Huntington Beach
- City of Imperial
- City of Inglewood
- City of Irvine
- City of Irwindale
- City of La Habra
- City of La Mesa
- City of La Palma
- City of La Verne
- City of Laguna Beach
- City of Lemoore
- City of Livermore
- City of Lodi
- City of Long Beach
- City of Los Alamitos
- City of Los Altos
- City of Los Gatos
- City of Madera
- City of Manhattan Beach
- City of Manteca
- City of Menlo Park

- City of Milpitas
- City of Modesto
- City of Monrovia
- City of Monte Sereno
- City of Morgan Hill
- City of Montclair
- City of Montebello
- City of Monterey Park
- City of Moraga
- City of Mountain View
- City of Murrieta
- City of National City
- City of Newark
- City of Newport Beach
- City of Novato
- City of Oakland
- City of Oceanside
- City of Oxnard
- City of Pacifica
- City of Palo Alto
- City of Palos Verdes Estates
- City of Pasadena
- City of Petaluma
- City of Piedmont
- City of Pismo Beach
- City of Pittsburgh
- City of Placentia
- City of Placerville
- City of Pleasant Hill
- City of Red Bluff
- City of Redlands
- City of Redwood City
- City of Richmond
- City of Ripon
- City of Riverside
- City of Sacramento
- City of San Bernardino
- City of San Bruno
- City of San Diego
- City of San Fernando
- City of San Gabriel
- City of San Jose
- City of San Leandro

- City of San Luis Obispo
- City of San Marino
- City of San Mateo
- City of San Pablo
- City of San Rafael
- City of San Ramon
- City of Santa Clara
- City of Santa Monica
- City of Sausalito
- City of Seal Beach
- City of Sierra Madre
- City of Signal Hill
- City of Simi Valley
- City of South Beach
- City of South Gate
- City of South San Francisco
- City of Suisun City
- City of Sunnyvale
- City of Torrance
- City of Tulare
- City of Tustin
- City of Ukiah
- City of Upland
- City of Vallejo
- City of Vernon
- City of Visalia
- City of Walnut
- City of Walnut Creek
- City of West Covina
- City of West Sacramento
- City of Westminster
- City of Westmoreland
- City of Whittier
- City of Woodland
- County of Alameda
- County of Contra Costa
- County of Fresno
- County of Los Angeles
- County of Marin
- County of Orange
- County of Riverside
- County of Sacramento (Sheriff)
- County of Sacramento (Department of Human Assistance)

- **County of San Bernadino**
- **County of San Diego**
- **County of San Luis Obispo**
- **County of San Mateo**
- **County of Santa Clara**
- **County of Shasta**
- **County of Solano**
- **County of Ventura**
- **County of Yolo**
- **California State University, Long Beach**
- **Kensington Police Protection and Community Services District**
- **Port of San Diego**
- **Town of Hillsborough**
- **Town of Los Gatos**
- **Town of Portola Valley**
- **Town of Tiburon**
- **University of California - Merced**

In conclusion, ALPR Technologies can offer greater safety and security for BART patrons and employees using BART Parking Facilities. Patrons will have an improved safety and security when parking at BART.

**Automatic License Plate Reader (ALPR)**  
**Surveillance Use and Impact Report ANNEX**

Privacy Policy (pursuant to State of California Civil Code Sections: 1798.90.51. and 798.90.53)

The State of California has Civil Code Sections which must be met for all operators of ALPR Technologies. While all the items specified herein are also detailed in the ALPR Surveillance Use and Impact Report, the Code requirements specify that they must also be detailed in a separate Privacy Policy.

**California Civil Code Sections: 1798.90.51. Privacy Policy and 1798.90.53 Third Party Sharing Requirements.**

An ALPR operator shall do all of the following:

**(a) Maintain reasonable security procedures and practices, including operational, administrative, technical, and physical safeguards, to protect ALPR information from unauthorized access, destruction, use, modification, or disclosure.**

The data collected by BART's ALPR system will be maintained in a secure location at BART and the Northern California Regional Intelligence Center (NCRIC), where physical access is limited to authorized individuals and includes physical access protections and firewalls.

All ALPR data used for law enforcement purposes shall be maintained in a secure manner and be encrypted via BART's IT encryption requirements from the data source capture through transmission and storage.

ALPR data will be shared with the NCRIC data center, in the NCRIC offices in the federal building in San Francisco. NCRIC facilities have 24/7 staffed security, multiple locked doors requiring both electronic keys and knowledge-based PINs. Only active NCRIC employees that also possess a valid security clearance of SECRET or better are allowed physical access.

ALPR Data used for parking efficiency and enforcement purposes will be separately stored and maintained in a secure location where physical access is limited to authorized individuals and includes physical access protections and/or firewall protections from external intrusion.

All activity is logged for audit and tracking purposes. Audits are available for an agency to view the actions of their officers.

If an ALPR operator accesses or provides access to ALPR information, the ALPR operator shall do both of the following:

**(a) Maintain a record of that access. At a minimum, the record shall include all of the following:**

- (1) The date and time the information is accessed.**
- (2) The license plate number or other data elements used to query the ALPR system.**

(3) The username of the person who accesses the information, and, as applicable, the organization or entity with whom the person is affiliated.

(4) The purpose for accessing the information.

**(b)(1) Implement a usage and privacy policy in order to ensure that the collection, use, maintenance, sharing, and dissemination of ALPR information is consistent with respect for individuals' privacy and civil liberties. The usage and privacy policy shall be available to the public in writing, and, if the ALPR operator has an Internet Web site, the usage and privacy policy shall be posted conspicuously on that Internet Web site.**

**(2) The usage and privacy policy shall, at a minimum, include all of the following:**

**(A) The authorized purposes for using the ALPR system and collecting ALPR information.**

BART ALPR Impact and Use Report specify the purpose and use and rationale why ALPR technology is used. BART's Automated License Plate Recognition (ALPR) technology seeks to increase the confidence of the public while using BART's public transportation system. Specifically, this technology seeks to improve the safety and protection of patrons, employees and their vehicles while in BART owned and operated parking areas and garages, and to improve parking enforcement. The ALPR system records vehicle license plates. Data collection shall be limited to vehicles entering or exiting and parking on BART owned and operated property. The proposed implementation of the ALPR system in BART parking areas would serve the following key purposes:

#### Crime Prevention

- Reduce the fear of crime and reassure the public and employees that they can safely park in BART parking facilities, which may increase BART ridership.
- Collect license plate numbers to assist in the identification, apprehension and prosecution of criminal offenders.
- Provide evidence to support the prosecution of offenders for criminal offenses.
- Provides both riders and employees a means of redress against property crimes, such as burglary and auto theft.

#### Efficient Parking Program Compliance

- Provides a uniform methodology for the enforcement of BART's parking rules.
- Aids in dispute mediation and provides documentation support for complaint resolution.
- Streamline parking validation.
- Help to increase ridership by determining parking lot density and space availability through and enhance efficient enforcement that parking is available only for BART passengers.
- Allow for the capability to automate parking fee collection in the future.

**(B) A description of the job title or other designation of the employees and independent contractors who are authorized to use or access the ALPR system, or to collect ALPR information. The policy shall identify the training requirements necessary for those authorized employees and independent contractors.**

Access to ALPR data and images shall be restricted to the following personnel:

- All persons designated by the BART Police Department.
- Designated NCRIC Staff involved in the ALPR Administration.
- BART personnel involved in the operation, installation and maintenance of the ALPR system.
- Customer/Public Access (Restricted per the Surveillance Ordinance in item G)
- Per Court Order or Subpoena, or during an ongoing investigation.
- Office of Independent Police Auditor and Internal Affairs Department
- District Office of the General Counsel
- Authorized BART Service Providers hosting parking efficiency and enforcement applications

All personnel using BART's ALPR shall be authorized in writing and must receive training on system access and administration. ALPR system training will be provided by BART internal staff and, where necessary related, service providers. Training will consist of ALPR operation, installation, data protection and administration of the BART ALPR System and ALPR Data. Technical training will be hands on and via electronic instruction.

**(C) A description of how the ALPR system will be monitored to ensure the security of the information and compliance with applicable privacy laws.**

The ALPR Data Collection will be monitored by BART Police and be subject to Police and or State Auditors to ensure the security of information and compliance with applicable privacy laws.

Such data will not otherwise be disclosed/released by the BART Police Department without the consent of the Chief of Police and the Office of the General Counsel. If an ALPR operator is required to provide access to ALPR information, the ALPR operator shall do both of the following:

- (a) Maintain a record of that access. At a minimum, the record shall include the following:
  - (1) The date and time the information is accessed.
  - (2) The license plate number or other data elements used to query the ALPR system.
  - (3) The username of the person who accesses the information, and, as applicable, the organization or entity with whom the person is affiliated.



(4) The purpose for accessing the information.

(b) Require that ALPR information only be used for the authorized purposes described in the usage and privacy policy.

(1) Indicate the authorized use; such as for criminal investigation.

As noted in the Impact and Use Reports, and the Surveillance Ordinance, the ALPR information shall only be used for the authorized purposes described therein.

**(D) The purposes of, process for, and restrictions on, the sale, sharing, or transfer of ALPR information to other persons.**

BART shall maintain robust security procedures and practices, including operational, administrative, technical, and physical safeguards, to protect ALPR information from unauthorized access, destruction, use, modification, or disclosure. The Administrator of the data collection will not share information with Immigration and Customs Enforcement (ICE) or any agency conducting immigration enforcement or removal operations. Information is only shared with other law enforcement possessing a need and legal right to know, including the following:

- In response to subpoenas
- Pursuant to a Court Order
- Request by Law Enforcement Agencies for active Criminal Investigations
- In accordance with all applicable California State law

ALPR Data collected by BART shall not be sold under any circumstances.

**(a) A public agency that operates or intends to operate an ALPR system shall provide an opportunity for public comment at a regularly scheduled public meeting of the governing body of the public agency before implementing the program.**

Pursuant to the District Ordinance 2018-1, public notice and opportunity for public comment regarding the implementation of Surveillance Technology is required at Public Meetings via the BART Board of Directors Meetings; if approved then notification would be made via the BART Website and posted signs informing the public of the surveillance Technology in use.

**(b) A public agency shall not sell, share, or transfer ALPR information, except to another public agency, and only shall share data as otherwise permitted by law.**

BART shall maintain robust security procedures and practices, including operational, administrative, technical, and physical safeguards, to protect ALPR information from unauthorized access, destruction, use, modification, or disclosure. The Administrator of the data collection will not share

information with Immigration and Customs Enforcement (ICE) or any agency conducting immigration enforcement or removal operations. Information is only shared with other law enforcement possessing a need and legal right to know, including the following:

- In response to subpoenas
- Pursuant to a Court Order
- Request by Law Enforcement Agencies for active Criminal Investigations
- In accordance with all applicable California State law

ALPR Data collected by BART shall not be sold under any circumstances.

**(E) The title of the official custodian, or owner, of the ALPR system responsible for implementing this section.**

BART shall be the owner and official custodian of the ALPR System and any data collected there from. The BART Chief of Police, BART Office of the General Counsel and BART Police Internal Affairs will have specific oversight authority of the Program.

**(F) A description of the reasonable measures that will be used to ensure the accuracy of ALPR information and correct data errors.**

ALPR system efficiency is 98% with a correct read rate of 95% resulting in proper documentation of incidents. Annual certification of the system conducted by third party calibration service parties will ensure the system is maintained at factory read rates.

**(G) The length of time ALPR information will be retained, and the process the ALPR operator will utilize to determine when to destroy retained ALPR information.**

Staff will adhere to the District's Surveillance Ordinance. The data from the ALPR and assorted camera system shall be collected, retained and stored in accordance with the District's Surveillance Ordinance. Data captured from the ALPR and camera system will automatically be downloaded onto a secure data storage system where it will be stored based on the systems' design and recording capabilities before being overwritten by new data; up to thirty (30) days for routine matters. Cases under active criminal investigation may be retained up to a year. Data shall not be stored beyond 1 year except by subpoena, court order or during an ongoing investigation, except in the case of data used to substantiate parking citations, which will be retained for 5 years to allow time for citation appeal and identification of scofflaws (vehicles with multiple unpaid citation). Further, the NCRIC retention policy specifies data is only retained for the period as specified by the originating agency (BART). The creation date is automatically tracked for every ALPR data point, and once the lifespan of that point is exceeded, it is removed via automated nightly processes.



# Surveillance Use Policy BART Automated License Plate Recognition (ALPR)

BART Police ~~Department~~ and Customer Access Departments

BPD-ALPR-SUP-~~0102~~

21 Day BART Board Notice – ~~April 4~~ October 3rd, 2019

15 Day Public Notice – ~~April 10~~ October 9th,  
2019 ~~BART~~

Board Meeting – ~~April 25~~ October 24th, 2019



## A. Purpose

The use of Automated License Plate Recognition (ALPR) technology seeks to increase the confidence of the public while using BART's public transportation system. Specifically, this technology seeks to improve the safety and protection of BART patrons, employees and their vehicles while in BART owned and operated parking areas and garages. In the future, BART may also consider use of ALPR for parking lot density and potential fee compliance. The ALPR system would record images of vehicle license plates in BART Parking locations. This technology is currently being used by a wide variety of agencies throughout the State of California for both Law Enforcement functions and parking functions. One of the most notably recognizable uses is by the FasTrak system, by the Bay Area Toll Authority for the purposes of fee collection over toll bridges, toll roads and high occupancy vehicle (HOV) express lanes. San Francisco International Airport (SFO) also uses ALPR technology at parking garages at SFO. The proposed implementation of the ALPR system in BART Parking areas would serve the following key purposes:

### **Crime Prevention**

- Reduce the fear of crime and reassure the public and employees of being able to safely park their car in BART parking facilities, which will result in greater ridership for BART.
- Collect license plate numbers to assist in the identification, apprehension and prosecution of criminal offenders.
- Provide evidential support to prosecute offenders for criminal offenses.
- Provides both riders and employees a means of redress against property crimes, such as burglary and auto theft.

### **~~Future Use May Seek to Use for~~ Efficient Parking Program Compliance**

- Provides a uniform methodology for the enforcement of BART's parking rules.
- Aids in dispute mediation and provides documentation support for complaint resolution.
- Streamline parking validation.
- Help to increase ridership by determining parking lot density and space availability through and enhance efficient enforcement that parking is available only for BART passengers.
- Allow for the capability to automate parking fee collection in the future.

### Location of ALPR and Associated Cameras

The ALPR come in three formats and include Fixed, Mobile or Hand-Held units. Fixed units may be installed in the following locations:

Fixed: Installed in BART owned and/or operated parking facilities, areas and structures.

Mobile: may be installed in the following locations:

On BART Law Enforcement Vehicles

Hand-Held:~~Future Use~~: By Parking Enforcement Officers.

## B. Authorized Use

License plate images captured by ALPR shall be used only to advance the BART purposes identified in this section and in Section A of this Policy. Use of the ALPR system and associated cameras will take place 24 hours a day, 7 days per week, and 365 days per year within all San Francisco Bay Area Rapid Transit District parking properties and parking properties owned and operated by BART. The ALPR system shall be used in compliance with the District's Surveillance Ordinance and California Civil Code 1798.90.51 and 1798.90.53. The cameras shall not be used in areas where there is a reasonable expectation of privacy, such as off BART property, and shall not be used to harass, intimidate, or discriminate against any individual or group.

For purposes of this Use Policy, BART purposes include use for BART criminal investigations and to monitor activity to protect against harm to persons and property. It shall be permissible for data collected from the cameras to be used for the following public safety and BART investigation purposes:

- To assist in identifying and preventing crimes against persons and property;
- To locate missing children, adults, and/or elderly individuals, including in response to Amber Alerts and Silver Alerts;
- To assist in identifying, apprehending, and prosecuting criminal offenders;
- To assist in gathering evidence for administrative, civil, and criminal investigations and court actions in accordance with California State Law;
- To help Law Enforcement and Public Safety Personnel respond to emergency events;
- To assist in investigating and resolving staff and customer complaints and/or issues;
- To locate stolen, wanted, and/or other vehicles that are the subject of investigation;
- To locate and/or apprehend individuals subject to arrest warrants.
- To locate victims, witnesses, suspects, and others associated with a law enforcement investigation;
- To support local, state, federal, and regional Law Enforcement departments in the identification of vehicles and drivers associated with criminal investigations, including investigations of serial crimes;
- To protect participants at special events;
- To protect BART Parking Facilities.
- Parking efficiency and enforcement

Administrative functions of ~~BART's~~ ALPR data used for criminal enforcement purposes will be managed by BART and the Northern California Regional Intelligence Center (NCRIC). Any data obtained from ALPR technology shall be used and handled pursuant to this use policy, BART's Surveillance Use Ordinance and applicable State and Federal law.

BART Police shall be permitted to review ALPR Data Images to protect and to respond to law enforcement inquiries, to investigate complaints by customers and employees, and to provide law enforcement authorities with ALPR Data when legally required to do so. All other uses not referenced in this document shall be prohibited. ALPR technology shall not be used for personal or non-law enforcement or parking efficiency purposes and shall adhere to ~~the Surveillance Ordinance~~ this use policy.

### **C. Data Collection**

Data collection shall be limited to vehicles entering, exiting and parking on BART owned and operated property. Collection may include information on the vehicle license plate and the image of the vehicle. Routine Data Collection shall not be stored beyond 30 days, except when lawfully required to by subpoena, court order or during an ongoing investigation. Data used to substantiate parking citations will be retained for 5 years to allow time for citation appeal and identification of scofflaws.

### **D. Data Access**

Access to ALPR Data shall be restricted to the following personnel:

- All persons designated by the BART Police Department.
- Designated NCRIC Staff involved in the ALPR Administration.
- BART personnel involved in the operation, installation and maintenance of the ALPR system.
- Customer/Public Access (Restricted per the Surveillance Ordinance in item G)
- Per Court Order or Subpoena, or during an ongoing investigation.
- Office of Independent Police Auditor and Internal Affairs Department
- District Legal Affairs Department
- Authorized BART Service Providers hosting parking efficiency and enforcement applications

### **E. Data Protection**

The data collected by the ALPR system that is used for criminal enforcement purposes will be maintained in a secure ~~location at~~ manner between the BART Police Department and the NCRIC where physical access is limited to authorized individuals and includes physical access protections and firewalls.

Data used for parking efficiency and enforcement purposes will be separately stored and maintained in a secure location where physical access is limited to authorized individuals and includes physical access protections and/or firewall protections from external intrusion.

All ALPR data ~~is~~shall be maintained in a secure manner and ~~would~~ be encrypted via BART's IT encryption requirements from the data source capture through transmission ~~to the NCRIC data center for and~~ storage. ~~The data would be~~

Data used for criminal enforcement purposes that is stored in the NCRIC offices in the federal building in San Francisco. ~~NCRIC facilities have~~ shall maintain 24/7 staffed security, multiple locked doors requiring both electronic keys and knowledge-based PINs. ~~Only and limit access to~~ active NCRIC employees that also possess a valid security clearance of SECRET or better ~~are allowed physical access.~~

- All activity is logged for audit and tracking purposes. Audits are available for an agency to view the actions of their officers.

## F. Data Retention

Staff will adhere to the District's Surveillance Ordinance and this policy. All data from the ALPR system will be collected, retained and stored in accordance with ~~BART Surveillance the~~ Ordinance and this policy. Data captured from the ALPR and camera system will automatically be downloaded onto a secure data storage system ~~maintained by NCRIC~~ where it will be stored based on the systems' design and recording capabilities before being overwritten by new data; which is thirty (30) days as outlined in section 707.1.5 of BART Surveillance Ordinance. Data shall not be stored beyond 30 days except when lawfully required to by subpoena, court order or during an ongoing investigation. Further a written Memorandum of Agreement with the NCRIC shall specify the retention policy of the ALPR data is only retained for the period as specified by the originating agency (BART). The creation date is automatically tracked for every ALPR data point, and once the lifespan of that point is exceeded, it is removed via automated nightly processes.

Data used to substantiate parking citations will be retained for 5 years to allow time for citation appeal and identification of scofflaws (vehicles with multiple unpaid citations).

## G. Public Access

BART shall grant Public access to data collected from the ALPR system per BART Surveillance Ordinance 707.1.8, 707.1.9 only in accordance to California State Law. Information gathered will not be disclosed to the public unless such disclosure is required by law or court order. The BART Police Department is subject to BART's Surveillance Ordinance that has been publicly noticed and approved by the BART Board. ALPR Data Collection will be monitored by BART Police as well as be subject to Police Internal Affairs and State Auditors to ensure the security of information and compliance with applicable privacy laws.

Such data will not otherwise be disclosed/released by the BART Police Department without the consent of the Chief of Police and District Legal. If an ALPR operator is required to provide access

to ALPR information, the ALPR operator shall do the following:

- (a) Maintain a record of that access. At a minimum, the record shall include the following:
  - (1) The date and time the information is accessed.
  - (2) The license plate number or other data elements used to query the ALPR system.
  - (3) The username of the person who accesses the information, and, as applicable, the organization or entity with whom the person is affiliated.
  - (4) The purpose for accessing the information.
- (b) Require that ALPR information only be used for the authorized purposes described in the usage and privacy policy.
  - (1) Indicate the authorized use; such as for criminal investigation.

#### 707.1.8 RELEASE OF ALPR DATA TO THE GENERAL PUBLIC

All ALPR Data shall be used by law enforcement for public safety ~~and~~, security, and parking efficiency/enforcement purposes only; except as required by law, subpoenas or other court process, such data will not otherwise be disclosed/released by the BART Police Department without the consent of the Chief of Police and District Legal.

Department employees shall not release any information, including capabilities regarding the District's ALPR systems to the public without prior authorization from the Chief of Police, or District Legal.

#### 707.1.9 REQUESTS FOR VIDEO IMAGES FROM THE MEMBERS OF THE PUBLIC

Persons that have a subpoena or preservation letter, and are interested in requesting ALPR, shall be directed to the Department's Records Division during normal business hours, or via fax at 510- 464-7089 for consideration of their request. Records shall consult with the Chief of Police and District Legal Prior to any approval of release.

Persons that do not have a subpoena or preservation letter and are interested in requesting ALPR Data are to be directed to the District Secretary's Office for review by District Legal at 510-464-6080 or via fax at 510-464-6011.

## H. Third Party Data Sharing

BART shall maintain robust security procedures and practices, including operational, administrative, technical, and physical safeguards, to protect ALPR information from unauthorized access, destruction, use, modification, or disclosure. The Administrator of the data collection, ~~the NCRIC~~ will not share information with ICE or any agency conducting immigration enforcement or removal operations. Information is only shared with other law enforcement possessing a need and legal right to know, including the following:

- In response to subpoenas
- Pursuant to a Court Order



- Request by Law Enforcement Agencies for active Criminal Investigations
- In accordance with all applicable California State law

BART will retain all ownership rights to the data. Private vendors cannot share the data unless directed to by BART in writing and in accordance with this policy, and will forward any subpoena requests for the data to BART.

Notwithstanding any other law or regulation:

(a) A public agency such as BART that operates or intends to operate an ALPR system shall provide an opportunity for public comment at a regularly scheduled public meeting of the governing body of the public agency before implementing the program. BART shall present this Impact and Use document to the BART Board of Directors and provide notice to the public in accordance with BART's Surveillance Ordinance. BART Police Department shall also conduct outreach with privacy groups to address any privacy concerns that may be raised.

(b) A public agency shall not sell, share, or transfer ALPR information, except to another public agency, and only as otherwise permitted by law. For purposes of this section, the provision of data hosting or towing services shall not be considered the sale, sharing, or transferring of ALPR information.

## I. Training

Training for BART's ALPR system will be provided by BART internal staff and by ALPR service providers and the NCRIC. Training will consist of ALPR operation, installation, data protection and administration of the ALPR System and ALPR Data. Technical training will be both hands on and via electronic instruction.

## J. Auditing and Oversight

The BART Police Department shall oversee the BART ALPR System and data retention ~~by the NCRIC~~ to ensure compliance with ~~the Surveillance Ordinance~~ this policy. Additionally, both BART Police will require the management of the system to be open for administrative auditors to ensure the Surveillance Ordinance, Use Policy, and California State Laws are adhered to. The audit process shall ensure that no misuse of the system or parts of the system occurs. Additionally, a secondary check with the reporting agency will be required by BART Police to adjudicate all crimes prior to taking enforcement action on crimes that are not a crime in progress or otherwise present exigent circumstances.

Personnel who are authorized to have access to the system shall be designated in writing and the designation shall ensure that their access to and use of the data complies with the Ordinance.

A log shall be maintained that records when access to ALPR data is requested. This shall include the date, time, data record accessed, and staff member involved. The log shall be available for presentation for all required audits.

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# Surveillance Impact Report BART Automated License Plate Recognition (ALPR)

BART Police ~~Department~~ and Customer Access Departments

~~BPD-ALPR-SIR-01~~ **SUP-02**

21 Day BART Board Notice – ~~April 4,~~ **October 3<sup>rd</sup>,** 2019

15 Day Public Notice – ~~April 10,~~ **October 9<sup>th</sup>,**

2019 ~~BART~~

Board Meeting ~~April 25~~ **October 24<sup>th</sup>** 2019



## **A. Information describing the proposed surveillance technology and how it generally works.**

Automated License Plate Recognition (ALPR) systems are camera technologies that can capture vehicle license plate images and a portion of the vehicle. This technology will be used for the safety and security of patrons and employees and protection of their vehicles while using BART owned and operated parking facilities.

ALPR systems may include Fixed visible, mounted technologies. Mobile scan options include mobile units which can be mounted to a police car. Future use may include hand held options and mobile units may be considered parking program enforcement by roving parking enforcement officers.

ALPR technology increases law enforcement's ability to recover lost/stolen property and provide evidentiary support for criminal prosecution. In 2012 the RAND Corporation conducted a study on ALPR Technologies across the United States and found that ALPR was responsible for increasing Stolen Vehicle recovery by 50%. (RAND, Safety and Justice Program; *ALPR for Law Enforcement Opportunities and Obstacles*).

Currently, the ability for BART police to solve crimes such as auto burglaries and thefts is greatly reduced due to a lack of video evidence. ALPR technologies records images of a vehicle's license plate. The image, when compared against a hot list provides information that the vehicle may have been used in a crime. This information often leads to a timelier ability to capture offenders. Accurate information provided to BART Police will increase the ability to successfully prosecute offenders and greatly increase the chances of returning stolen property to the victim.

## **B. Information on the proposed purpose(s) for the surveillance technology.**

Implementation of the proposed BART ALPR technology system would serve the following key purposes:

- Aid in the recovery of lost or stolen vehicles.
- Prevent, deter and detect crime, damage to patron and employee vehicles.
- Reduce crime and in doing so, reassure the public and employees using BART owned and operated Parking Facilities.
- Assist in the monitoring, identification, apprehension and prosecution for criminal offenses.
- Aid in the Investigation of complaints or offenses and provide evidentiary support upon which to take criminal and civil penalty actions.
- Parking efficiency and enforcement

**C. Recommendation for Fixed Reader Installations location(s), to be deployed, based on current statistics for Auto Theft and Auto Burglary.**

- A10 – Lake Merritt 5/2 Low Priority Installation
- A20 – Fruitvale 26/16 Priority Installation
- A30 – Coliseum 21/23 Priority Installation
- A40 - San Leandro 21/17 Priority Installation
- A50 - Bay Fair 24/9 Priority Installation
- A60 – Hayward 21/21 Priority Installation
- A70 – South Hayward 17/16 Priority Installation
- A80 – Union City 10/3 Low Priority Installation
- A90 – Fremont 9/5 Low Priority Installation
- L10 - Castro Valley 1/9 Low Priority Installation
- L20 - West Dublin 5/3 Low Priority Installation
- L30 - Dublin / Pleasanton 18/8 Priority Installation
- K10 – 12th Street 0/0 N/A
- K20 – 19th Street 8/4 Low Priority Installation
- K30 – MacArthur 3/2 Low Priority Installation
- R10 – Ashby 4/5 Low Priority Installation
- R20 – Berkeley 0/0 N/A
- R30 – North Berkeley 4/11 Priority Installation
- R40 – El Cerrito Plaza 4/5 Low Priority Installation
- R50 – El Cerrito Del Norte 15/14 Priority Installation
- R60 – Richmond 9/22 Priority Installation
- C10 – Rockridge 6/4 Low Priority Installation
- C20 – Orinda 5/7 Low Priority Installation
- C30 – Lafayette 4/2 Low Priority Installation
- C40 – Walnut Creek 1/4 Low Priority Installation
- C50 – Pleasant Hill 5/4 Low Priority Installation
- C60 – Concord 16/10 Priority Installation
- C70 – North Concord 18/14 Priority Installation
- C80 – Pittsburg Pay Point 27/13 Priority Installation
- M10 – West Oakland 20/9 Priority Installation
- M16 – Embarcadero 0/0 N/A
- M 30 – Powell 0/0 N/A
- M 20 – Montgomery 0/0 N/A
- M 40 – Civic Center 0/0 N/A
- M 50 – 16th Street 0/0 N/A
- M60 – 24th Street 0/0 N/A
- M70 – Glen Park 0/0 N/A
- M80 – Balboa Park 0/0 N/A
- M 90 – Daly City 13/13 Priority Installation

- W10 – Colma 1/3 Low Priority Installation
- W20 – South SF 1/0 Low Priority Installation
- W30 – San Bruno 0/1 Low Priority Installation
- W40 – Millbrae 2/1 Low Priority Installation
- Y10 – SFO 0/0 N/A
- S10 – Irvington (Future) 0/0 TBD
- S 20 – Warm Springs 1/7 Low Priority Installation
- S 40 – Milpitas 0/0 TBD
- S 50 – Berryessa 0/0 TBD
- E 20 – Pittsburg Center 0/0 Low Priority Installation by Operating Contractor
- E 30 – Antioch 0/12 Priority Installation by Operating Contractor
- Hercules Park-and-Ride
- Isabel (Livermore) Park-and-Ride
- Laughlin (Livermore) (Park-and-Ride)
- Irvington (Fremont) (future station)
- All future BART station parking facilities, either owned, operated and/or managed by BART and intended for BART passengers.

**A. Crime statistics used to determine location installation, to deter or detect crime.**

Statistics on Auto Burglary Auto Theft and Catalytic Converter Theft were used to provide recommended priority installations. The proposed implementation of the ALPR System is part of an overall Districtwide security system with functions for crime deterrence and detection, as well as future considerations for a more efficient parking program enforcement through automation. The proposed ALPR system would target hot spots crime areas as identified by the Crime Analysis Unit. Additionally, statistics were used to outline the problem expressed by BART Riders. Numbers for Auto Burglary, Auto Theft and Catalytic Converter Theft were analyzed for 2018 through March of 2019. The cost benefit analysis below was used in part to determine the viability of this technology.

<b>Current Annual Crime Statistics</b>	<b>2018</b>	<b>2019 (March)</b>	<b>15 Month Average</b>
Auto Burglary:	198	264	231
Auto Theft:	102	43	145
Catalytic Converter Theft:	205	51	128

<b>Cost Benefit Analysis</b>	<b>Cost to BART Riders</b>
Auto Burglary: (Average Deductible and Property)	\$1,000 x 231 cases annually = \$231,000
Auto Theft: (No comprehensive Insurance)	\$15,000 x 145 cases annually = \$2,175,000
Catalytic Converter Theft: (Average cost w/labor)	\$1,500 X 128 cases annually = \$192,000
	<b>Total Loss for 15 Months \$2,598,000</b>

Approximate cost of a fixed ALP Reader is between \$15,000 to \$22,000 per installed unit, for 16 Priority Installations total cost \$352,000 for one ALPR at all recommended parking areas.

**B. An assessment identifying any potential impact on privacy rights and discussing any plans to safeguard the rights of the public.**

Data collection by the ALPR System includes information found on the vehicle license plate. BART recognizes that all people have an inalienable right to privacy and BART is committed to protecting and safeguarding this right.

In 2013, data experts introduced to the public the concept of “meta data”, which detailed that larger data can be gathered from individual data points. A recent example included, that by using a simple homemade app that captured simple data points such as phone number called, and time of day, Stanford lawyer and computer scientist Jonathan Mayer was able to accurately identify 80% of the volunteers in his study, using only open source databases such as Yelp, Facebook, and Google. Among the many individuals he identified, he successfully identified a woman that had an abortion, another woman that had cancer, and a man collecting guns and growing marijuana in his home.

Today, data scientists can accurately identify over 95% of individuals based solely on 4 geospatial (time, location) “meta data” points. Human are creatures of habit, typically driving the same way to work, our house of worship, and our neighborhood grocery store. Current attempts to “de-identify” or anonymize data are insufficient, due to modern day computing power and the sheer collection of data points available from public and private sources. License plate scans are collected by both public and private parties, and often shared via large commingled databases accessible by a simple subscription service.

In recognition of these concerns, BART has taken the following steps to mitigate the potential risk inherent in collecting this data from its customers.

As discussed in this Report and the Surveillance Use Policy, only authorized BART personnel, authorized NCRIC personnel or outside law enforcement pursuant to a court order or subpoena, will have access to this data for the purposes identified in this report and in the Surveillance Use Policy. BART and NCRIC shall maintain robust security procedures and practices, including multi layered engineering and administrative protections with the following details: CARD access locked doors with restricted and approved access only for designated personnel. Restricted Administrative rights to data access to provide operational, administrative, technical, and physical safeguards, to protect ALPR information from unauthorized access, destruction, use, modification, or disclosure. BART and NCRIC shall not provide data to federal immigration agencies. Data shall not be stored beyond 30 days, unless lawfully required by subpoena, court order or during an ongoing investigation.

**C. The fiscal costs for the surveillance technology, including initial purchase, personnel and other ongoing costs, and any current or potential sources of funding.**

Initial Purchase Cost

Based on an estimated budget, the cost is approximately \$15,000 to \$22,000 per installed ALPR unit. Costs for ALPR mobile units for enforcement vehicles would be approximately \$20,000 per vehicle.

Personnel Costs

BART personnel could provide installation for the ALPR System, which is estimated to be approximately \$100,000 at normal BART labor rates. However, depending upon the complexity of the installation and the availability of BART labor, the ALPR vendor may also provide ALPR installation at significant cost savings to BART when negotiated into the ALPR purchase contract.

Ongoing Costs

The ongoing costs associated with the deployment of a systemwide ALPR System will be primarily preventative and corrective maintenance costs. There may also be an annual leasing software for the ALPR units used for parking enforcement, depending upon contract details, which is estimated initially to be about \$200,000 annually.

The anticipated lifespan of the ALPR system is about ten (10) years. However, with proper maintenance staff, anticipates the useful operational lifespan of the system could be extended.

Potential Sources of Funding

- FTA Security Grant
- Operating Funds
- FEMA Grants
- Bonds
- Parking Fee Revenue

**D. Whether use or maintenance of the technology will require data gathered by the technology to be handled or stored by a third-party vendor on an ongoing basis.**

Yes, third party in the way of vendor support may require the use of log files and sample image data to be collected for analysis of errors and system malfunctions. The data is not stored after any maintenance or trouble shooting is complete.

The Northern California Regional Intelligence Center (NCRIC) will be the handling center for the captured data that will be accessed by BART Police for law enforcement investigative purposes.



Data used for parking enforcement purposes may be shared with authorized BART Service Providers hosting parking efficiency and enforcement applications.

**E. A summary of alternative methods (whether involving the use of a new technology or not) considered before deciding to use the proposed surveillance technology, including the costs and benefits associated with each alternative and an explanation of the reasons why each alternative is inadequate or undesirable.**

BART examined the current capabilities for preventing and deterring auto burglary and auto. The current law enforcement system uses manpower to physically verify a crime in progress and conduct investigations. The current system is both labor intensive and not highly effective for preventing or deterring auto crimes. As parking lots continue to expand beyond the 47,000 parking spaces, enforcement actions are not able to keep pace with the criminal activity in these new locations. Currently the enforcement actions are limited to observing a crime in progress and catching criminal activity in the parking areas. Statistics from Federal and State Criminal Apprehensions indicate that more than 70% of crimes are committed by people using vehicles. There is currently no method for vehicles entering BART parking areas to be identified. Without this technology, identification of vehicles and associated criminals' activity is limited to observing crime in progress or limited investigative recovery. There is no alternative technology that can meet the needs of the District. The benefits and disadvantages of ALPR are:

Benefits of ALPR

- Improves public safety and security.
- Gives BART Riders using BART Parking Facilities a redress for crimes against their persons and property.
- Provides documentary evidence for prosecution.
- Enhances public confidence when Parking at BART.
- Offers low maintenance operating costs.
- Requires minimal training of personnel on the use of the technology.

Disadvantages of ALPR

- Requires initial installation investment, although recoverable within a few years' time.
- Must be protected from vandalism.
- Privacy risk to customers that use BART Parking Facilities from the collection of their locational data.

**F. A summary of the experience, if any is known, other law enforcement entities have had with the proposed technology, including information about the effectiveness, any known adverse information about the technology such as unanticipated costs, failures, civil rights or civil liberties issues.**

Many other Agencies, including a robust number of Law Enforcement Agencies use ALPR Systems throughout California and the Nation. ALPR System Efficiencies are 98% with a correct Read Rate of 95% resulting in high validity of documentation of incidents. Highly effective read rates protect individuals and civil liberties by ensuring proper, correct capturing of information.

BART would require Annual Certification of the System conducted by third party calibration service parties will ensure the system is maintained at factory read rates.

- California Highway Patrol and multiple County and City LE Agencies use ALPR Technologies for law enforcement function.
- SFMTA Uses ALPR Technologies.
- California State Universities including UC Berkley, Hayward and Merced use ALPR Technologies.
- CALTRANS uses ALPR Technologies for all Bridges, and Tolls via FasTrak which has been widely well received by the Public, with specific positive comments for FasTrak Fare collection and ease of use.
- San Francisco International Airport uses ALPR Technologies using FasTrak to pay for parking at airport lots.

Adverse information on ALPR Technology includes:

- ALPR can be fooled using false plates. Although if reported, this would show as a stolen plate in the ALPR System.
- ALPR System Data must be maintained, failure to do so could reflect old records in the system. It is imperative the agency (BART Police Department) implement a secondary verification procedure for all non-exigent or crimes in progress.
- Some individuals and privacy groups do not like the use of ALPR by law enforcement, because they feel it is an infringement of their privacy. ALPR Technologies record all license plates; including those that have not committed offences or infractions in addition to those that have.
- ALPR has a 95 percent correct read rate which means it also has a 5 percent incorrect read rate. This can be best managed by ensuring a robust policy on acceptable ALPR reads and secondary verification for non-crimes in progress.
- Inaccurate data in the system or inaccurate scans can lead to civil rights abuses. In 2015, the taxpayers of San Francisco paid \$495,000 to Denise Green, a 45-year-old Muni driver after police officers pulled her over at gunpoint based on an erroneous alert from their system – the scan was off by one digit, and officers failed to verify its accuracy.

It is important to note that when used properly and judicially along with proper oversight and with written policies in place, ALPR can greatly enhance the safety and security of all personnel using BART owned and operated parking facilities. The State of California has the largest concentration of Agencies using ALPR, followed by New York and Florida. Enclosed below is a direct link to other California Agencies ALPR Use Policies.

- Central Marin Police Authority
- City and County of San Francisco
- City of Alameda
- City of Alhambra
- City of American Canyon
- City of Anaheim
- City of Antioch
- City of Arcadia
- City of Arcata
- City of Atherton
- City of Auburn
- City of Avenal
- City of Azusa
- City of Bakersfield
- City of Beaumont
- City of Bell
- City of Bell Gardens
- City of Berkeley
- City of Belvedere
- City of Beverly Hills
- City of Brawley
- City of Brea
- City of Brentwood
- City of Brisbane
- City of Buena Park
- City of Burbank
- City of Burlingame
- City of Campbell
- City of Carlsbad
- City of Chico
- City of Chino
- City of Chula Vista
- City of Claremont
- City of Clayton
- City of Clovis
- City of Concord
- City of Corning
- City of Corona
- City of Coronado
- City of Covina
- City of Culver City
- City of Cypress

- City of Daly City
- City of Davis
- City of Dublin
- City of El Cajon
- City of El Centro
- City of Elk Grove
- City of Emeryville
- City of Escondido
- City of Fairfield
- City of Folsom
- City of Fontana
- City of Fountain Valley
- City of Fremont
- City of Fresno
- City of Fullerton
- City of Galt
- City of Gardena
- City of Glendale
- City of Glendora
- City of Hanford
- City of Hawthorne
- City of Hayward
- City of Huntington Beach
- City of Imperial
- City of Inglewood
- City of Irvine
- City of Irwindale
- City of La Habra
- City of La Mesa
- City of La Palma
- City of La Verne
- City of Laguna Beach
- City of Lemoore
- City of Livermore
- City of Lodi
- City of Long Beach
- City of Los Alamitos
- City of Los Altos
- City of Los Gatos
- City of Madera
- City of Manhattan Beach
- City of Manteca
- City of Menlo Park

- **City of Milpitas**
- **City of Modesto**
- **City of Monrovia**
- **City of Monte Sereno**
- **City of Morgan Hill**
- **City of Montclair**
- **City of Montebello**
- **City of Monterey Park**
- **City of Moraga**
- **City of Mountain View**
- **City of Murrieta**
- **City of National City**
- **City of Newark**
- **City of Newport Beach**
- **City of Novato**
- **City of Oakland**
- **City of Oceanside**
- **City of Oxnard**
- **City of Pacifica**
- **City of Palo Alto**
- **City of Palos Verdes Estates**
- **City of Pasadena**
- **City of Petaluma**
- **City of Piedmont**
- **City of Pismo Beach**
- **City of Pittsburgh**
- **City of Placentia**
- **City of Placerville**
- **City of Pleasant Hill**
- **City of Red Bluff**
- **City of Redlands**
- **City of Redwood City**
- **City of Richmond**
- **City of Ripon**
- **City of Riverside**
- **City of Sacramento**
- **City of San Bernardino**
- **City of San Bruno**
- **City of San Diego**
- **City of San Fernando**
- **City of San Gabriel**
- **City of San Jose**
- **City of San Leandro**

- City of San Luis Obispo
- City of San Marino
- City of San Mateo
- City of San Pablo
- City of San Rafael
- City of San Ramon
- City of Santa Clara
- City of Santa Monica
- City of Sausalito
- City of Seal Beach
- City of Sierra Madre
- City of Signal Hill
- City of Simi Valley
- City of South Beach
- City of South Gate
- City of South San Francisco
- City of Suisun City
- City of Sunnyvale
- City of Torrance
- City of Tulare
- City of Tustin
- City of Ukiah
- City of Upland
- City of Vallejo
- City of Vernon
- City of Visalia
- City of Walnut
- City of Walnut Creek
- City of West Covina
- City of West Sacramento
- City of Westminster
- City of Westmoreland
- City of Whittier
- City of Woodland
- County of Alameda
- County of Contra Costa
- County of Fresno
- County of Los Angeles
- County of Marin
- County of Orange
- County of Riverside
- County of Sacramento (Sheriff)
- County of Sacramento (Department of Human Assistance)

- **County of San Bernadino**
- **County of San Diego**
- **County of San Luis Obispo**
- **County of San Mateo**
- **County of Santa Clara**
- **County of Shasta**
- **County of Solano**
- **County of Ventura**
- **County of Yolo**
- **California State University, Long Beach**
- **Kensington Police Protection and Community Services District**
- **Port of San Diego**
- **Town of Hillsborough**
- **Town of Los Gatos**
- **Town of Portola Valley**
- **Town of Tiburon**
- **University of California - Merced**

In conclusion, ALPR Technologies can offer greater safety and security for BART patrons and employees using BART Parking Facilities. Patrons will have an improved safety and security when parking at BART.



## EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>16 OCT 2019</i> <i>Theresa M. Powner</i>		GENERAL MANAGER ACTION REQ'D:		
DATE: 10/8/2019		BOARD INITIATED ITEM: No		
Originator/Prepared by: Rachel Factor Dept: Systems Development <i>[Signature]</i> Signature/Date: <i>10/15/2019</i>	General Counsel <i>[Signature]</i> <i>10/15/19</i> [ ]	Controller/Treasurer <i>Christina</i> <i>10/15/19</i> [ ]	District Secretary [ ]	BARC <i>[Signature]</i> <i>10/15/2019</i> [ ]
Status: <b>Approved</b>		Date Created: 10/8/2019		

### Surveillance Policy, Trip Verification Technology

#### PURPOSE:

To obtain authorization to implement Trip Verification Technology and approval of the attached Surveillance Use Policy and Impact Report.

#### DISCUSSION:

BART staff is proposing to develop Trip Verification Technology (TVT) to be used by BART staff and authorized service providers to provide the transit-riding public with new features and benefits. Handheld Trip Verification Devices (TVDs) will be used to scan Clipper cards and Quick Response Code (QR) codes from BART apps to grant access to unique BART or partner incentives aimed at increasing transit ridership.

In coordination with San Francisco International Airport (SFO), San Francisco County Transportation Authority (SFCTA), San Mateo County Transit District (SAMTRANS), and potentially one or more airlines, staff plans for the initial pilot deployment of this technology to be used to incentivize travelers to take public transit to SFO. Travelers who use Clipper or the BART Apps to ride public transit to SFO would be entitled to use a priority lane (queue jump) to get to the passenger screening checkpoint for ticketed airline passengers at one or more terminals, saving time at the airport.

If the pilot of this technology is successful, SFO would consider expanding it to other security checkpoints and/or BART could consider offering the technology to other major partner venues, including the Oakland International Airport.



Pursuant to the District's Surveillance Ordinance, the Board was notified 21 days in advance of this authorization and approval request, and the public was notified 15 days in advance via posting on bart.gov and advertisement in several newspapers within the District.

**FISCAL IMPACT:**

None. This EDD is requesting approval for the use of the Surveillance Technology, not for funding authorization for any trip verification technology procurement funds.

**ALTERNATIVES:**

Not developing the technology. If BART does not develop the Trip Verification Technology, the District will limit its potential to enable incentive programs that can drive additional ridership.

**RECOMMENDATION:**

Adoption of the following motion:

**MOTION:**

Pursuant to District Ordinance No. 2018-1, the Board of Directors finds:

1. That the benefits to the community arising from the implementation of Trip Verification Technology outweigh the costs, and thereby authorizes the General Manager or his designee to proceed with the Trip Verification Technology implementation and data collection thereof.
2. That the Surveillance Use Policy for Trip Verification Technology will reasonably safeguard civil liberties and civil rights, and thereby approves the Surveillance Use Policy, Impact Report for Trip Verification Technology.



# Surveillance Use Policy

## Trip Verification Technology

BART Planning & Development

**PD-TVT-SUP-01**

21 Day BART Board Notice – 10/3/2019

15 Day Public Notice – 10/9/2019

BART Board Meeting – 10/24/2019



# Anticipated Surveillance Impact Report –Trip Verification Device

## A. Purpose

*This section should include: The purpose(s) that the surveillance technology is intended to advance.*

The proposed Trip Verification Software (TVS), will be used by BART staff and authorized service providers to provide the transit-riding public with new features and benefits. Handheld Trip Verification Devices (TVDs) will be used to scan Clipper cards and Quick Response Code (QR) codes from BART apps to grant access to unique BART or partner incentives aimed at increasing transit ridership.

The TVS will allow BART to gain greater flexibility to initiate and manage transit rider incentive programs with major partners.

The initial pilot deployment of this technology is planned to be used to incentivize travelers to take public transit to the San Francisco International Airport (SFO). Travelers who use Clipper or the BART Apps to ride public transit to SFO will be entitled to use a priority lane (queue jump) through Airport security for ticketed airline passengers at one or more terminals, saving time at the airport. The pilot will be coordinated with SFO, San Francisco County Transportation Authority (SFCTA), SAMTRANS, and potentially one or more airlines. Any data collected will be protected and managed in accordance with BART's existing privacy protection measures for passenger and fare data and will not be shared or available to any third party except for authorized BART employees and service providers unless lawfully required to disclose by law or pursuant to a subpoena or court order. Where appropriate BART will require in its service agreements that authorized third-party service providers adhere to the Surveillance Use Policy.

SFO-hired staff at security checkpoints would use the TVD to scan Clipper cards and BART App QR/barcode/NFC tag to confirm and verify that the customer used public transit to get to the airport. The device will use the NFC reader on an "off the shelf" dedicated phone and an already-developed a prototype beta software that will confirm and verify that the last BART tag made was at the SFO BART station. It will utilize a camera to read the QR and barcode. The TVS and TVDs will also collect and store Clipper Serial Number as a unique identifier to authenticate BART incentives. The Clipper Serial Number is routinely collected by BART for all Clipper transactions involving fare gates. The Trip Verification technology will be designed to display a simple message qualifying participation in an incentive program and include a reporting mechanism to measure adoption.

If the pilot of this technology is successful, SFO would consider expanding it to other security checkpoints and/or BART could consider offering the technology to other major partner venues, including the Oakland International Airport.

The unique part of the TVD is its ability to modernize and extend BART's fare verification technology to areas beyond the traditional limits of BART stations. This technology has the potential to enable partnerships that can drive additional ridership such as those between airports, stadiums, hotels and other business – that share common relationships with BART., This technology will be designed to maintain the integrity of the District's incentive programs and gather structured metrics on how these incentives increase transit ridership.

## B. Authorized Use

*This section should include: The uses that are authorized, the rules and processes required prior to such use, and the uses that are prohibited.*

## Anticipated Surveillance Impact Report –Trip Verification Device

The Trip Verification Devices shall not be used in an unauthorized manner as identified in Section A above. The Authorized Uses of the app are:

- Allow BART staff and authorized service providers to use BART issued mobile devices, hereafter referred to as, “Trip Verification Devices”, or “TVDs”, running the BART Trip Verification Software (TVS), to determine if a transit rider’s Clipper card or BART App was used in a manner that qualifies the rider for a program incentive.
- To measure incentive program participation and its relationship to ridership.

All other uses not referenced above shall be prohibited, except as defined in the District’s Surveillance Technology Ordinance.

### C. Data Collection

*This section should include: The information that can be collected by the surveillance technology.*

The Trip Verification Devices shall only be used by BART staff and authorized service providers.

The following data may be obtained through the TVS:

- Limited Clipper Card information (e.g. Serial Number, Entry//Exit, Timestamps)
- Incentive Qualification (Yes/No)

Any data collected by the TVDs must be used and handled pursuant to this policy. BART’s collection and management of this data shall be collected and handled, consistent with the Clipper Program Privacy Policy which can be found here: <https://www.clippercard.com/clipperdirect/privacy.do>.

Data from the TVDs shall not be used for any unauthorized purposes (i.e. personal purposes or to surveil any particular individual or group unless pursuant to a warrant or a court order). Data shall not be used to intentionally violate anyone’s right to privacy; and shall not be used to harass, intimidate, or discriminate against any individual or group.

### D. Data Access

*This section should include: The individuals (as a category) who can access or use the collected information, and the rules and processes required prior to access or use of the information.*

- Users of TVDs shall not have the ability to see any Clipper data or perform any Clipper queries.
- Access to raw TVD data is limited to authorized BART employees and service providers pursuant to this policy.
- Data may be downloaded and released to a third party as required by law. See section H below.

### E. Data Protection

*This section should include: The safeguards that protect information from unauthorized access, including encryption and access control mechanisms.*

The BART Office of the Chief Information Officer sets standards for BART data protection in an Information Security Procedure Manual that includes standards within ISO/IEC 27002, NIST, PCI-DSS and HIPAA.

## Anticipated Surveillance Impact Report –Trip Verification Device

The Trip Verification Software will consist of databases and servers that interact through an Application Programming Interface (API) between systems in both BART secure on-premise datacenter(s) and secure cloud environments.

Access to the TVD Backend Enterprise Architecture is limited to the following:

- BART Database, Server & Application Administrators
- BART Cybersecurity Engineers
- BART Supervisor of Business Systems Applications
- BART Director of Technology over Web & Mobile
- BART Computer Systems Engineering

The TVD Backend Enterprise Architecture will be handled only by those that have been trained in its operation.

### F. Data Retention

*This section should include: The time period, if any, for which information collected by the surveillance technology will be routinely retained, the reason such retention is regularly deleted after that period lapses, and the specific conditions that must be met to retain information beyond that period.*

Data generated from the TVD shall be stored in the BART Applications Backend Enterprise Architecture. Information may be retained for up to 4.5 years.

The data retention period aligns with the Metropolitan Transportation Commission's Clipper Policy for data retention. Data collected is to be used for historical analysis and transit use by BART personnel. Data is retained on a digital storage system with a set retention schedule which is automatically enforced by the same digital system.

### G. Public Access

*This section should include: How collected information can be requested by members of the public, including criminal defendants.*

Requests for information under the California Public Records Act should be filed with the Office of the District Secretary. Email [records@bart.gov](mailto:records@bart.gov). Phone (510) 464-6080, Fax (510) 464-6011. Mail Public Records Request c/o District Secretary BART 300 Lakeside Drive 23<sup>rd</sup> Floor Oakland, CA 94612.

### H. Third Party Data Sharing

*This section should include: If and how other BART District or non-BART District entities can access or use the information, including any required justification or legal standard necessary to do so and any obligations imposed on the recipient of the information.*

Other than data subject to public release under the California Public Records Act, aggregated data may be shared with BART service providers pursuant to this policy. Summary data may be shared publicly.

Staff will adhere to the District's Safe Transit Policy.

### I. Training

*This section should include: A summary of the training required for any individual authorized to use the surveillance technology or to access information collected by the surveillance technology.*

## **Anticipated Surveillance Impact Report –Trip Verification Device**

Training for access and administration of the TVD Backend Enterprise Architecture will be provided by BART internal staff associated with custom application development, and where necessary related BART-authorized service providers. Training will be limited to staff assigned to the administration of the TVD.

### **J. Auditing and Oversight**

*This section should include: The mechanisms to ensure that the Surveillance Use Policy is followed, including internal personnel assigned to ensure compliance with the policy, internal recordkeeping of the use of the technology or access to information collected by the technology, technical measures to monitor for misuse, any independent person or entity with oversight authority.*

Pursuant to the BART Chief Information Officer’s Information Security Procedure Manual, the TVD Backend Enterprise Architecture will be subject to BART’s cybersecurity controls, enterprise logging, administrator activity monitoring, and auditing as applicable.

As defined in the District’s Surveillance Technology Ordinance, an annual accounting of this surveillance technology will be included in the District’s “Surveillance Annual Report”, in a public hearing on or before August 1, before the BART Board of Directors.

# Surveillance Impact Report

## Trip Verification Technology

BART Planning and Development  
**PD-TVT-SIR-01**

21 Day BART Board Notice – 10/3/2019

15 Day Public Notice – 10/9/2019

BART Board Meeting – 10/24/2019



## **Anticipated Surveillance Impact Report –Trip Verification Device**

### **K. Information describing the proposed surveillance technology and how it generally works.**

The proposed Trip Verification Software (TVS), will be used by BART staff and authorized service providers to provide the transit-riding public with new features and benefits. Handheld Trip Verification Devices (TVDs) will be used to scan Clipper cards and Quick Response (QR) codes from BART apps to grant access to unique BART or partner incentives aimed at increasing transit ridership.

The TVS will allow BART to gain greater flexibility to administer transit rider incentive programs with major partners.

The initial pilot deployment of this technology is planned to be used to incentivize travelers to take public transit to the San Francisco International Airport (SFO). Travelers who use Clipper or the BART to Airport App to ride public transit to SFO will be entitled to use a priority lane (queue jump) through security at one or more terminals, saving time at the airport. The pilot will be coordinated with SFO, San Francisco County Transportation Authority (SFCTA), SAMTRANS, and potentially one or more airlines. Any data collected will be protected and managed in accordance with BART's existing privacy protection measures for passenger and fare data and will not be shared or available to any third party except for authorized BART employees and service providers unless lawfully required to disclose by law or pursuant to a subpoena or court order. Where appropriate BART will require in its service agreements that authorized third-party service providers adhere to the Surveillance Use Policy.

SFO-hired staff at security checkpoints would use the TVD to scan Clipper cards and BART App QR/barcode/NFC tag to confirm and verify that the customer used public transit to get to the airport. The device will use the NFC reader on an "off the shelf" dedicated phone and an already-developed prototype beta software that will confirm and verify that the last BART tag made was at the SFO BART station. It will utilize a camera to read the QR and barcode. The TVS and TVDs will also collect and store Clipper Serial Numbers as a unique identifier to authenticate BART incentives. The Clipper Serial Number is routinely collected by BART for all Clipper transactions involving fare gates. The Trip Verification technology will be designed to display a simple message qualifying participation in an incentive program and include a reporting mechanism to measure adoption.

If the pilot is successful, SFO could consider expanding it to other security checkpoints and/or BART could consider offering the technology to other major partner venues, including the Oakland International Airport.

The unique part of the TVD is its ability to modernize and extend BART's fare verification technology to areas beyond the traditional limits of BART stations. This technology has the potential to enable partnerships that can drive additional ridership such as those between airports, stadium entrances, shopping centers, entertainment venues, hotels and other business – that share common relationships with BART. This technology will be designed to maintain the integrity of the District's incentive programs and gather structured metrics on how these incentives increase transit ridership.

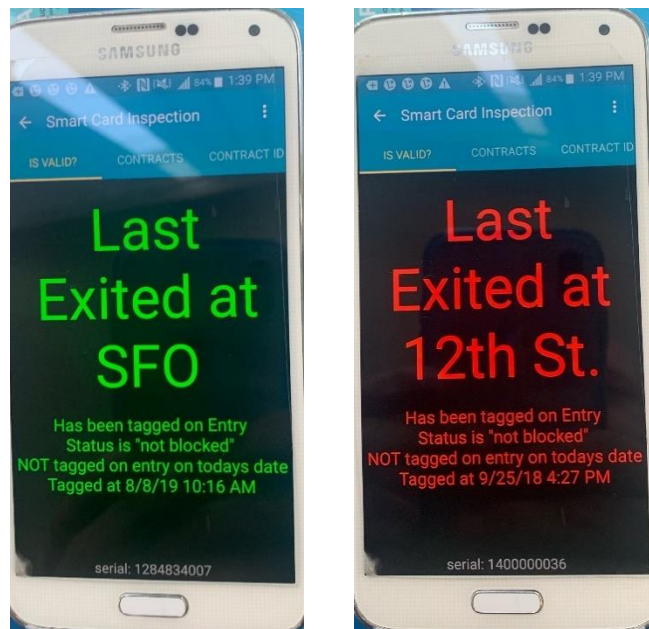


## Anticipated Surveillance Impact Report –Trip Verification Device

The Trip Verification Devices are intended to:

- Allow BART staff and authorized service providers to use BART issued mobile devices, hereafter referred to as, "Trip Verification Devices", or "TVDs", running the BART Trip Verification Software (TVS), to determine if a transit rider's Clipper card or Official BART to Airport App was used in a manner that qualifies the rider for a program incentive.
- To measure incentive program participation and its relationship to ridership.

Sample Images of Trip Verification Device:



All data use is subject to the "Surveillance Use Policy" for the Trip Verification Device, submitted with this "Surveillance Impact Report".

### L. Information on the proposed purpose(s) for the surveillance technology.

The proposed Trip Verification Devices will be used for the following purposes:

- **Trip Verification**
  - Allow BART staff and authorized service providers to determine if a transit rider's Clipper card or BART to Airport App was used to exit a specific station within a certain period.
- To grant access to transit use incentives

## **Anticipated Surveillance Impact Report –Trip Verification Device**

- Grant access to unique BART or partner incentives aimed at increasing transit ridership, such as the San Francisco International Airport (SFO) airport pilot program entitling transit riders to use a priority lane (queue jump).
- Allow BART to gain greater flexibility to initiate and manage transit rider incentive programs with major partners.
- **Measure incentive program participation**
  - To measure incentive program participation and its relationship to ridership.

### **M. If applicable, the general location(s), it may be deployed.**

Initially, the TVDs would be deployed at the SFO Airport for an initial pilot with SFO, San Francisco County Transportation Authority (SFCTA), SAMTRANS, and potentially one or more airlines. If the pilot is successful, SFO would consider expanding it to other security checkpoints and/or BART could consider using the technology at other venues, including the Oakland International Airport, if they have an interest in partnering with the District.

### **N. Crime statistics for any location(s), if the equipment is used to deter or detect crime.**

As approved in the Official BART APP OCIO-BMAARMTB-SUP-01 Approved by the BART Board on October 25, 2018, the BART Applications may be used to provide BART Operations employees and the BART Police Department with the ability to verify payment, troubleshoot rider payment issues, and conduct payment enforcement.

### **O. An assessment identifying any potential impact on privacy rights and discussing any plans to safeguard the rights of the public.**

The Trip Verification Devices will be used by BART staff and authorized service providers only. The devices will collect limited Clipper Card information (e.g. Serial Number, Entry, Exit, Timestamps) and Incentive Qualification (Yes/No) for the sole purposes described above. This technology will not collect any new data that BART does not already collect through the use of Clipper fare media which is managed by the Metropolitan Transportation Commission (MTC). BART's collection and management of this data is handled, and will continue to be handled, consistent with the Clipper Program Privacy Policy which can be found here:

<https://www.clippercard.com/clipperdirect/privacy.do>.

Users of TVDs do not have the ability to see or query any data collected from TVDs.

The TVDs are subject to BART's Surveillance Technology Ordinance and Surveillance Use Policy PD-TVT-SUP-01 that has been publicly noticed and presented to the BART Board for approval.

## Anticipated Surveillance Impact Report –Trip Verification Device

### **P. The fiscal costs for the surveillance technology, including initial purchase, personnel and other ongoing costs, and any current or potential sources of funding.**

The Trip Verification Software (TVS) can be developed by simplifying and streamlining available software tools that are managed by BART’s Computer Systems Engineering group that is responsible for Fare Collection Engineering, and the existing handheld devices currently used by BART Station Agents. The following costs include development and operations and for the SFO pilot program.

Trip Verification Device Component	Budget	Fund	Ongoing Cost
Trip Verification Software Development	\$20,000	BART Funds	
Hardware (Android phones)	\$5,000	BART Funds	
Device management/maintenance	\$10,000	BART Funds	\$10,000
Office of the Chief Information Officer	\$5,000	BART Funds	
<b>Total</b>	<b>\$40,000</b>		<b>\$10,000</b>

The estimate does not include marketing costs, and that the District may seek grant funding and/or marketing partnerships to successfully promote incentive programs.

If the TVDs were to be used beyond the SFO pilot, BART would need to invest around \$40,000 in a server for BART Fare Collections Engineering to deploy interface with the smart phones to collect the data.

### **Q. Whether use or maintenance of the technology will require data gathered by the technology to be handled or stored by a third-party vendor on an ongoing basis.**

No. Although the TVDs and use of the software will be shared with authorized service providers, the data collected will not be handled or stored by a third-party on an ongoing basis. Data generated from the TVD shall be stored in the BART Applications Backend Enterprise Architecture. Non-Personally Identifiable Information may be retained for up to 4.5 years.

Access to the Trip Verification Devices data is limited to BART staff and authorized service providers pursuant to the “Surveillance Use Policy” for the Trip Verification Devices.

### **R. A summary of alternative methods (whether involving the use of a new technology or not) considered before deciding to use the proposed surveillance technology, including the costs and**

## **Anticipated Surveillance Impact Report –Trip Verification Device**

### **benefits associated with each alternative and an explanation of the reasons why each alternative is inadequate or undesirable.**

In developing the concept for the use of Trip Verification Devices for the SFO pilot program, BART staff looked at the following alternatives:

#### **Cubic Hand-Held Fare Card Reader (HCR 4)**

BART staff considered using the Cubic Hand-Held Fare Card Readers (HCR 4) that BART station agents and the BART Police Department currently use to verify fare payment of the people using the system today. While HCR 4 already have the capabilities to read Clipper cards, their use for the SFO pilot program and future incentive programs would have posed several problems, including:

- The cost of each device is around \$1600 compared to around \$200-\$300 for the NFC reader on an “off the shelf” dedicated phone (Android)
- There is a limited amount of HCR 4 readers currently available and they are currently being phased out by Cubic
- The detailed information displayed on HCR 4 would present PII concerns
- The information presented could not be altered
- The HCR 4 could not read QR codes from the Official BART to Airport App
- The HCR 4 could not provide the automated reporting necessary to determine program success

#### **Issuing paper tickets**

BART considered mirroring a similar priority line (queue jump) incentive program at Boston Logan Airport. There, riders who take the Boston Logan Airport Express bus from Back Bay to the Airport are given a paper ticket that they then present to the airport-hired staff at the security checkpoint. The option would have had lower upfront costs to develop; however, it poses multiple problems, including:

- BART is already in the process of phasing out paper media for payment. It would be counterintuitive to introduce a new paper verification.
- Station agents would have additional tasks to hand out paper tickets to those exiting the SFO BART station who would want to take advantage of the incentive program.
- Paper tickets would not enable an automated reporting mechanism to track usage and success of the program.
- There would be limited application for the pilot program to expand to develop other incentive programs

### **S. A summary of the experience, if any is known, other law enforcement entities have had with the proposed technology, including information about the effectiveness, any known adverse information about the technology such as unanticipated costs, failures, civil rights or civil liberties issues.**

## **Anticipated Surveillance Impact Report –Trip Verification Device**

BART is not aware of any known adverse information about the anticipated technology such as unanticipated costs, failures, civil rights or civil liberties issues associated with the use outlined in the Trip Verification Devices Surveillance Use Policy and this Surveillance Impact Report.



# EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>Rajiv Dabir</i> 16 Oct 2019		GENERAL MANAGER ACTION REQ'D: Yes		
DATE: 10/11/2019		BOARD INITIATED ITEM: No		
Originator/Prepared by: Rajiv Dabir Dept: Systems Development <i>Rajiv Dabir</i> Signature/Date: 10/15/19	General Counsel <i>[Signature]</i> 10/15/19 [ ]	Controller/Treasurer <i>Chin Gen</i> 10/15/19 [ ]	District Secretary [ ]	BARC <i>[Signature]</i> 10/15/2019 [ ]

## Award of Energy Service Contract No. 6M8172 for retrofit of lighting in 14 District parking garages

### PURPOSE

To authorize the General Manager to enter into Energy Service Contract No. 6M8172, with ENGIE Services U.S., Inc. (ENGIE), pursuant to the provisions of California Government Code Section 4217.12, to retrofit lighting in 14 District parking garage locations, and to authorize the Controller-Treasurer to execute On-Bill-Financing (OBF) agreements with Pacific Gas and Electric Company (PG&E) to finance the Energy Service Contract.

### DISCUSSION

California Government Code Section 4217.12 (Section 4217.12) authorizes local agencies and Districts to enter into energy service contracts as long as the anticipated costs for the energy project or efficiency services are less than the energy cost savings to be derived from those services over the life of the energy conservation measures. Section 4217.12 allows for the greatest possible flexibility in structuring agreements so that economic benefits may be expedited and maximized, and financing and other costs associated with the design and construction of energy efficiency projects may be minimized. The District previously utilized Section 4217.12, in 2008 in Contract No. 15QD-110 for lighting improvements at BART's 16th and 24th Street Mission Stations, and, in 2009 for lighting improvements at the 12th Street and North Berkeley BART Stations.

In early 2018, consistent with the BART's 2017 Sustainability Policy, Staff conducted a search for Energy Service Companies that could provide assessments, recommendations, design, construction and financing for a lighting energy savings project under Section

4217.12. After a careful review of potential firms, Staff concluded that ENGIE has the prior experience and resources necessary to successfully complete all aspects of this lighting energy savings project. On August 27, 2018, the District executed professional services Agreement No. 6M8156, with ENGIE to identify energy savings measures for lighting in 14 District parking garages, and to provide an engineering and economic basis for the implementation of the recommended measures. As a result of this assessment, ENGIE recommended replacement of 10,526 existing fixtures (currently with an expected 3-5 years of useful life) with light-emitting diode (LED) fixtures (estimated to have 12-20 years of useful life) and wireless lighting controls which would result in an estimated \$31M savings to the District in electricity and maintenance costs over 20 years.

To meet the intent of Section 4217.12, Staff is seeking Board authority to enter into Energy Service Contract, No. 6M8172, with ENGIE. Staff has chosen a "Design-Build-Verify" approach in the Energy Service Contract because this approach allows for a reduced delivery schedule (design and construction typically overlap), and a reduced performance risk during design and construction. Moreover, the Contract provides warranties, operations, and maintenance services which will respond to issues impacting actual savings post construction. In conjunction with Section 4217.12, Staff has chosen PG&E's OBF which allows for an independent third-party assessment prior to the performance of the Contract and after Contract completion.

On August 2, 2019, the District applied for the PG&E's OBF program to finance the capital cost to implement the recommended energy savings measures for lighting in 14 District parking garage locations. As a standard requirement of its underwriting process, PG&E performed an independent third-party assessment of the projected energy savings resulting from the recommended energy savings measures and concurred with ENGIE's original electricity savings estimate. Subject to Board authorization, the Controller-Treasurer will execute the Initial OBF Loan Agreements with PG&E and the General Manager will execute Energy Service Contract No. 6M8172 with ENGIE.

Upon implementation of the energy savings measures by ENGIE, PG&E will perform an independent third-party quality assurance (QA) review prior to executing the Final OBF Loan Agreements and disbursing the OBF funds to the District. The PG&E OBF Loan will be repaid in installments with 0% interest included on the District's monthly electricity bill from PG&E over an approximately 8-year period (or until paid off). The total cost savings to the District in electricity and maintenance costs net of OBF Loan repayment are estimated to be \$31M over 20 years.

It should be noted that neither BART's Non-Discrimination Program for Subcontracting in Non-Federally Funded Contracts or BART's Small Business Program for Non-Federal Funded Contracts apply to BART's Energy Service Contracts under Government Section 4217.17.

On July 27, 2017, the District adopted a Low Carbon Fuel Standard (LCFS) Policy which allows a fixed percentage of the revenue generated from the District’s participation in California Low Carbon Fuel Standard market to support objectives outlined in BART’s Sustainability Policy. BART earns LCFS credits through this market-based State program through the operation of electric train service. The District’s Sustainability policy directs staff to prioritize investments with environmental and financial returns for BART. The lighting retrofit in 14 District parking garage locations is identified in BART’s Sustainability Action Plan as a project that may save both energy and operating funds, and therefore is a top candidate for capital funding from the Sustainability Group’s LCFS revenue.

Based on the PG&E OBF loan, the savings realized from replacement of 10,526 existing fixtures with LED fixtures and wireless lighting controls will cover the District’s costs to have the lighting improvements installed in 14 District parking garage locations.

The Energy Service Contract No. 6M8172 and the OBF Loan Agreements will be approved as to form by the Office of the General Counsel.

**CAPITAL FISCAL IMPACT**

Funding in the amount of \$14,592,600 for award of Energy Service Contract No. 6M8172 is included in the total project budget for FMS # 15JA001 Garage LED Lighting. The estimated base cost of \$12,000,000 will be initially funded by FMS # 15JA001; FMS # 15JA001 will be reimbursed once PG&E’s OBF Loan proceeds estimated at \$12,000,000 are received by the District upon completion of an independent post-construction QA review by PG&E; the \$2,592,600 Allowance will be funded by FMS # 15JA001. Funding for repayment of the PG&E OBF Loan will come from the operating budget using the cost savings the District will realize from reduction in electricity and maintenance costs. The PG&E OBF Loan carries 0% interest and the repayment of the Loan will be included on the District’s monthly electricity bill from PG&E over an approximately 8-year period (or until paid off).

The Office of Controller/Treasurer certifies that funds are currently available to meet the obligation of \$14,592,600 for award of Energy Service Contract No. 6M8172. The following table depicts funding assigned to the referenced project and is included in totality to track funding history against spending authority. Funds needed to meet this request will be expended from a combination of these sources as listed.

As of October 11, 2019, \$16,370,000 is available for this project from the following source:

Fund No.	Fund Description	Fund Source	Amount
8602	Low Carbon Fuel Credits	BART	\$16,370,000
<b>Total</b>			<b>\$16,370,000</b>



BART has expended \$0, committed \$0 and reserved \$0 to date for other action. This action will commit \$14,592,600 leaving an available fund balance of \$1,777,400 in this project.

There is no fiscal impact on available unprogrammed District Reserves.

## ALTERNATIVES

If the recommended energy savings measures through the ENGIE energy service contract are not implemented and the associated PG&E's OBF Loan Agreements are not executed, the District will not implement a key objective of the District's Sustainability Policy and will not realize estimated savings of \$31M, net of financing costs, over 20 years.

## RECOMMENDATION

It is recommended that the Board adopt the following finding and motions.

## FINDING

1. The Board finds pursuant to the provisions of Government Code Section 4127.12 that the anticipated cost to the District for electrical energy will be less than the anticipated cost for electrical energy that would have been consumed by the District in the absence of the installed energy conservation measures under the Energy Service Contract No. 6M8172 with ENGIE Services U.S., Inc.

## MOTIONS

1. The Board authorizes the General Manager to enter into Energy Service Contract No. 6M8172, with ENGIE Services U.S., Inc., for the retrofit of lighting in 14 BART parking garage locations for an estimated base cost of \$12,000,000 and an Allowance worth \$2,592,600 for related infrastructure upgrades, as necessary, which include, but are not limited to, additional light fixtures, wiring, and upgrades due to differing site conditions.

2. The Board authorizes the Controller-Treasurer to execute On-Bill-Financing Loan Agreements with Pacific Gas and Electric Company (PG&E) for the base cost amount of Energy Service Contract No. 6M8172 with ENGIE Services U.S., Inc. for an estimated amount of \$12,000,000.

**SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT**

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**MEMORANDUM**

**TO:** Board of Directors

**DATE:** October 18, 2019

**FROM:** General Manager

**SUBJECT:** PPAAL Agenda Item #7.D: BART-VTA Update - For Information

At the Board of Directors meeting on October 24, 2019, the BART Silicon Valley Extension (Phase I and the O/M Agreement) will be presented for information.

If you have any questions, please contact Carl Holmes at (510) 464-7592.



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Robert M. Powers

cc: Board Appointed Officers  
Deputy General Manager  
Executive Staff

MEMO



**TO:** BART Board of Directors  
Bob Powers, BART General Manager

**FROM:** Robert Padgette, Managing Director

**DATE:** October 17, 2019

**SUBJECT:** CCJPA Board of Directors Meeting, November 20, 2019

**CAPITOL CORRIDOR**  
**JOINT POWERS AUTHORITY**  
300 LAKESIDE DRIVE  
14<sup>TH</sup> FLOOR EAST  
OAKLAND, CA 94612  
(V) 510.464.6995  
(F) 510.464.6901  
[www.capitolcorridor.org](http://www.capitolcorridor.org)

I am submitting this memo to provide an overview of the agenda for the November 20, 2019 CCJPA Board of Directors Meeting in lieu of the typical presentation that is covered in the General Manager's report.

Attached is the draft agenda for the upcoming meeting, which will include the following action items:

- Capitol Corridor Annual Performance Report (FY 19)
- CCJPA Managing Agency Selection
- FY 20 Transit Intercity Rail Capital Program (TIRCP) Application Authorization
- Davis CA Crossovers and Signal Upgrade: Project and Budget Update
- Passenger Information Displays (PIDS): Temporary Extension of Existing PIDS

In addition, the CCJPA Board will be provided with the following information items:

- Capital Projects Update
- Placer Sacramento Gateway Plan: Congested Corridor Plan

Should you have any questions, please do not hesitate to contact me at [robp@capitolcorridor.org](mailto:robp@capitolcorridor.org) or 510-464-6990. Thanks.

Attachment: Draft Agenda Page – November 20, 2019 CCJPA Board Meeting



**CAPITOL CORRIDOR JOINT POWERS AUTHORITY**  
**MEETING OF THE BOARD OF DIRECTORS**  
**Wednesday, November 20, 2019**  
**10:30 a.m.**

Simultaneous teleconference calls will take place at:

TBD

Santa Clara Valley Transportation  
 Authority  
 3331 North First Street, Room B-106  
 San Jose, CA 95814  
 (see attached map)

**DRAFT AGENDA**

- |      |  |  |               |
|------|--|--|---------------|
| I.   | Call to Order  |  |               |
| II.  | Roll Call and Pledge of Allegiance   |  |               |
| III. | Report of the Chair  |  |               |
| IV.  | Consent Calendar   |  | <i>Action</i> |
|      | 1. Minutes of September 18, 2019 Meeting   |  |               |
|      | 2. 2020 CCJPA Board of Directors Meeting Schedule  |  |               |
|      | 3. FY 20 CCJPA/Amtrak Operating Agreement: Update  |  |               |
|      | 4. Diesel Exhaust Fluid Storage and Dispensing at Oakland Maintenance Facility: Budget Update  |  |               |
|      | 5. Suisun Station Passenger Waiting Shelters   |  |               |
| V.   | Action and Discussion Items  |  |               |
|      | 1. Capitol Corridor Annual Performance Report (FY 19)  |  | <i>Action</i> |
|      | 2. CCJPA Managing Agency Selection   |  | <i>Action</i> |
|      | 3. FY 20 Transit Intercity Rail Capital Program (TIRCP) Application Authorization  |  | <i>Action</i> |
|      | 4. Davis CA Crossovers and Signal Upgrade: Project and Budget Update   |  | <i>Action</i> |
|      | 5. Passenger Information Displays (PIDS): Temporary Extension of Existing PIDS   |  | <i>Action</i> |
|      | 6. Legislative Matters/ FY 19-20 State Budget  |  | <i>Action</i> |
|      | 7. Capital Projects Update   |  | <i>Info</i>   |
|      | 8. Placer Sacramento Gateway Plan: Congested Corridor Plan   |  | <i>Info</i>   |
|      | 9. Managing Director's Report  |  | <i>Info</i>   |
|      | 10. Work in Progress   |  | <i>Info</i>   |
|      | a. Onboard Wi-Fi   |  |               |
|      | b. California Passenger Information Display System (CalPIDS) Modernization   |  |               |
|      | c. Renewable Diesel Pilot Program – Phase 2  |  |               |
|      | d. Sacramento-Roseville 3 <sup>rd</sup> Track Project – Phase 1  |  |               |
|      | e. South Bay Connect (Oakland to San Jose Phase 2A)  |  |               |
|      | f. Alviso Wetland Railroad Adaptation Alternatives Study   |  |               |
|      | g. LED Lighting at Richmond Station  |  |               |
|      | h. Procurement of Door Panels for Norcal Surfliner Rail Cars   |  |               |
|      | i. Upcoming Marketing Activities   |  |               |
| VI.  | Board Member Reports   |  |               |
| VII. | Public Comments  |  |               |
| VIII | Adjournment. Next Meeting Date: February 12, 2020, Suisun City Hall, City Council Chambers,<br>701 Civic Center Blvd, City of Suisun, CA |  |               |

Notes: Members of the public may address the Board regarding any item on this agenda. Please complete a "Request to Address the Board" form (available at the entrance of the Boardroom and at a teleconference location, if applicable) and hand it to the Secretary or designated staff member before the item is considered by the Board. If you wish to discuss a matter that is not on the agenda during a regular meeting, you may do so under Public Comment. Speakers are limited to three (3) minutes for any item or matter. The CCJPA Board reserves the right to act on any agenda item.

Consent calendar items are considered routine and will be enacted, approved or adopted by one motion unless a request for discussion or explanation is received from a CCJPA Board Director or from a member of the audience. The CCJPA Board provides services/accommodations upon request to persons with disabilities who wish to address Board matters. A request must be made within one and five days in advance of a Board meeting, depending on the service requested. Call (510) 464-6085 for information.