

**SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT**

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

BOARD MEETING AGENDA

November 21, 2019

9:00 a.m.

A regular meeting of the Board of Directors will be held at 9:00 a.m. on Thursday, November 21, 2019. This meeting shall consist of a simultaneous teleconference call at the following locations:

BART Board Room Kaiser Center 20 <sup>th</sup> Street Mall – Third Floor 2040 Webster Street Oakland, CA 94612	44B 10th St Hong Lok Yuen, Hong Kong
---	---

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. Commendation for John O'Connor
  - ii. Former BART Board Member Thomas Blalock and Alameda Contra Costa Transit District Board Member Diane Shaw.

2. CONSENT CALENDAR

- A. Approval of Minutes of the Meeting of October 24, 2019.\*  
Board requested to authorize.
- B. (CONTINUED from October 24, 2019, Board Meeting)  
District Base Pay Schedule.\* Board requested to authorize.
- C. Amendment to Legal Services Agreement with Renne Public Law Group.\*  
Board requested to authorize.
- D. Amendment to Agreement with Urban Alchemy for the Elevator Attendant Program.\* Board requested to authorize.
- E. Award of Contract No. 04SF-210, Construction of East Contra Costa BART Extension Project Maintenance Facility and Canopies.\*  
Board requested to authorize.
- F. Amendment to Agreement with K & J Safety for Security Consulting Safety Training.\* Board requested to authorize.
- G. Reject All Bids for Contract No. 54RR-110, Sewage Pumps Replacement Project.\* Board requested to reject.

3. PUBLIC COMMENT – 15 Minutes

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

4. ADMINISTRATION ITEMS

Director Simon, Chairperson

- A. Update on Clipper® Next Generation System and Means-Based Pilot Program.\* For information.

5. ENGINEERING AND OPERATIONS ITEMS

Director Foley, Chairperson

- A. Award of Contract No. 04SF-190, Antioch Station Expansion Parking Project and Miscellaneous Site Improvements.\* Board requested to authorize.
- B. Award of Contract No. 15IF-140, Powell Street Station Modernization Project.\* Board requested to authorize.
- C. Sole Source Procurement of Portable Rail Car Lifts.\* Board requested to authorize. (TWO-THIRDS VOTE REQUIRED)
- D. Update on Fleet of the Future.\* For information.
- E. Update on Sunday Revenue Service.\* For information.
- F. Change Order to Contract No. 15EJ-171, 34.5 kV Cable Replacement M-Line MVS Switching Station and MTF, MSS, MPS, and MTW Substations, with DMZ Builders Co., Inc., for Contract Time Extension (C.O. No. 13).\* Board requested to authorize.

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

Director Raburn, Chairperson

- A. Lease of Employee Workspace with Merced Bar, LLC at 2500 Bates Avenue, Concord, CA.\* Board requested to authorize.
- B. Proposed BART and Valley Transportation Authority Operations & Maintenance Agreement.\* For information.
- C. Update on BART and Valley Transportation Authority Phase I.\* For information.
- D. Update on Transit Operations Facility and Lake Merritt Plaza.\* For information.
- E. Millbrae Transit Oriented Development.\* For information.

7. GENERAL MANAGER'S REPORT

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

8. 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.)

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

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

A. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

Property: BART Property Located at the Millbrae BART Station,  
& The northwesterly portion of Millbrae Avenue  
bounded by Rollins Road to the east and BART parcels  
to the west and north APN 024-180-270 and 300  
respectively

District Negotiators: Carl Holmes, Assistant General Manager, Construction  
and Development; Sean Brooks, Director of Real Estate  
and Property Property Development; and Kimberly  
Koempel, Principal Planner

Negotiating Parties: Republic Millbrae LLC, and San Francisco Bay Area  
Rapid Transit District

Under Negotiation: Price and Terms

Government Code Section: 54956.8

11. **OPEN SESSION**

A. Announcement from Closed Session, if any.

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

Board of Directors  
Minutes of the 1,851st Meeting  
October 24, 2019

A regular meeting of the Board of Directors was held on October 24, 2019, convening at 9:02 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. Mr. Robert Powers, General Manager, recognized BART's American Public Transportation Association (APTA) Leadership graduates, noting that, every year, an APTA committee selects up to 25 people for the leadership program per year from across the country through a very competitive process. Mr. Powers recognized and congratulated Mr. Frederick Edwards, Assistant Chief Transportation Officer, Central Control, as BART's most recent graduate of the APTA Leadership Academy and the following BART employees who graduated from the Academy: Ms. Tamar Allen, Assistant General Manager, Operations; Ms. Pamela Herhold, Assistant General Manager, Performance and Budget; Mr. Roy Aguilera, Chief Transportation Officer; Mr. David Hardt, Chief Mechanical Officer; Mr. Travis Engstrom, Director of Technology; Ms. Tera Stokes-Hankins, Assistant Chief Transportation Officer, Service Delivery; Mr. Leonardo Pica, Assistant Chief Mechanical Officer; Mr. Michael Jones, Deputy General Manager; and Mr. Kenneth Duron, former District Secretary.

President Dufty announced that pursuant to Section 4217.10 et seq. of the Government Code, a publicly noticed hearing was required prior to the Board of Directors acting upon the proposed energy conservation contract with ENGIE Services U.S., Inc. to retrofit the current lighting infrastructure in fourteen (14) District Parking Garages; that this hearing was the venue for the public to comment; and that staff would give a brief presentation on the proposed contract and that the meeting would then be open for comments from the public.

Mr. Val Menotti, Chief Planning and Development Officer, introduced Mr. Rajiv Dabir, Group Manager, Sustainability Program, and Mr. Dabir presented the item.

President Dufty announced that comments from the public would be received. There being no public comments received, the Public Hearing was closed.

Consent Calendar items brought before the Board were:

1. Approval of Minutes of the Meeting of October 10, 2019.
2. Revision to Succession Resolution.

3. Revision of Equal Employment Opportunity (EEO) and Prevention of Sexual Harassment in the Workplace Policies.
4. District Base Pay Schedule.
5. Award of Invitation For Bid No. 9056, Step Chain Assemblies.
6. Award of Invitation For Bid No. 9062, Step Yellow Demarcation Escalators.
7. Award of Invitation For Bid No. 9063A, Step Cast Units.
8. Award of Invitation For Bid No. 9071, Dry Type Transformers.

President Dufty requested that Item 3-D, District Base Pay Schedule, be removed from the Consent Calendar and made the following motions as a unit. Director Simon 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 October 10, 2019, be approved.
2. That Resolution No. 5429, In the Matter of Designating an Alternate for the General Manager and Authorizing Certain District Officers to Use Facsimile Signatures on District Warrant-Checks, be adopted.
3. That the revised Equal Employment Opportunity and Prevention of Sexual Harassment in the Workplace Policies be adopted.
4. That the General Manager be authorized to award Invitation for Bid No. 9056, an estimated quantity contract, for the purchase of escalator step chain assemblies to ECS Corporation, Broadview, Illinois 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 Procedures.
5. That the General Manager be authorized to award Invitation for Bid 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.
6. That the General Manager be authorized to award Invitation For Bid No. 9063A, an estimated quantity contract, for the purchase of Montgomery 5E Escalator Step Cast Unit Assemblies to Kone Inc. (Kone Spares), Moline, Illinois for the bid price of \$257,174.50, including taxes, pursuant to notification to be issued by the General Manager.
7. That the General Manager be authorized to award Invitation For Bid 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 Procedures and the Federal Transit Administration's (FTA) requirements related to protest procedures.

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

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

Roland Lebrun  
Armando Garcia

Director Simon, Chairperson of the Administration Committee, had no report.

Director Foley, Chairperson of the Engineering and Operations Committee, brought the matter of Response to Roll Call for Introductions Item No. 19-824, Panhandling, before the Board.

The item was extensively discussed. Staff information and presentations were provided by Mr. Powers; Mr. Matthew Burrows, General Counsel; Deputy Chief of Police Lance Haight; and Mr. Tim Chan, Group Manager, Station Planning.

Directors raised concerns, asked questions, expressed opinions, and introduced discussion on elements of the subject as noted below.

Director Ames requested clarification of public forum and non-public forum designations.

Director Simon requested an explanation of how charges under Penal Code sections 640 and 647 relate to the changes in the law via Proposition 47; asked whether charges brought under Penal Code sections 640 and 647 have been prosecuted after BART Police issued a citation and the District Attorney filed charges; and asked whether egregious cases are prosecuted.

Director Foley requested clarification of unreasonably loud sound equipment; and who determines what is "loud and unreasonable noise."

Director Allen requested the meaning of "infraction," and noted that an infraction does not criminalize people.

Director McPartland commented on the section of Penal Code 369 pertaining to entertainment on trains; safety concerns regarding acrobatics on trains; a constituent's comment regarding being a captive audience; and panhandling in the paid area being a deterrent to BART riders.

Director Li inquired on the effectiveness of other agencies' policies in eliminating or significantly reducing panhandling or solicitation, and what staffing resources were required.

Director Saltzman commented on other agencies' policies and enforcement, particularly her experience with observing panhandling and enforcement on Los Angeles County Metropolitan Transportation Authority (Metro); busking and enforcement in New York, including her observations of buskers in the New York City Transit system on crowded station platforms; and the need for more data regarding enforcement.

Director Allen noted that without an ordinance there is nothing to enforce.

Director Simon commented on organized groups of women with babies and “Kleenex people;” the media’s accusations of women’s abuse of these children; and BART Police Department’s tracking of the alleged abuse.

The following individuals addressed the Board:

Keith Garcia  
Abre Conner  
Quiver Watts  
Kevin Goldberg  
Tone Oliver  
Roland Lebrun  
Bob Feinbaum  
Charlotta Wallace  
Armando Garcia  
Gerald Cauthen

Director Ames commented on ridership, her experience observing panhandlers on the Dumbarton Express, for a designations, and panhandling restrictions; that customers feeling unsafe or uncomfortable leads to decreasing ridership; artistic performances and the possibility of creating a policy within the Art Program to allow artists to earn income without soliciting on the trains; the importance of art to the transit system; that BART police officers receive training on handling these situations; that while the District desires orderly conduct, BART does not want to punish people who do not have any money.

Director Raburn thanked Ms. Wallace for her work to help protect passengers at Powell Street Station; indicated that the Board should focus on situations that are causing problems for passengers, tourists, and station agents, as it is unfair to everyone involved when station agents are pulled from their booths to address issues at the ticket machines; noted that he had previously explored creating a “no panhandling” zone near ticket machines, but abandoned the idea following the successful legal challenges that scuttled a similar ordinance in Sacramento; commented on artists whose careers began with performances at BART stations; indicated that the Board could not move forward on an ordinance without additional data and would likely be subject to First Amendment challenges; opined that passengers should pay the fare; and indicated he would continue to promote safety on BART through station hardening and work toward equitable fares and fare integration amongst regional transit agencies.

Director Li asked Mr. Powers how he would write a policy and what would he look to achieve in such a policy, if the Board directed him to draft a policy, and asked what feedback he had received from customers regarding a BART presence on the trains and platforms - not necessarily BART Police; commented on her belief of a mutual desire among the Board, BART staff, and the public for a high quality, safe, reliable, welcoming, public transit system that is successful, affordable, and gets people from point A to point B; commented on panhandling, solicitation, and safety and the need for an ambassador program; discussed whether policymaking is a good use of BART resources and whether riders desire such a policy; relayed that Independent Police Auditor Russell Bloom had indicated that enforcement of an anti-panhandling policy would likely result in an increase in sworn law enforcement contacts, complaints, and individual police officers’ workload; expressed concern regarding the risk of increased use of force cases; reviewed information on



customer feedback, including opinions regarding fare evasion, homelessness, and enforcement of eating and drinking policies, specifically noting that regular peak-time commuters think that enforcement of eating and drinking policies is more important than enforcing fare evasion policies and that riders indicated that the following issues are more important for BART to deal with than homelessness, which is conflated with panhandling: station cleanliness, train temperature, on-time performance, seat and standing room availability, and the condition of train windows and exteriors; recommended that BART respond to the data, stop prioritizing issues that riders are not asking for, and deal with public safety through an ambassador program; and requested that staff not bring back a policy on banning panhandling or solicitation but that staff bring a robust ambassador pilot program to the Board for consideration.

Director Simon revisited the significance of arts and culture to a public transportation system and expressed support for artists and buskers; commented on creating an ordinance that would allow law enforcement officers to issue infractions to panhandlers, noting that nothing will improve if a person is cited for solicitation and matriculated through the criminal justice system; discussed poverty, noting that over 12,000 people in her District sleep on the concrete every night and that panhandling and homelessness are different, that poor people can be unjustly criminalized, that cities should house and support people who are unable to do so for themselves, and that while BART is not a social service organization, BART remains in the context of the larger ecosystem of government; and shared her experience with asking for help with adding fare to her ticket inside the paid area and reiterated that everyone wants to get home safely.

President Dufty thanked Director Li for her comments and indicated that BART has been working on issues that riders are concerned about; noted consensus on the Board to better staff and support the BART Police Department; noted that systems serving the poor are inadequate and can promote failure, mentioning lack of homeless shelters, untenable conditions in existing shelters, the long wait times for assistance, and how these issues affect BART; commented that replacement of 41 escalators in downtown San Francisco stations would require six years and that reducing homelessness also would not occur overnight; mentioned the hearing in December regarding the Alameda County Grand Jury Report that criticized BART for safety and quality-of-life issues, stating that he wishes to ask the Alameda County Supervisors about their efforts to address homelessness and related issues; commented on the “one ticket, one seat” ordinance that had been repealed; and shared that this issue is deeply personal to him, and that although problems with aggressive panhandling exist, it is important to maintain compassion and remember that panhandlers are people, and individuals are free to choose not to give.

Director Saltzman expressed support for the comments from Directors Li, Simon, and Dufty; commented that the circumstances on BART and in the Bay Area are uncomfortable because we are all seeing panhandling, although riders’ reactions often reflect differences in communities; questioned if an anti-panhandling ordinance would be enforceable and if limited police resources should be used to carry out such a policy, as BART police officers already make tough decisions in responding to calls; noted that even if there was no panhandling on the trains, people would still be impoverished and panhandling would be pushed into unpaid areas; mentioned that while some people are uncomfortable around buskers, most of the people she has spoken to like most of the buskers; shared her observations of performances and reactions from riders; suggested that buskers be prevented from performing in designated train cars, similar to the bicycle car restrictions; shared a story about a break-dancer who performed on BART to avoid poverty and subsequently became a well-known performer and cautioned against pushing artists out of the Bay Area; and expressed

hope for everyone to consider the larger problem and how BART can work with the rest of the Bay Area toward a larger solution.

Director Foley commented that he is a daily rider and personally had no issues with busking or panhandling, but that as an elected official he has to make difficult decisions about the greater good of the organization, examine how riders feel about this issue, and determine what world-class transit looks like; indicated that while world-class transit may not include panhandling, he does not wish to infringe on First Amendment rights; noted that this issue is not just a BART issue, but also a social, Bay Area, and worldwide issue; highlighted a study of panhandling options conducted by Columbia University and noted that the study included permitted panhandling and busking and that BART can be creative to retain humanity while maintaining world-class transit; and requested staff to try to find an alternative that does not just lead to an infraction.

Director McPartland discussed the difference between policies and ordinances, noting that a policy has no compulsory response, but if an ordinance is enacted, then there is an opportunity for the ordinance to be challenged in court and a decision can be made there; expressed his preference for enacting an ordinance or find other solutions as suggested by Director Foley; stated that he does not have a problem with entertainers on BART trains, but has constituents that do take issue with them, and he works for these constituents; indicated that BART should be providing safe, reliable, clean, transportation, which does not mean creating a captive audience in a target-rich environment for panhandlers; agreed with Director Saltzman's comments that there is a global problem with poverty and homelessness, and encouraged BART as an organization to actively work to address these issues, but ultimately BART must take care of its patrons and he believes the best course of action would be to allow panhandlers and entertainers in the unpaid area and provide spaces for them.

Director Allen commented that she believes that the topic of panhandling has somewhat been blended with other topics, such as homelessness and poverty; noted that there are four categories of soliciting and panhandling that occur on trains: the "ladies carrying the babies with signs;" the "tissue dispensers;" performers; and others, such as poor and homeless people who ask people for help on the trains; expressed that riders desire change at BART, including more police presence, to feel safe, to have cleaner stations, and for the unruly behavior on BART to stop, including people sleeping across the seats, and the elimination of panhandling on trains, although many people who have complained about panhandling have also expressed appreciation for some of the performers; indicated she would be happy to work with staff to create an ordinance, if legally permissible, and to find a place for performances outside of the stations and faregates and inside designated areas in the stations, or to allow permitted performances on trains, but that this activity cannot be completely unregulated, citing incidents where buskers have fought over territory; mentioned that taxpayers pay for 70% of BART so that BART can transport people to and from their destination, that people who advise her that they are no longer riding BART usually say they stopped riding due to the environment on the train, and that workers, riders, and non-riding taxpayers have indicated to her that BART should focus on that transporting mission; explained that BART should have an ordinance because riders express to her that this is a problem, especially the elderly and those with disabilities; commented on other agencies' ordinances that prohibit this type of activity inside of their faregates; mentioned that she believes that increased police presence will create more police contact, which is what the riders in her District are requesting and that she does not believe that an ambassador program is the answer, as that the program will only address the perception of safety; and requested staff present a proposed ordinance and explore expansion of

the arts along with the ordinance with the arts activities outside of the paid areas or in designated permitted spaces inside, if that can be bifurcated from the ordinance, and stated that this would be a package she would be willing to support.

There was discussion regarding a potential future Roll Call for Introductions request regarding a panhandling ordinance.

Director Raburn commented that there were a number of positive comments surrounding the creation of a program to identify spaces and provide assistance for busking in the stations.

Director Li exited the meeting.

Director Foley brought the matter of Award of Contract No. 54RR-610, Systemwide HVAC Upgrades, before the Board. Mr. Shane Edwards, Chief Maintenance and Engineering Officer, introduced Mr. Michael Gerbracht, Project Manager, Maintenance and Engineering, and Mr. Gerbracht presented the item.

Director McPartland moved that the General Manager be authorized to award Contract No. 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. Director Raburn seconded the motion and noted that Blocka exceeded the Minority Business Enterprise (MBE) and Disadvantaged Business Enterprise (DBE) availability by substantial amounts. The motion brought by Director McPartland and seconded by Director Raburn carried by unanimous electronic vote. Ayes – 8: Directors Allen, Ames, Foley, McPartland, Raburn, Saltzman, Simon, and Dufty. Noes – 0. Absent – 1: Director Li.

Director Raburn, Chairperson of the Planning, Public Affairs, Access, and Legislation Committee, brought the matter of Revision of Surveillance Policy: Automated License Plate Readers, before the Board. Ms. Ryan Greene-Roesel, Manager of Special Projects, Systems Development (Parking Program Manager), presented the item. Director Raburn asked Ms. Greene-Roesel to briefly characterize her discussions with the American Civil Liberties Union (ACLU) and the Electronic Freedom Foundation. Director Raburn's request was addressed by staff. Director Raburn noted that the agenda packet included a redlined document that reflects the changes made to a policy that the Board has adopted in the past.

Director McPartland moved that (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 Automated License Plate Recognition Technology outweigh the costs, and thereby authorizes the General Manager or his designee to proceed with the Automated License Plate Recognition implementation and data collection thereof, and (b) that the Surveillance Use Policy for Automated License Plate Recognition Technology will reasonably safeguard civil liberties and civil rights; and (2) the attached revisions to the Surveillance Use Policy and Impact Reports adding parking enforcement as an authorized use of Automated License Plate Recognition Technology, be approved. Director Saltzman seconded the motion, which carried by unanimous electronic vote. Ayes – 8: Directors Allen, Ames, Foley, McPartland, Raburn, Saltzman, Simon, and Dufty. Noes – 0. Absent – 1: Director Li. (The revisions to the Surveillance Use Policy and Impact Reports are attached and hereby made a part of these Minutes.)

Director Li entered the meeting.

Director Raburn brought the matter of Surveillance Policy: Trip Verification Technology, before the Board. Mr. Holmes and Ms. Rachel Factor, Principal Planner, Systems Development, presented the item.

Director Foley moved that, 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; and (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. Director Raburn seconded the motion. President Dufty recognized the constituent who inspired the item, and he acknowledged Mr. Powers, BART staff, Mr. Ivar Satero, Airport Director for the San Francisco International Airport, Supervisor Aaron Peskin, Chair of the San Francisco Transportation Authority (SFCTA), and Ms. Tilly Chang, Executive Director of the SFCTA for their expeditious work and cooperation on this item. Director Saltzman commented on a constituent being the inspiration for the item and she expressed support for the item. She asked staff to provide an expected timeline for implementation. Director Saltzman requested that staff present an informational report about the program's progress to the Board three months after the program begins operating. Director Saltzman suggested that if the program works well, then Board could discuss expanding the program to entertainment venues. She also noted that this program could address the decline in off-peak ridership. Director Raburn expressed appreciation for staff's forward-looking ideas.

The motion brought by Director Foley and seconded by Director Raburn carried by unanimous electronic call vote. Ayes: 9 – Directors Allen, Ames, Foley, Li, McPartland, Raburn, Saltzman, Simon, and Dufty. Noes: 0.

Director Raburn brought the matter of Award of Energy Service Contract No. 6M8172, Retrofit of Lighting in Fourteen (14) District Parking Garages, before the Board. Mr. Holmes, Mr. Dabir, and Mr. Menotti, presented the item. Director Raburn indicated that the proposed contract presents an energy-saving effort on behalf of the District. He also noted that the contract provides benefits, such as lowered maintenance costs through longer-life equipment and improved passenger safety through a reduction in outages. Director Raburn expressed that he conducts lighting audits at his stations during this time of year and that it is imperative for BART create reliable systems. Director Raburn requested that the staff monitor the remote controllers' performance; he noted that sometimes adopting a new technology can introduce a new type problem, but he believes that BART is on the right track. Director Simon asked clarifying questions regarding the selection of ENGIE, whether ENGIE would be subject to a Project Labor Agreement (PLA) with ENGIE's subcontractors and workers, and whether the subcontractor is unionized. Director Ames asked if there is plan for the parking lots that is similar to the plan for the parking garages and asked clarifying questions about the solicitation process and control system for the parking lot project.

Director Saltzman moved the following items as a unit:

1. That 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.

2. That the General Manager be authorized to enter into Energy Service Contract No. 6M8172, with ENGIE Services U.S., Inc., for the retrofit of lighting in fourteen (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.
3. That the Controller-Treasurer be authorized 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.

President Dufty seconded the motions, which carried by unanimous electronic vote. Ayes: 9 – Directors Allen, Ames, Foley, Li, McPartland, Raburn, Saltzman, Simon, and Dufty. Noes: 0.

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. Holmes and Mr. Shane Edwards presented item. Director Raburn asked staff to verify which agency bears financial responsibility associated with delayed start of revenue service. Mr. Edwards and Mr. Holmes continued the presentation. Ms. Bernadette Lambert, Project Manager, Extensions, and Ms. Pamela Herhold, Assistant General Manager, Performance and Budget, presented information about the item.

Roland Lebrun addressed the Board.

Director Li commented on staff's efforts and the Termination for Convenience section of the Operating and Maintenance Agreement, highlighting that the terms of termination should be determined if and when service is terminated, not before revenue service has begun. Director Li expressed appreciation for Ms. Lambert and Ms. Herhold's efforts. She also noted that she is looking forward to a ceremony for when the Milpitas and Berryessa Stations open for revenue service. Director Ames commented on Mr. Lebrun's comment and asked staff questions regarding California Public Utilities Commission's (CPUC) approval and involvement in the process. Director Ames' questions were addressed by staff. Director Ames expressed concerns about prematurely employing staff and the revenue service date, and she suggested that BART collaborate with the CPUC and Santa Clara Valley Transportation Authority (SCVTA).

Director Foley referenced Mr. Lebrun's comment and asked staff questions regarding recordings of the BART-SCVTA joint meetings. Director Foley's question was addressed by the District Secretary. Director Raburn commented that at the Diridon Station meeting on August 30, 2019, Commissioner Raul Peralez expressed that not seeing the agenda prior to the meeting was like drinking from a fire hydrant. Director Raburn indicated that the agenda packet was extensive; that Google gave an incredible presentation at the meeting, but was not mentioned in the agenda; and that subsequently the meeting materials were posted online. Director Raburn explained that he hoped that materials would be published this past week and he supported Director Li's comments regarding the Termination for Convenience, specifically noting that BART cannot commit to the

unamortized values at this time. He also indicated that the Capital Investment Financial Plan and the scope, schedule, and budget, are BART's responsibility, and that these issues are key elements that BART needs to underline. Director Rabun applauded the hard efforts of Mr. Holmes, Ms. Lambert, Ms. Herhold, and Mr. Edwards.

President Dufty called for the General Manager's Report. Mr. Powers thanked the BART Police Department, Operations staff, and San Francisco Police Department for their joint efforts to reunite a child with his mother at Civic Center Station on October 23, 2019. Mr. Powers report that he completed Listening Tour sessions at the Bay Fair and Civic Center stations during the past week. He also reported that his upcoming Listening Tour sessions would be held at the Concord and 19<sup>th</sup> Street/Oakland stations. Mr. Powers reported on the incident of October 22, 2019 involving a ballast retention board that caught fire in the Transbay Tube. Mr. Powers explained that Mr. Shane Edwards and his team were investigating the incident. He further reported that the Oakland Fire Department reported to the incident and that BART was single-tracking trains, but full service was restored after 30 minutes due to the work of the Oakland Fire Department and Mr. Edwards and his team. Mr. Powers noted that the incident occurred at commute time and he thanked Ms. Alicia Trost, Chief Communications Officer, Mr. Roddrick Lee, Assistant General Manager, External Affairs, and their staff for how well the issue was published in the public, press, Twitter, and the digital world. He also recognized Mr. Edwards' efforts to place staff at stations to assist people with taking the buses to cross the bridge. Director Li asked Mr. Powers how the ballast retention board fire affected Transbay Tube functionality and whether the fire occurred inside the Transbay Tube. Mr. Powers addressed Director Li's question.

Mr. Powers reported on the Metropolitan Transportation Commission's (MTC) approval of a \$600,000 allocation of Regional Measure (RM) 2 funds for a fare integration study and \$1,000,000 in funding for the implementation of Assembly Bill (AB) 2923. Mr. Powers reported on the expansion of the new carpool application to the West Bay stations, including Daly City, Colma, South San Francisco, San Bruno, and Millbrae stations, and he explained why Glen Park Station was not included in the expansion. Mr. Powers reported that he and Nuria Fernandez, General Manager of the Santa Clara Valley Transportation Authority, met with Senator Jim Beall last week and they discussed the Silicon Valley Extension and Senator Beall's support and leadership for FASTER Bay Area. Mr. Powers reported on the Capitol Corridor Joint Powers Authority's (CCJPA) agenda for the November 20, 2019 meeting in San Jose and he noted the following agenda items: Mr. Robert (Rob) Padgette's presentation of a performance report; the CCJPA's selection of a managing agency; the Fiscal Year 20 Transit Intercity Rail Program application authorization; an upgrade of crossovers in Davis; and discussion of signage and way finding.

Director Saltzman commented on her experience with the Transbay Tube closure and she asked Mr. Powers if staff could publish information about crowding on the platforms. Director Saltzman also asked Mr. Powers about solving the problem of the excursion fare and the long lines for seeking assistance from the station agents. Mr. Powers acknowledged Director Saltzman's questions. Director Foley commented on his experience with the Transbay Tube closure. He indicated that the riding public should not have to search for information and that detailed information should be provided to individuals on the trains through train car audio.

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

Director Ames reported that she met with a group of children who participate in a robotics and technology competition and she thanked BART staff for meeting her and the children at the Central Fremont Station. She noted that staff showed the children how various machines work and that BART police officers responded to fare evasion at the station. Director Ames reported on her experience at Tule Ponds, an education center for math and science in Fremont.

Director Raburn reported that he traveled to Sacramento to attend the RailNation Summit. He commented on the presentation by Ms. Alicia Trost and Ms. Seung Lee, Marketing Representative II, at RailNation. He expressed appreciation for staff's presence on Twitter, and he indicated that other operators were envious of BART's work on Twitter. Director Raburn reported that he attended a session regarding the California Integrated Travel Program, presented by James Allison, Manager of Planning, Capitol Corridor. Director Raburn commented on Clipper® and the California Integrated Travel Project. Director Raburn reported that he attended the San Francisco Bay Area Planning and Urban Research Association's (SPUR) panel regarding overall transit integration. He suggested that a discussion about how BART can consider moving toward greater integration, be included in the 2020 Board Workshop.

Director Li reported that she attended the Chinatown Community Development Center's (CCDC) gala. She also reported on the Gay for Transit Happy Hour event that she organized. Director Li reported that she attended the Silver SPUR event and a Lesbian, Gay, Bisexual, Transgender, and Queer or Questioning (LGBTQ) panel regarding political engagement with the Associated Students of the University of California (ASUC).

Director Simon reported that Ms. Letifah Wilson, the sister of Ms. Nia Wilson, asked her to moderate a discussion at the Reckoning With Nia: A Community Symposium event and she commented on the event. Director Simon also reported that she attended the CCDC gala. Director Simon submitted an *In Memoriam* request for Congressman Elijah E. Cummings.

President Dufty requested the meeting be adjourned in honor of the following:

- Congressman Elijah E. Cummings, former U.S. Representative of the Seventh Congressional District of Maryland.
- Thomas D'Alesandro III, former Mayor of Baltimore, Maryland and the brother of Speaker Nancy Pelosi, U.S. House of Representatives.

Director Saltzman reported that she attended a live podcast interview of Mr. Mike Healy, and that the podcast is entitled "East Bay Yesterday." She recommended the podcast and advised that the podcast is available online. Director Saltzman reported that she spoke at the Berkeley Forum event at University of California, Berkeley.

Director Foley thanked the following employees who toured BART maintenance facilities with him: Joao (John) Arantes, Transit Vehicle Mechanic with Service Employees International Union (SEIU) 1021; David Murphy, Chief Operations Officer, eBART/BART-to-OAK; Robert (Bob) Haslam, Superintendent of eBART Operations; and Richard Severo, Assistant Chief Mechanical Officer, Rolling Stock and Shops. Director Foley thanked a Twitter user and commented on the user's question regarding expansion of BART over the Richmond Bridge. He requested additional information from staff regarding this topic.

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

President Dufty announced that that the Board would enter into closed session under Item 11-A (Public Employee Performance Evaluation) 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 1:06 p.m.

---

---

The Board reconvened in closed session at 1:15 p.m.

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

Absent: None.

The Board Meeting recessed at 1:38 p.m.

---

---

The Board reconvened in open session at 1:38 p.m.

Director present: President Dufty.

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

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

The Meeting was adjourned at 1:39 p.m.

Patricia K. Williams  
District Secretary





# 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)

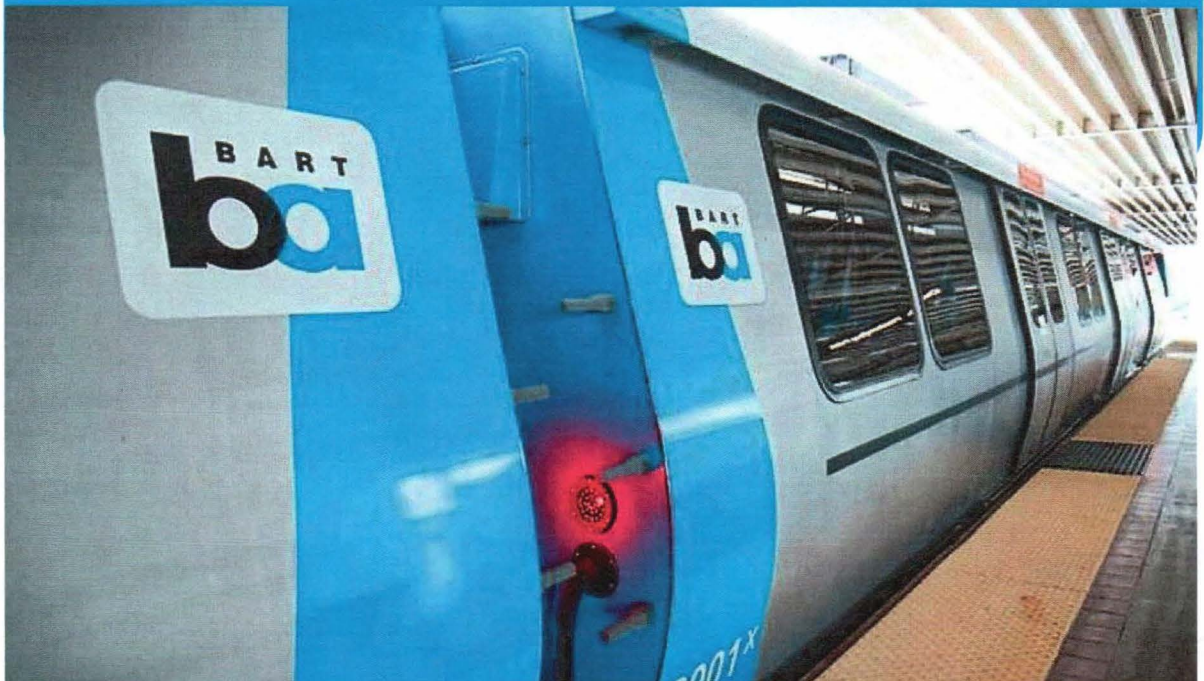
BART Police and Customer Access Departments

**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.

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

<u>Cost Benefit Analysis</u>	<u>Cost to BART Riders</u>
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</b>	<b>\$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.

ATTACHMENT B

(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.

ATTACHMENT B

**(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.

ATTACHMENT B

(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



ATTACHMENT B

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.



## EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>Nickel</i> 11/12/19		GENERAL MANAGER ACTION REQ'D:		
DATE: 11/6/2019		BOARD INITIATED ITEM: No		
Originator/Prepared by: Ray Hathorn Dept: Human Resources Administration <i>Ray Hathorn</i> Signature/Date: 11/8/2019	General Counsel <i>[Signature]</i> 11/8/19 [ ]	Controller/Treasurer <i>[Signature]</i> 11/8/19 [ ]	District Secretary [ ]	BARC <i>[Signature]</i> 11/12/19 [ ]

### 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:**

District Base Pay Schedule (cont.)

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	AG100	Administrative Secretary SEIU	SEIU, Local 1021 - Clerical & Maintenance	071	\$58,613.57	\$76,619.09
14	AA230	Administrative Support Officer	SEIU, Local 1021 - Professional Chapter	S13	\$93,283.44	\$121,939.20
15	CB190	Administrative Technician ATU	ATU, Local 1555	036	\$67,664.90	\$79,605.76
16	CA190	Administrative Technician SEIU	SEIU, Local 1021 - Clerical & Maintenance	036	\$60,898.24	\$79,605.76
17	MA100	AFC Electronic Technician	SEIU, Local 1021 - Clerical & Maintenance	301	\$73,145.07	\$95,614.69
18	MA105	AFC Foreworker	SEIU, Local 1021 - Clerical & Maintenance	825	\$80,459.60	\$105,176.03
19	MA560	AFC Parts Runner	SEIU, Local 1021 - Clerical & Maintenance	151	\$55,053.65	\$71,965.71
20	IA100	Appl Programmer Analyst	SEIU, Local 1021 - Professional Chapter	S08	\$73,215.48	\$95,706.48
21	000046	Architect	Non-Represented Employees	N06	\$98,442.00	\$149,140.00
22	000051	Asset Coordinator	AFSCME, Local 3993	AFF	\$106,286.37	\$138,173.50
23	000178	Asset Data Manager	AFSCME, Local 3993	AFI	\$129,246.45	\$168,020.13
24	000272	Asset Mgmt Risk Coordinator	Non-Represented Employees	N08	\$112,707.00	\$170,751.00
25	LF100	Associate General Counsel	Non-Represented Employees	N13	\$162,509.00	\$246,201.00
26	AA100	Asst Admin Analyst - SEIU	SEIU, Local 1021 - Professional Chapter	S06	\$66,462.60	\$86,879.16
27	AF100	Asst Admin Analyst NR	Non-Represented Employees	N01	\$69,769.00	\$105,701.00
28	UA200	Asst Buyer	SEIU, Local 1021 - Professional Chapter	S06	\$66,462.60	\$86,879.16
29	000273	Asst Chief Engineering Officer	Non-Represented Employees	N12	\$147,736.00	\$223,819.00
30	000083	Asst Chief Labor Relations	Non-Represented Employees	N10	\$129,038.00	\$195,493.00
31	000086	Asst Chief Maint & Eng Officer	Non-Represented Employees	N12	\$147,736.00	\$223,819.00
32	000274	Asst Chief Maintenance Officer	Non-Represented Employees	N12	\$147,736.00	\$223,819.00
33	000082	Asst Chief Mechanical Officer	Non-Represented Employees	N12	\$147,736.00	\$223,819.00
34	UA205	Asst Contract Administrator	SEIU, Local 1021 - Professional Chapter	S06	\$66,462.60	\$86,879.16
35	FF225	Asst Controller	Non-Represented Employees	N13	\$162,509.00	\$246,201.00
36	AF105	Asst District Secretary	Non-Represented Employees	N08	\$112,707.00	\$170,751.00
37	ZF050	Asst GM Administration*	Non-Represented Employees	N14	\$178,760.00	\$270,821.00
38	ZF118	Asst GM Design & Construction*	Non-Represented Employees	N14	\$178,760.00	\$270,821.00
39	ZF117	Asst GM External Affairs*	Non-Represented Employees	N14	\$178,760.00	\$270,821.00
40	ZF105	Asst GM Operations*	Non-Represented Employees	N14	\$178,760.00	\$270,821.00
41	XF213	Asst GM Performance & Budget*	Non-Represented Employees	N14	\$178,760.00	\$270,821.00
42	XF125	Asst GM Technology*	Non-Represented Employees	N14	\$178,760.00	\$270,821.00
43	000019	Asst Logistics Program Manager	AFSCME, Local 3993	AFG	\$114,081.83	\$148,306.37
44	FC230	Asst Mgr of Revenue Control	AFSCME, Local 3993	AFH	\$121,143.23	\$157,486.09
45	SA100	Asst Safety Specialist	SEIU, Local 1021 - Professional Chapter	S06	\$66,462.60	\$86,879.16
46	000150	Asst Supt eBART Systems	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
47	000090	Asst Supt eBART Vehicle Maint	Non-Represented Employees	N09	\$120,596.00	\$182,703.00

## 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
48	000209	Asst Supt Maint Plan and Logs	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
49	000091	Asst Supt Operations eBART	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
50	000061	Asst Supt Power Mech Maint	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
51	MF822	Asst Supt Rolling Stock Maint	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
52	000163	Asst Supt System Service	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
53	MF830	Asst Supt Systems Maint	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
54	000020	Asst Supt Way & Facilities	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
55	FF230	Asst Treasurer	Non-Represented Employees	N13	\$162,509.00	\$246,201.00
56	FA274	Asst Treasury Analyst	SEIU, Local 1021 - Professional Chapter	S06	\$66,462.60	\$86,879.16
57	LF105	Attorney I	Non-Represented Employees	N06	\$98,442.00	\$149,140.00
58	LF110	Attorney II	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
59	LF115	Attorney III	Non-Represented Employees	N11	\$138,071.00	\$209,177.00
60	MA200	Auto & Equip Foreworker	SEIU, Local 1021 - Clerical & Maintenance	825	\$80,459.60	\$105,176.03
61	MC215	Auto & Equip Maint Supv	AFSCME, Local 3993	AFE	\$100,252.37	\$130,327.76
62	MA205	Auto & Equip Mechanic	SEIU, Local 1021 - Clerical & Maintenance	301	\$73,145.07	\$95,614.69
63	000275	Benefits Specialist	Non-Represented Employees	036	\$67,123.68	\$79,605.76
64	000222	Board Analyst	Non-Represented Employees	N05	\$92,002.00	\$139,383.00
65	FA100	Budget Analyst	SEIU, Local 1021 - Professional Chapter	S08	\$73,215.48	\$95,706.48
66	FB141	Budget Clerk - ATU	ATU, Local 1555	031	\$64,550.10	\$75,941.42
67	MA300	Buildings Foreworker	SEIU, Local 1021 - Clerical & Maintenance	825	\$80,459.60	\$105,176.03
68	MA310	Buildings Worker	SEIU, Local 1021 - Clerical & Maintenance	301	\$73,145.07	\$95,614.69
69	UA210	Buyer	SEIU, Local 1021 - Professional Chapter	S08	\$73,215.48	\$95,706.48
70	UA213	Buyer Technician	SEIU, Local 1021 - Clerical & Maintenance	036	\$60,898.24	\$79,605.76
71	TA298	CAD Drafter	SEIU, Local 1021 - Professional Chapter	S08	\$73,215.48	\$95,706.48
72	FA245	Cash Handler	SEIU, Local 1021 - Clerical & Maintenance	025	\$53,609.50	\$70,077.90
73	000095	Cash Handler PT	SEIU, Local 1021 - Clerical & Maintenance	026	\$58,970.29	\$58,970.29
74	FA249	Cash Handling Elec Technician	SEIU, Local 1021 - Clerical & Maintenance	301	\$73,145.07	\$95,614.69
75	FA250	Cash Handling Foreworker	SEIU, Local 1021 - Clerical & Maintenance	813	\$80,459.60	\$105,176.03
76	TC220	Central Maintenance Supervisor	AFSCME, Local 3993	AFF	\$106,286.37	\$138,173.50
77	TF275	Central Veh Trouble Desk Supt	Non-Represented Employees	N11	\$138,071.00	\$209,177.00
78	EF050	Chief Maint & Engineer Officer	Non-Represented Employees	N13	\$162,509.00	\$246,201.00
79	MF805	Chief Mechanical Officer	Non-Represented Employees	N13	\$162,509.00	\$246,201.00
80	000094	Chief Op Officer eBART/OAC	Non-Represented Employees	N13	\$162,509.00	\$246,201.00
81	000276	Chief Planning Dev Officer	Non-Represented Employees	N13	\$162,509.00	\$246,201.00
82	SF200	Chief Safety Officer	Non-Represented Employees	N12	\$147,736.00	\$223,819.00
83	000050	Chief Transit Sys Dev Officer	Non-Represented Employees	N13	\$162,509.00	\$246,201.00
84	XF100	Chief Transportation Officer	Non-Represented Employees	N13	\$162,509.00	\$246,201.00
85	EF200	Civil Engineer	Non-Represented Employees	N05	\$92,002.00	\$139,383.00
86	CG100	Clerk SEIU	SEIU, Local 1021 - Clerical & Maintenance	011	\$45,348.37	\$59,279.17
87	000013	Communication Coordinator	SEIU, Local 1021 - Professional Chapter	S11	\$84,664.80	\$110,672.88
88	MA115	Communications Electronic Tech	SEIU, Local 1021 - Clerical & Maintenance	301	\$73,145.07	\$95,614.69
89	MA120	Communications Foreworker	SEIU, Local 1021 - Clerical & Maintenance	825	\$80,459.60	\$105,176.03
90	VF101	Communications Officer	AFSCME, Local 3993	AFI	\$129,246.45	\$168,020.13
91	OB100	Communications Specialist	ATU, Local 1555	831	\$92,619.90	\$108,964.75
92	000074	Community Outreach Specialist	Non-Represented Employees	N07	\$105,333.00	\$159,580.00
93	PE076	Community Services Officer	BART Police Officers' Association	027	\$55,546.61	\$68,224.21
94	000155	Comp Vehicle Maint eBART	SEIU Maintenance eBART	400	\$73,145.07	\$95,614.69

## 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
95	IA105	Computer Documentation Asst	SEIU, Local 1021 - Clerical & Maintenance	031	\$58,095.02	\$75,941.42
96	MA700	Computer Electronic Technician	SEIU, Local 1021 - Clerical & Maintenance	321	\$73,145.07	\$95,614.69
97	IA110	Computer Operator	SEIU, Local 1021 - Clerical & Maintenance	031	\$58,095.02	\$75,941.42
98	000064	Computer Support Administrator	SEIU, Local 1021 - Professional Chapter	S05	\$63,325.44	\$82,778.28
99	IA115	Computer Support Coordinator	SEIU, Local 1021 - Professional Chapter	S14	\$97,918.68	\$127,998.24
100	EF102	Computer Systems Engineer	Non-Represented Employees	N05	\$92,002.00	\$139,383.00
101	EF205	Construction Engineer	Non-Represented Employees	N05	\$92,002.00	\$139,383.00
102	UA215	Contract Administrator	SEIU, Local 1021 - Professional Chapter	S08	\$73,215.48	\$95,706.48
103	UF221	Contract Specialist I	Non-Represented Employees	N02	\$75,101.00	\$113,778.00
104	UF222	Contract Specialist II	AFSCME, Local 3993	AFD	\$93,205.36	\$121,167.19
105	UF223	Contract Specialist III	AFSCME, Local 3993	AFE	\$100,252.37	\$130,327.76
106	000049	Contracts Technician SEIU	SEIU, Local 1021 - Clerical & Maintenance	036	\$60,898.24	\$79,605.76
107	XF105	Controller Treasurer	Board Appointed Officer	CT	\$275,835.17	\$275,835.17
108	000277	Core Capacity Program Manager	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
109	000168	Crew Office Supervisor	AFSCME, Local 3993	AFG	\$114,081.83	\$148,306.37
110	000183	Crime Analyst	BART Police Officers' Association	068	\$80,031.95	\$96,034.22
111	CA120	Customer Service Clerk	SEIU, Local 1021 - Clerical & Maintenance	031	\$58,095.02	\$75,941.42
112	VA110	Customer Service Rep	SEIU, Local 1021 - Professional Chapter	S11	\$84,664.80	\$110,672.88
113	VA120	Customer Services Admin	SEIU, Local 1021 - Professional Chapter	S13	\$93,283.44	\$121,939.20
114	000016	Customer Services Assistant	SEIU, Local 1021 - Professional Chapter	S06	\$66,462.60	\$86,879.16
115	000173	Customer Services Supervisor	SEIU, Local 1021 - Professional Chapter	S13	\$93,283.44	\$121,939.20
116	000180	Customer Services Technician	SEIU, Local 1021 - Clerical & Maintenance	036	\$60,898.24	\$79,605.76
117	000072	Cyber Security Engineer	Non-Represented Employees	N07	\$105,333.00	\$159,580.00
118	IA135	Data Controller	SEIU, Local 1021 - Clerical & Maintenance	031	\$58,095.02	\$75,941.42
119	IA140	Data Entry Operator	SEIU, Local 1021 - Clerical & Maintenance	031	\$58,095.02	\$75,941.42
120	IC120	Database Administrator	AFSCME, Local 3993	AFH	\$121,143.23	\$157,486.09
121	AF115	Deputy Asst District Secretary	Non-Represented Employees	N06	\$98,442.00	\$149,140.00
122	ZF110	Deputy General Manager*	Non-Represented Employees	N15	\$196,636.00	\$297,904.00
123	000028	Deputy Managing Dir Cap Cor	Non-Represented Employees	N11	\$138,071.00	\$209,177.00
124	000043	Deputy Police Chief	Non-Represented Employees	N13	\$162,509.00	\$246,201.00
125	000156	Diesel Train Engineer, eBART	ATU eBART	651	\$81,169.30	\$95,493.42
126	FF095	Dir of Budgets	Non-Represented Employees	N12	\$147,736.00	\$223,819.00
127	XF142	Dir of Communications	Non-Represented Employees	N12	\$147,736.00	\$223,819.00
128	QF101	Dir of Customer Access	Non-Represented Employees	N12	\$147,736.00	\$223,819.00
129	XF117	Dir of Customer Services	Non-Represented Employees	N12	\$147,736.00	\$223,819.00
130	FF090	Dir of Financial Planning	Non-Represented Employees	N12	\$147,736.00	\$223,819.00
131	XF123	Dir of Govt and Comm Relations	Non-Represented Employees	N12	\$147,736.00	\$223,819.00
132	000093	Dir of Human Resources	Non-Represented Employees	N12	\$147,736.00	\$223,819.00
133	000084	Dir of Labor Relations	Non-Represented Employees	N12	\$147,736.00	\$223,819.00
134	XF132	Dir of Marketing and Research	Non-Represented Employees	N12	\$147,736.00	\$223,819.00
135	XF115	Dir of Office of Civil Rights	Non-Represented Employees	N12	\$147,736.00	\$223,819.00
136	XF040	Dir of Operations Planning	Non-Represented Employees	N12	\$147,736.00	\$223,819.00
137	XF126	Dir of Performance and Audit	Non-Represented Employees	N12	\$147,736.00	\$223,819.00
138	XF135	Dir of Procurement	Non-Represented Employees	N12	\$147,736.00	\$223,819.00
139	000027	Dir of Real Estate & Prop Dev	Non-Represented Employees	N12	\$147,736.00	\$223,819.00
140	XF106	Dir of Risk and Insur Mgmt	Non-Represented Employees	N12	\$147,736.00	\$223,819.00
141	SF100	Dir of Security Programs	Non-Represented Employees	N12	\$147,736.00	\$223,819.00

## 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
142	000153	Dir of Technology	Non-Represented Employees	N12	\$147,736.00	\$223,819.00
143	EF060	District Architect	Non-Represented Employees	N11	\$138,071.00	\$209,177.00
144	QC216	District Right of Way Surveyor	AFSCME, Local 3993	AFG	\$114,081.83	\$148,306.37
145	XF150	District Secretary	Board Appointed Officer	DS	\$206,273.64	\$217,162.80
146	TA300	Document Config Controller	SEIU, Local 1021 - Professional Chapter	S09	\$76,847.40	\$100,454.04
147	000161	Document Control Spec eBART	SEIU Professional eBART	500	\$76,847.40	\$100,454.04
148	TA310	Drafting Supervisor	SEIU, Local 1021 - Professional Chapter	S11	\$84,664.80	\$110,672.88
149	HF108	Drug Testing Coordinator	Non-Represented Employees	N04	\$85,983.00	\$130,265.00
150	MA313	Dump Truck/Equipment Operator	SEIU, Local 1021 - Clerical & Maintenance	301	\$73,145.07	\$95,614.69
151	000078	Elec/Electro-Mech Assembler II	SEIU, Local 1021 - Clerical & Maintenance	152	\$57,080.40	\$74,615.01
152	MA145	Elect/Electro-Mech Assembler	SEIU, Local 1021 - Clerical & Maintenance	151	\$55,053.65	\$71,965.71
153	EF215	Electrical Engineer	Non-Represented Employees	N05	\$92,002.00	\$139,383.00
154	MA500	Electrical Foreworker	SEIU, Local 1021 - Clerical & Maintenance	824	\$83,912.19	\$109,689.22
155	000034	Electrical Helper	SEIU, Local 1021 - Clerical & Maintenance	151	\$55,053.65	\$71,965.71
156	MA510	Electrician	SEIU, Local 1021 - Clerical & Maintenance	301	\$73,145.07	\$95,614.69
157	EF110	Electronics & Comm Engineer	Non-Represented Employees	N05	\$92,002.00	\$139,383.00
158	MA515	Elevator/Escalator Foreworker	SEIU, Local 1021 - Clerical & Maintenance	825	\$80,459.60	\$105,176.03
159	MA530	Elevator/Escalator Trainee	SEIU, Local 1021 - Clerical & Maintenance	331	\$65,888.99	\$86,129.47
160	MA525	Elevator/Escalator Worker	SEIU, Local 1021 - Clerical & Maintenance	301	\$73,145.07	\$95,614.69
161	000196	Employee Dev Specialist FW	ATU, Local 1555	839	\$97,150.77	\$114,295.17
162	000190	Employee Dev Specialist SA	ATU, Local 1555	839	\$97,150.77	\$114,295.17
163	HJ105	Employee Dev Specialist SEIU	SEIU, Local 1021 - Professional Chapter	EDS	\$87,436.32	\$114,295.92
164	HB105	Employee Dev Specialist TO	ATU, Local 1555	839	\$97,150.77	\$114,295.17
165	EF500	Engineer	Non-Represented Employees	N06	\$98,442.00	\$149,140.00
166	000032	Engineer Intern	Non-Represented Employees	081	\$37,440.00	\$37,440.00
167	SF145	Environmental Administrator	AFSCME, Local 3993	AFH	\$121,143.23	\$157,486.09
168	000006	Environmental Engineer	Non-Represented Employees	N05	\$92,002.00	\$139,383.00
169	MA150	ERS Foreworker	SEIU, Local 1021 - Clerical & Maintenance	825	\$80,459.60	\$105,176.03
170	MA155	ERS Technician	SEIU, Local 1021 - Clerical & Maintenance	301	\$73,145.07	\$95,614.69
171	000210	Executive Assistant	Non-Represented Employees	N05	\$92,002.00	\$139,383.00
172	UA195	Expeditor	SEIU, Local 1021 - Professional Chapter	S06	\$66,462.60	\$86,879.16
173	UA100	Expeditor/Clerk	SEIU, Local 1021 - Clerical & Maintenance	031	\$58,095.02	\$75,941.42
174	MC350	Facilities Maint Supv	AFSCME, Local 3993	AFE	\$100,252.37	\$130,327.76
175	000021	Facilities/Utilities Loc Coord	AFSCME, Local 3993	AFF	\$106,286.37	\$138,173.50
176	000182	Fare Inspection Officer	BART Police Officers' Association	035	\$66,135.47	\$79,358.86
177	000278	Fare Programs Administrator	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
178	FC104	Financial Analyst I	AFSCME, Local 3993	AFC	\$84,426.79	\$109,755.40
179	FC105	Financial Analyst II	AFSCME, Local 3993	AFD	\$93,205.36	\$121,167.19
180	MA550	Fire Protection Worker	SEIU, Local 1021 - Clerical & Maintenance	301	\$73,145.07	\$95,614.69
181	MA330	Fire Service Worker	SEIU, Local 1021 - Clerical & Maintenance	301	\$73,145.07	\$95,614.69
182	XF160	General Counsel	Board Appointed Officer	GC	\$304,975.50	\$304,975.50
183	ZF130	General Manager	Board Appointed Officer	GM	\$390,554.78	\$395,024.09
184	VA050	Gov & Community Relations Spec	SEIU, Local 1021 - Professional Chapter	S11	\$84,664.80	\$110,672.88
185	TA313	Graphic Artist	SEIU, Local 1021 - Professional Chapter	S09	\$76,847.40	\$100,454.04
186	MA335	Grounds Foreworker	SEIU, Local 1021 - Clerical & Maintenance	825	\$80,459.60	\$105,176.03
187	MA345	Grounds Worker	SEIU, Local 1021 - Clerical & Maintenance	201	\$62,116.70	\$81,198.42
188	MA346	Grounds Worker/Applicator	SEIU, Local 1021 - Clerical & Maintenance	301	\$73,145.07	\$95,614.69

## 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
189	EF113	Grp Mgr AFC Capital Program	Non-Represented Employees	N11	\$138,071.00	\$209,177.00
190	000041	Grp Mgr Capital Projects	Non-Represented Employees	N11	\$138,071.00	\$209,177.00
191	KF300	Grp Mgr Capitol Corridor	Non-Represented Employees	N11	\$138,071.00	\$209,177.00
192	EF223	Grp Mgr Elec Mech Engineering	Non-Represented Employees	N11	\$138,071.00	\$209,177.00
193	EF222	Grp Mgr Engineering	Non-Represented Employees	N11	\$138,071.00	\$209,177.00
194	EF224	Grp Mgr Integration Eng	Non-Represented Employees	N11	\$138,071.00	\$209,177.00
195	OF426	Grp Mgr Operations Liaison	Non-Represented Employees	N11	\$138,071.00	\$209,177.00
196	OF112	Grp Mgr Ops Support & Review	Non-Represented Employees	N11	\$138,071.00	\$209,177.00
197	XF128	Grp Mgr Planning	Non-Represented Employees	N11	\$138,071.00	\$209,177.00
198	000171	Grp Mgr Production Support	Non-Represented Employees	N11	\$138,071.00	\$209,177.00
199	EF121	Grp Mgr Project Controls	Non-Represented Employees	N11	\$138,071.00	\$209,177.00
200	EF107	Grp Mgr Rail Vehicle Cap Prog	Non-Represented Employees	N11	\$138,071.00	\$209,177.00
201	MF807	Grp Mgr Rolling Stock & Shops	Non-Represented Employees	N11	\$138,071.00	\$209,177.00
202	EF124	Grp Mgr Seismic Retrofit Cap	Non-Represented Employees	N11	\$138,071.00	\$209,177.00
203	000279	Grp Mgr Station Planning	Non-Represented Employees	N11	\$138,071.00	\$209,177.00
204	000280	Grp Mgr Strat & Policy Plng	Non-Represented Employees	N11	\$138,071.00	\$209,177.00
205	000088	Grp Mgr Sustainability Program	Non-Represented Employees	N11	\$138,071.00	\$209,177.00
206	EF080	Grp Mgr Systems Engineer	Non-Represented Employees	N11	\$138,071.00	\$209,177.00
207	EF075	Grp Mgr Vehicle Maint Engineer	Non-Represented Employees	N11	\$138,071.00	\$209,177.00
208	000211	HRIS Analyst	Non-Represented Employees	N04	\$85,983.00	\$130,265.00
209	000281	HRIS Specialist	Non-Represented Employees	036	\$67,123.68	\$79,605.76
210	000212	Independent Police Adminstr	Non-Represented Employees	N05	\$92,002.00	\$139,383.00
211	000042	Independent Police Auditor	Board Appointed Officer	IPA	\$207,722.64	\$207,722.64
212	000054	Independent Police Invest	Non-Represented Employees	N08	\$112,707.00	\$170,751.00
213	SC132	Industrial Hygienist	AFSCME, Local 3993	AFG	\$114,081.83	\$148,306.37
214	IC159	Information Sys Security Offcr	AFSCME, Local 3993	AFF	\$106,286.37	\$138,173.50
215	FF260	Information Systems Auditor	Non-Represented Employees	N05	\$92,002.00	\$139,383.00
216	000207	Inspector General	Board Appointed Officer	IG	\$207,957.74	\$207,957.74
217	OF025	Instructional Design Spec	AFSCME, Local 3993	AFE	\$100,252.37	\$130,327.76
218	FC240	Insurance Analyst	AFSCME, Local 3993	AFF	\$106,286.37	\$138,173.50
219	FA265	Intermediate Account Clerk	SEIU, Local 1021 - Clerical & Maintenance	021	\$51,957.36	\$67,918.24
220	CJ105	Intermediate Clerk SEIU	SEIU, Local 1021 - Clerical & Maintenance	021	\$51,957.36	\$67,918.24
221	FF251	Internal Auditor I	Non-Represented Employees	N02	\$75,101.00	\$113,778.00
222	FF252	Internal Auditor II	Non-Represented Employees	N04	\$85,983.00	\$130,265.00
223	UA105	Inventory Control Analyst	SEIU, Local 1021 - Professional Chapter	S08	\$73,215.48	\$95,706.48
224	UA120	Inventory Control Technician	SEIU, Local 1021 - Clerical & Maintenance	036	\$60,898.24	\$79,605.76
225	MA348	Irrigation/Grounds Worker	SEIU, Local 1021 - Clerical & Maintenance	301	\$73,145.07	\$95,614.69
226	000059	IT Project Manager	AFSCME, Local 3993	AFI	\$129,246.45	\$168,020.13
227	FA275	Jr Accountant	SEIU, Local 1021 - Professional Chapter	S05	\$63,325.44	\$82,778.28
228	IA160	Jr Appl Programmer Analyst	SEIU, Local 1021 - Professional Chapter	S03	\$57,492.00	\$75,152.88
229	000282	Jr Computer Systems Engineer	Non-Represented Employees	N03	\$80,358.00	\$121,743.00
230	000306	Jr Elec & Comm Engineer	Non-Represented Employees	N03	\$80,358.00	\$121,743.00
231	000305	Jr Electrical Engineer	Non-Represented Employees	N03	\$80,358.00	\$121,743.00
232	EF400	Jr Engineer	Non-Represented Employees	N03	\$80,358.00	\$121,743.00
233	000304	Jr Mechanical Engineer	Non-Represented Employees	N03	\$80,358.00	\$121,743.00
234	000283	Jr Project Engineer	Non-Represented Employees	N03	\$80,358.00	\$121,743.00
235	000284	Jr Traction Power Engineer	Non-Represented Employees	N03	\$80,358.00	\$121,743.00



## 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
236	000285	Jr Train Control Engineer	Non-Represented Employees	N03	\$80,358.00	\$121,743.00
237	HF122	Labor Relations Rep I	Non-Represented Employees	N02	\$75,101.00	\$113,778.00
238	HF123	Labor Relations Rep II	Non-Represented Employees	N04	\$85,983.00	\$130,265.00
239	000286	Leave Management Analyst	Non-Represented Employees	N04	\$85,983.00	\$130,265.00
240	000213	Leave Management Specialist	Non-Represented Employees	O36	\$67,123.68	\$79,605.76
241	LA115	Legal Administrative Analyst	SEIU, Local 1021 - Professional Chapter	S06	\$66,462.60	\$86,879.16
242	LA100	Legal Administrative Asst	SEIU, Local 1021 - Professional Chapter	S05	\$63,325.44	\$82,778.28
243	LC118	Legal Office Supervisor	AFSCME, Local 3993	AFD	\$93,205.36	\$121,167.19
244	FC282	Liability Risk Analyst	AFSCME, Local 3993	AFF	\$106,286.37	\$138,173.50
245	MA350	Locksmith	SEIU, Local 1021 - Clerical & Maintenance	301	\$73,145.07	\$95,614.69
246	OB108	Lost & Found Clerk	ATU, Local 1555	O19	\$64,550.10	\$75,941.42
247	CA110	Mail and Supply Clerk	SEIU, Local 1021 - Clerical & Maintenance	O21	\$51,957.36	\$67,918.24
248	000060	Maintenance Engineer	Non-Represented Employees	N05	\$92,002.00	\$139,383.00
249	TA215	Maintenance Planner	SEIU, Local 1021 - Professional Chapter	S08	\$73,215.48	\$95,706.48
250	000001	Maintenance Support Admin	AFSCME, Local 3993	AFD	\$93,205.36	\$121,167.19
251	ZF200	Managing Director Cap Corridor*	Non-Represented Employees	N14	\$178,760.00	\$270,821.00
252	VC081	Marketing Rep II	AFSCME, Local 3993	AFE	\$100,252.37	\$130,327.76
253	PE132	Master Police Officer	BART Police Officers' Association	798	\$115,221.39	\$115,221.39
254	UA130	Material Control Analyst	SEIU, Local 1021 - Professional Chapter	S08	\$73,215.48	\$95,706.48
255	UA135	Material Control Sys Analyst	SEIU, Local 1021 - Professional Chapter	S08	\$73,215.48	\$95,706.48
256	UA145	Material Coordinator	SEIU, Local 1021 - Clerical & Maintenance	301	\$73,145.07	\$95,614.69
257	UA150	Material Expeditor	SEIU, Local 1021 - Professional Chapter	S08	\$73,215.48	\$95,706.48
258	EF240	Mechanical Engineer	Non-Represented Employees	N06	\$98,442.00	\$149,140.00
259	HF151	Media Producer	Non-Represented Employees	N05	\$92,002.00	\$139,383.00
260	000296	Mgr of Absence Mgmt	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
261	000024	Mgr of Access & Accessible Svc	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
262	000023	Mgr of Access Programs	AFSCME, Local 3993	AFH	\$121,143.23	\$157,486.09
263	FC215	Mgr of Accounting	AFSCME, Local 3993	AFI	\$129,246.45	\$168,020.13
264	000081	Mgr of Accreditation	Non-Represented Employees	N08	\$112,707.00	\$170,751.00
265	000188	Mgr of Acquisition Support	AFSCME, Local 3993	AFI	\$129,246.45	\$168,020.13
266	000167	Mgr of Ad Franchise Program	AFSCME, Local 3993	AFI	\$129,246.45	\$168,020.13
267	MC225	Mgr of Auto & Equip Maint	AFSCME, Local 3993	AFH	\$121,143.23	\$157,486.09
268	000299	Mgr of Budget & Admin, Cap Cor	AFSCME, Local 3993	AFI	\$129,246.45	\$168,020.13
269	000215	Mgr of Cap Corr Market/Comm	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
270	FF119	Mgr of Capital Budgets	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
271	FF116	Mgr of Capital Project Control	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
272	000174	Mgr of Capital Project Support	AFSCME, Local 3993	AFI	\$129,246.45	\$168,020.13
273	OF115	Mgr of Central Control	Non-Represented Employees	N10	\$129,038.00	\$195,493.00
274	EF225	Mgr of Civil & Structural Eng	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
275	QF109	Mgr of Community Relations	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
276	000287	Mgr of Comp & Analytics	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
277	EF119	Mgr of Computer Sys Engineer	Non-Represented Employees	N10	\$129,038.00	\$195,493.00
278	MF400	Mgr of Construction Services	Non-Represented Employees	N10	\$129,038.00	\$195,493.00
279	UF225	Mgr of Contract Administration	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
280	000170	Mgr of Creative Services	AFSCME, Local 3993	AFI	\$129,246.45	\$168,020.13
281	000009	Mgr of Credit/Debit Fare Prog	AFSCME, Local 3993	AFG	\$114,081.83	\$148,306.37
282	AC400	Mgr of Customer Services	AFSCME, Local 3993	AFH	\$121,143.23	\$157,486.09

## 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
283	000071	Mgr of Cyber Security	Non-Represented Employees	N10	\$129,038.00	\$195,493.00
284	TC102	Mgr of Drafting & Configuratio	AFSCME, Local 3993	AFI	\$129,246.45	\$168,020.13
285	000295	Mgr of Drug & Alcohol Programs	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
286	EF120	Mgr of Elect & Comm Engineer	Non-Represented Employees	N10	\$129,038.00	\$195,493.00
287	EF233	Mgr of Electrical Engineer	Non-Represented Employees	N10	\$129,038.00	\$195,493.00
288	000065	Mgr of Emergency Preparedness	Non-Represented Employees	N08	\$112,707.00	\$170,751.00
289	SC075	Mgr of Employee/Patron Safety	AFSCME, Local 3993	AFI	\$129,246.45	\$168,020.13
290	AF206	Mgr of Energy	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
291	SF111	Mgr of Engineer Safety	Non-Represented Employees	N10	\$129,038.00	\$195,493.00
292	000063	Mgr of Engineering Liaison	Non-Represented Employees	N10	\$129,038.00	\$195,493.00
293	000169	Mgr of Engineering Programs	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
294	SF140	Mgr of Environ Compliance	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
295	000288	Mgr of Equity Programs	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
296	000289	Mgr of Fin Analysis Admin	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
297	FF297	Mgr of Financial Planning	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
298	FF290	Mgr of Fleet & Capacity Plann	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
299	000290	Mgr of Gov't Rel & Leg Affairs	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
300	FF117	Mgr of Grant Dev & Reporting	Non-Represented Employees	N10	\$129,038.00	\$195,493.00
301	000216	Mgr of HRIS & Benefits	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
302	IF177	Mgr of Information Systems	Non-Represented Employees	N10	\$129,038.00	\$195,493.00
303	FF285	Mgr of Internal Audit	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
304	UC125	Mgr of Inventory Management	AFSCME, Local 3993	AFG	\$114,081.83	\$148,306.37
305	HF130	Mgr of Labor Relations	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
306	000291	Mgr of Leave Programs	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
307	QF107	Mgr of Local Govt & Com Rel	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
308	UF130	Mgr of Logistics	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
309	MF405	Mgr of Maint Administration	AFSCME, Local 3993	AFI	\$129,246.45	\$168,020.13
310	000159	Mgr of Maint Plan & Logistics	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
311	TF241	Mgr of Maintenance Engineer	Non-Represented Employees	N10	\$129,038.00	\$195,493.00
312	OF425	Mgr of Maintenance Support	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
313	000214	Mgr of Marketing	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
314	EF234	Mgr of Mechanical Engr	Non-Represented Employees	N10	\$129,038.00	\$195,493.00
315	000293	Mgr of Media Relations	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
316	FF125	Mgr of Operating Budgets	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
317	TF230	Mgr of Operations Reliability	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
318	SC105	Mgr of Operations Safety	AFSCME, Local 3993	AFH	\$121,143.23	\$157,486.09
319	000055	Mgr of Ops Training and Dev	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
320	QC205	Mgr of Parking Programs	AFSCME, Local 3993	AFI	\$129,246.45	\$168,020.13
321	000203	Mgr of Performance Analytics	AFSCME, Local 3993	AFI	\$129,246.45	\$168,020.13
322	QF115	Mgr of Planning	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
323	000294	Mgr of Program Planning Sppt	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
324	UF215	Mgr of Purchasing	AFSCME, Local 3993	AFI	\$129,246.45	\$168,020.13
325	TC105	Mgr of Quality Assurance	AFSCME, Local 3993	AFI	\$129,246.45	\$168,020.13
326	000199	Mgr of Rail Operations	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
327	000005	Mgr of Real Estate Services	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
328	EF159	Mgr of Research & Development	Non-Represented Employees	N10	\$129,038.00	\$195,493.00
329	FF295	Mgr of Revenue Control	Non-Represented Employees	N09	\$120,596.00	\$182,703.00

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
330	000303	Mgr of RS&S Administration	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
331	OF111	Mgr of Schedules & Services	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
332	000247	Mgr of Small Business Sppt Svc	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
333	AC300	Mgr of Special Projects	AFSCME, Local 3993	AFI	\$129,246.45	\$168,020.13
334	000198	Mgr of Station Operations	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
335	MF840	Mgr of Strategic Main Prog	Non-Represented Employees	N11	\$138,071.00	\$209,177.00
336	000249	Mgr of Sys Capacity Planning	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
337	000248	Mgr of System Integration	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
338	000172	Mgr of Technology Programs	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
339	000008	Mgr of Telecommunications	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
340	FC205	Mgr of Time and Acct Admin	AFSCME, Local 3993	AFI	\$129,246.45	\$168,020.13
341	000250	Mgr of Title VI & Env Justice	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
342	EF236	Mgr of Traction Power Engr	Non-Represented Employees	N10	\$129,038.00	\$195,493.00
343	EF130	Mgr of Train Control Engineer	Non-Represented Employees	N10	\$129,038.00	\$195,493.00
344	000251	Mgr of Transit Oriented Dev	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
345	MC805	Mgr of Transit Vehicl Cleaning	AFSCME, Local 3993	AFH	\$121,143.23	\$157,486.09
346	OF170	Mgr of Transportation Ops Supp	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
347	TF237	Mgr of Vehicle Sys Engineer	Non-Represented Employees	N10	\$129,038.00	\$195,493.00
348	MF850	Mgr of Warranty Administration	Non-Represented Employees	N08	\$112,707.00	\$170,751.00
349	000252	Mgr of Workforce Dev	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
350	VA125	Multimedia Assistant Producer	SEIU, Local 1021 - Professional Chapter	S11	\$84,664.80	\$110,672.88
351	HF152	Multimedia Producer	Non-Represented Employees	N05	\$92,002.00	\$139,383.00
352	CA115	Office Services Supervisor	SEIU, Local 1021 - Clerical & Maintenance	800	\$67,832.96	\$88,670.61
353	CA111	Office Services Support Clerk	SEIU, Local 1021 - Clerical & Maintenance	021	\$51,957.36	\$67,918.24
354	OB120	Operations Foreworker	ATU, Local 1555	821	\$84,200.06	\$99,058.96
355	OC118	Operations Supervisor Liaison	AFSCME, Local 3993	AFF	\$106,286.37	\$138,173.50
356	OC115	Operations Supv	AFSCME, Local 3993	AFF	\$106,286.37	\$138,173.50
357	HF111	Operations Training Supervisor	AFSCME, Local 3993	AFG	\$114,081.83	\$148,306.37
358	MA547	Overhead Door Worker	SEIU, Local 1021 - Clerical & Maintenance	301	\$73,145.07	\$95,614.69
359	MA360	Painter	SEIU, Local 1021 - Clerical & Maintenance	301	\$73,145.07	\$95,614.69
360	000092	Paralegal	Non-Represented Employees	710	\$80,092.48	\$94,961.57
361	QF135	Planner	AFSCME, Local 3993	AFC	\$84,426.79	\$109,755.40
362	CE175	Police Admin Specialist	BART Police Officers' Association	045	\$69,222.61	\$80,901.81
363	PD111	Police Admin Supervisor	BART Police Managers' Association	CS	\$116,292.00	\$134,940.00
364	PD116	Police CAD/RMS Admin	BART Police Managers' Association	CS	\$116,292.00	\$134,940.00
365	PF110	Police Chief*	Non-Represented Employees	N14	\$178,760.00	\$270,821.00
366	PD115	Police Civilian Supv Admin	BART Police Managers' Association	CS	\$116,292.00	\$134,940.00
367	PD118	Police Civilian Supv Comm	BART Police Managers' Association	CS	\$116,292.00	\$134,940.00
368	PE115	Police Dispatcher	BART Police Officers' Association	048	\$71,957.81	\$87,583.18
369	PD125	Police Lieutenant	BART Police Managers' Association	LT	\$147,984.00	\$169,452.00
370	PE130	Police Officer	BART Police Officers' Association	778	\$75,425.38	\$106,477.90
371	PE129	Police Officer in Academy	BART Police Officers' Association	777	\$66,551.89	\$66,551.89
372	PD135	Police Sergeant	BART Police Managers' Association	SGT	\$119,004.00	\$141,204.00
373	PD138	Police Support Svcs Supv	BART Police Managers' Association	CS	\$116,292.00	\$134,940.00
374	MA535	Power & Mechanical Foreworker	SEIU, Local 1021 - Clerical & Maintenance	824	\$83,912.19	\$109,689.22
375	MA545	Power & Mechanical Worker	SEIU, Local 1021 - Clerical & Maintenance	301	\$73,145.07	\$95,614.69
376	OB130	Power & Support Controller	ATU, Local 1555	831	\$92,619.90	\$108,964.75

## 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
377	AC222	Principal Admin Analyst AFSCME	AFSCME, Local 3993	AFG	\$114,081.83	\$148,306.37
378	000045	Principal Architect	Non-Represented Employees	N08	\$112,707.00	\$170,751.00
379	EF256	Principal Civil Engineer	Non-Represented Employees	N08	\$112,707.00	\$170,751.00
380	EF090	Principal Computer Systems Eng	Non-Represented Employees	N08	\$112,707.00	\$170,751.00
381	EF262	Principal Construction Engr	Non-Represented Employees	N08	\$112,707.00	\$170,751.00
382	UF230	Principal Contract Specialist	AFSCME, Local 3993	AFG	\$114,081.83	\$148,306.37
383	000067	Principal EGIS Analyst	AFSCME, Local 3993	AFG	\$114,081.83	\$148,306.37
384	000253	Principal Elec Comm Engineer	Non-Represented Employees	N08	\$112,707.00	\$170,751.00
385	EF267	Principal Electrical Engineer	Non-Represented Employees	N08	\$112,707.00	\$170,751.00
386	EF502	Principal Engineer	Non-Represented Employees	N08	\$112,707.00	\$170,751.00
387	FC139	Principal Financial Analyst	AFSCME, Local 3993	AFG	\$114,081.83	\$148,306.37
388	VC055	Principal Gov & Comm Rel Rep	AFSCME, Local 3993	AFG	\$114,081.83	\$148,306.37
389	000192	Principal Grants Analyst	AFSCME, Local 3993	AFG	\$114,081.83	\$148,306.37
390	000254	Principal Integration Engineer	Non-Represented Employees	N08	\$112,707.00	\$170,751.00
391	FF301	Principal Internal Auditor	Non-Represented Employees	N07	\$105,333.00	\$159,580.00
392	HF128	Principal Labor Relations Rep	Non-Represented Employees	N07	\$105,333.00	\$159,580.00
393	000205	Principal Landscape Architect	Non-Represented Employees	N08	\$112,707.00	\$170,751.00
394	VC084	Principal Marketing Rep	AFSCME, Local 3993	AFH	\$121,143.23	\$157,486.09
395	EF271	Principal Mechanical Engineer	Non-Represented Employees	N08	\$112,707.00	\$170,751.00
396	000298	Principal Ops Safety Spec	AFSCME, Local 3993	AFH	\$121,143.23	\$157,486.09
397	000201	Principal Performance Analyst	AFSCME, Local 3993	AFG	\$114,081.83	\$148,306.37
398	QC112	Principal Planner	AFSCME, Local 3993	AFH	\$121,143.23	\$157,486.09
399	000255	Principal Project Engineer	Non-Represented Employees	N08	\$112,707.00	\$170,751.00
400	QC226	Principal Property Devlmtn Ofc	AFSCME, Local 3993	AFH	\$121,143.23	\$157,486.09
401	TF256	Principal Reliability Engineer	Non-Represented Employees	N08	\$112,707.00	\$170,751.00
402	QC225	Principal Right of Way Officer	AFSCME, Local 3993	AFH	\$121,143.23	\$157,486.09
403	AF234	Principal Rsch Proj Analyst	AFSCME, Local 3993	AFG	\$114,081.83	\$148,306.37
404	SF129	Principal Safety Engineer	Non-Represented Employees	N08	\$112,707.00	\$170,751.00
405	EF276	Principal Structural Engineer	Non-Represented Employees	N08	\$112,707.00	\$170,751.00
406	EF279	Principal Track Engineer	Non-Represented Employees	N08	\$112,707.00	\$170,751.00
407	EF146	Principal Train Control Eng	Non-Represented Employees	N08	\$112,707.00	\$170,751.00
408	TF236	Principal Vehicle Sys Engineer	Non-Represented Employees	N08	\$112,707.00	\$170,751.00
409	000184	Procurement Support Mgr	AFSCME, Local 3993	AFI	\$129,246.45	\$168,020.13
410	MF842	Program Logistics Manager	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
411	FA130	Project Control Administrator	SEIU, Local 1021 - Professional Chapter	S08	\$73,215.48	\$95,706.48
412	000256	Project Controls Manager	Non-Represented Employees	N08	\$112,707.00	\$170,751.00
413	000257	Project Engineer	Non-Represented Employees	N05	\$92,002.00	\$139,383.00
414	EF250	Project Mgr	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
415	000080	Project Mgr II	Non-Represented Employees	N10	\$129,038.00	\$195,493.00
416	000258	Project Mgr, Accessibility	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
417	000262	Project Mgr, Architect	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
418	000259	Project Mgr, Capital	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
419	000260	Project Mgr, Cathodic	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
420	000261	Project Mgr, Construction	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
421	000263	Project Mgr, Earthquake	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
422	000264	Project Mgr, Extensions	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
423	000265	Project Mgr, Fire Life Safety	Non-Represented Employees	N09	\$120,596.00	\$182,703.00

## 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
424	000266	Project Mgr, Int Agreements	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
425	000267	Project Mgr, Property Dev	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
426	000268	Project Mgr, Stations	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
427	000269	Project Mgr, Sys Integration	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
428	000270	Project Mgr, Traction Power	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
429	000224	Project Mgr, Train Control	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
430	EF451	Project Support Manager	AFSCME, Local 3993	AFI	\$129,246.45	\$168,020.13
431	000204	Property Manager	AFSCME, Local 3993	AFH	\$121,143.23	\$157,486.09
432	VC110	Public Information Officer	AFSCME, Local 3993	AFE	\$100,252.37	\$130,327.76
433	VA115	Public Information Rep	SEIU, Local 1021 - Professional Chapter	S11	\$84,664.80	\$110,672.88
434	TA110	Quality Assurance Analyst	SEIU, Local 1021 - Professional Chapter	S08	\$73,215.48	\$95,706.48
435	000066	Quality Assurance Officer	SEIU, Local 1021 - Professional Chapter	S11	\$84,664.80	\$110,672.88
436	000035	Quality Team Leader	SEIU, Local 1021 - Clerical & Maintenance	313	\$76,802.34	\$100,395.36
437	000015	Query & Reports Spec	AFSCME, Local 3993	AFF	\$106,286.37	\$138,173.50
438	KF175	Rail Svs Compl Officer Capitol	AFSCME, Local 3993	AFG	\$114,081.83	\$148,306.37
439	QA205	Real Estate Officer	SEIU, Local 1021 - Professional Chapter	S11	\$84,664.80	\$110,672.88
440	QA100	Real Estate Tech	SEIU, Local 1021 - Clerical & Maintenance	036	\$60,898.24	\$79,605.76
441	IA185	Real Time Programmer Analyst	SEIU, Local 1021 - Professional Chapter	S13	\$93,283.44	\$121,939.20
442	CP105	Receptionist	Non-Represented Employees	036	\$67,123.68	\$79,605.76
443	000217	Recruiter I	Non-Represented Employees	N02	\$75,101.00	\$113,778.00
444	000226	Recruiter II	Non-Represented Employees	N04	\$85,983.00	\$130,265.00
445	000227	Recruiting Specialist	Non-Represented Employees	036	\$67,123.68	\$79,605.76
446	000193	Reliability Analyst	AFSCME, Local 3993	AFE	\$100,252.37	\$130,327.76
447	TF245	Reliability Engineer	Non-Represented Employees	N05	\$92,002.00	\$139,383.00
448	CA140	Reprographics Equipment Oper	SEIU, Local 1021 - Clerical & Maintenance	031	\$58,095.02	\$75,941.42
449	EF142	Research & Dev Specialist	AFSCME, Local 3993	AFG	\$114,081.83	\$148,306.37
450	AF233	Research Projects Supv	AFSCME, Local 3993	AFG	\$114,081.83	\$148,306.37
451	PE140	Revenue Protection Guard	BART Police Officers' Association	098	\$70,988.74	\$85,182.24
452	000228	Rolling Stock Acquisitn Admin	Non-Represented Employees	N08	\$112,707.00	\$170,751.00
453	MA810	Rolling Stock Foreworker	SEIU, Local 1021 - Clerical & Maintenance	827	\$86,018.61	\$112,442.72
454	000149	Safety & Training Mgr eBART	AFSCME, Local 3993	AFI	\$129,246.45	\$168,020.13
455	SF120	Safety Specialist	AFSCME, Local 3993	AFD	\$93,205.36	\$121,167.19
456	OB135	Scheduling Analyst	ATU, Local 1555	731	\$97,150.77	\$114,295.17
457	000048	Scheduling Supervisor	AFSCME, Local 3993	AFF	\$106,286.37	\$138,173.50
458	MC725	Sect Mgr Elev/Escalator Maint	AFSCME, Local 3993	AFG	\$114,081.83	\$148,306.37
459	MC724	Sect Mgr Power & Mech Maint	AFSCME, Local 3993	AFG	\$114,081.83	\$148,306.37
460	MC726	Sect Mgr Struct Insp & Maint	AFSCME, Local 3993	AFG	\$114,081.83	\$148,306.37
461	MC721	Sect Mgr Structures Maint	AFSCME, Local 3993	AFG	\$114,081.83	\$148,306.37
462	MC720	Sect Mgr Systems Maint	AFSCME, Local 3993	AFG	\$114,081.83	\$148,306.37
463	MC722	Sect Mgr Track Maint	AFSCME, Local 3993	AFG	\$114,081.83	\$148,306.37
464	000229	Security Access Analyst	Non-Represented Employees	N03	\$80,358.00	\$121,743.00
465	MA225	Shop Machinist	SEIU, Local 1021 - Clerical & Maintenance	301	\$73,145.07	\$95,614.69
466	TA260	Shop Scheduler	SEIU, Local 1021 - Professional Chapter	S10	\$80,660.64	\$105,438.72
467	MA230	Shop Welder	SEIU, Local 1021 - Clerical & Maintenance	301	\$73,145.07	\$95,614.69
468	MC701	Spec Proj Mgr Track & Struct	AFSCME, Local 3993	AFH	\$121,143.23	\$157,486.09
469	000158	Special Projects Mgr AFSCME	AFSCME, Local 3993	AFG	\$114,081.83	\$148,306.37
470	FA288	Sr Account Clerk	SEIU, Local 1021 - Clerical & Maintenance	031	\$58,095.02	\$75,941.42

## 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
471	AC220	Sr Admin Analyst AFSCME	AFSCME, Local 3993	AFD	\$93,205.36	\$121,167.19
472	AF220	Sr Admin Analyst NR	Non-Represented Employees	N05	\$92,002.00	\$139,383.00
473	IA190	Sr Appl Programmer Analyst	SEIU, Local 1021 - Professional Chapter	S14	\$97,918.68	\$127,998.24
474	IC142	Sr Applications Analyst	AFSCME, Local 3993	AFH	\$121,143.23	\$157,486.09
475	LF120	Sr Attorney	Non-Represented Employees	N12	\$147,736.00	\$223,819.00
476	000218	Sr Benefits Analyst	Non-Represented Employees	N06	\$98,442.00	\$149,140.00
477	000230	Sr Board Analyst	Non-Represented Employees	N06	\$98,442.00	\$149,140.00
478	FH140	Sr Budget Clerk SEIU	SEIU, Local 1021 - Clerical & Maintenance	031	\$58,095.02	\$75,941.42
479	000176	Sr Buyer	SEIU, Local 1021 - Professional Chapter	S10	\$80,660.64	\$105,438.72
480	000166	Sr CAD Drafter	SEIU, Local 1021 - Professional Chapter	S10	\$80,660.64	\$105,438.72
481	FA290	Sr Cash Handler	SEIU, Local 1021 - Clerical & Maintenance	035	\$57,289.44	\$74,888.32
482	TC222	Sr Central Maint Supv	AFSCME, Local 3993	AFH	\$121,143.23	\$157,486.09
483	EF255	Sr Civil Engineer	Non-Represented Employees	N06	\$98,442.00	\$149,140.00
484	000219	Sr Class and Comp Analyst	Non-Represented Employees	N05	\$92,002.00	\$139,383.00
485	CB145	Sr Clerk ATU	ATU, Local 1555	031	\$64,550.10	\$75,941.42
486	CG145	Sr Clerk SEIU	SEIU, Local 1021 - Clerical & Maintenance	031	\$58,095.02	\$75,941.42
487	000075	Sr Computer Support Coord	SEIU, Local 1021 - Professional Chapter	S16	\$106,827.72	\$139,644.12
488	EF138	Sr Computer Systems Engineer	Non-Represented Employees	N07	\$105,333.00	\$159,580.00
489	EF260	Sr Construction Engineer	Non-Represented Employees	N06	\$98,442.00	\$149,140.00
490	000231	Sr EEO Analyst	Non-Represented Employees	N05	\$92,002.00	\$139,383.00
491	EF265	Sr Electrical Engineer	Non-Represented Employees	N07	\$105,333.00	\$159,580.00
492	EF140	Sr Electronics & Comm Engineer	Non-Represented Employees	N07	\$105,333.00	\$159,580.00
493	HF114	Sr Employee Dev Specialist	Non-Represented Employees	N05	\$92,002.00	\$139,383.00
494	FC137	Sr Energy Analyst	AFSCME, Local 3993	AFF	\$106,286.37	\$138,173.50
495	EF501	Sr Engineer	Non-Represented Employees	N07	\$105,333.00	\$159,580.00
496	FC138	Sr Financial Analyst AFSCME	AFSCME, Local 3993	AFE	\$100,252.37	\$130,327.76
497	000187	Sr Financial Analyst eBART	AFSCME eBART	EB5	\$100,252.37	\$130,327.76
498	VC051	Sr Gov & Comm Relations Rep	AFSCME, Local 3993	AFE	\$100,252.37	\$130,327.76
499	TA314	Sr Graphic Artist	SEIU, Local 1021 - Professional Chapter	S10	\$80,660.64	\$105,438.72
500	FF253	Sr Internal Auditor	Non-Represented Employees	N05	\$92,002.00	\$139,383.00
501	UC108	Sr Inventory Control Analyst	AFSCME, Local 3993	AFD	\$93,205.36	\$121,167.19
502	000089	Sr Labor Relations Analyst	Non-Represented Employees	N05	\$92,002.00	\$139,383.00
503	HF126	Sr Labor Relations Rep	Non-Represented Employees	N06	\$98,442.00	\$149,140.00
504	000232	Sr Leave Mgmt Analyst	Non-Represented Employees	N05	\$92,002.00	\$139,383.00
505	AA130	Sr Legal Secretary	SEIU, Local 1021 - Clerical & Maintenance	071	\$58,613.57	\$76,619.09
506	UC190	Sr Logistics Supv	AFSCME, Local 3993	AFF	\$106,286.37	\$138,173.50
507	TA220	Sr Maint Planner	SEIU, Local 1021 - Professional Chapter	S11	\$84,664.80	\$110,672.88
508	000053	Sr Maintenance Engineer	Non-Represented Employees	N07	\$105,333.00	\$159,580.00
509	VC082	Sr Marketing Rep	AFSCME, Local 3993	AFF	\$106,286.37	\$138,173.50
510	000029	Sr Marketing Rep PT	AFSCME, Local 3993	AFE	\$100,252.37	\$130,327.76
511	EF270	Sr Mechanical Engineer	Non-Represented Employees	N07	\$105,333.00	\$159,580.00
512	000189	Sr Mgr of Asset Management	Non-Represented Employees	N10	\$129,038.00	\$195,493.00
513	000233	Sr Mgr of Contr Labor Complnce	Non-Represented Employees	N10	\$129,038.00	\$195,493.00
514	000234	Sr Mgr of Econ Oppy Policies	Non-Represented Employees	N10	\$129,038.00	\$195,493.00
515	000179	Sr Mgr of Engineering Programs	Non-Represented Employees	N10	\$129,038.00	\$195,493.00
516	000175	Sr Mgr of Engineering,eBART	Non-Represented Employees	N10	\$129,038.00	\$195,493.00
517	000185	Sr Mgr of Fin Analysis & Admin	Non-Represented Employees	N10	\$129,038.00	\$195,493.00

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
518	000235	Sr Mgr of Maint Acquisition	Non-Represented Employees	N10	\$129,038.00	\$195,493.00
519	000292	Sr Mgr of Maint Plan Sched	Non-Represented Employees	N10	\$129,038.00	\$195,493.00
520	MF410	Sr Mgr of Maintenance Support	Non-Represented Employees	N10	\$129,038.00	\$195,493.00
521	000177	Sr Mgr of Perf Analytics	Non-Represented Employees	N10	\$129,038.00	\$195,493.00
522	000237	Sr Mgr of Procurement	Non-Represented Employees	N10	\$129,038.00	\$195,493.00
523	000236	Sr Mgr of RS&S Ops Admin	Non-Represented Employees	N10	\$129,038.00	\$195,493.00
524	000238	Sr Mgr of Wkfc Policy Complnce	Non-Represented Employees	N10	\$129,038.00	\$195,493.00
525	CA155	Sr Office Services Supv	SEIU, Local 1021 - Professional Chapter	S09	\$76,847.40	\$100,454.04
526	CA112	Sr Office Svs Support Clerk	SEIU, Local 1021 - Clerical & Maintenance	031	\$58,095.02	\$75,941.42
527	OB145	Sr Operations Foreworker	ATU, Local 1555	831	\$92,619.90	\$108,964.75
528	OC155	Sr Operations Supvr Liaison	AFSCME, Local 3993	AFG	\$114,081.83	\$148,306.37
529	SC135	Sr Ops Safety Spec	AFSCME, Local 3993	AFG	\$114,081.83	\$148,306.37
530	IB190	Sr Ops Suppt Sys Analyst	ATU, Local 1555	742	\$103,060.26	\$121,247.36
531	000191	Sr Performance Analyst	AFSCME, Local 3993	AFF	\$106,286.37	\$138,173.50
532	QC145	Sr Planner	AFSCME, Local 3993	AFF	\$106,286.37	\$138,173.50
533	000105	Sr Police Officer - Adv.	BART Police Officers' Association	792	\$112,962.30	\$112,962.30
534	PE131	Sr Police Officer - Int.	BART Police Officers' Association	788	\$109,672.16	\$109,672.16
535	000052	Sr Production Engineer	Non-Represented Employees	N06	\$98,442.00	\$149,140.00
536	000220	Sr Project Engineer	Non-Represented Employees	N07	\$105,333.00	\$159,580.00
537	000195	Sr Quality Administrator	AFSCME, Local 3993	AFG	\$114,081.83	\$148,306.37
538	EF238	Sr Quality Engineer	Non-Represented Employees	N07	\$105,333.00	\$159,580.00
539	000181	Sr Quality Manager	Non-Represented Employees	N10	\$129,038.00	\$195,493.00
540	QC210	Sr Real Estate Officer	AFSCME, Local 3993	AFF	\$106,286.37	\$138,173.50
541	000239	Sr Recruiter	Non-Represented Employees	N05	\$92,002.00	\$139,383.00
542	TF255	Sr Reliability Engineer	Non-Represented Employees	N07	\$105,333.00	\$159,580.00
543	AF232	Sr Research Projects Analyst	AFSCME, Local 3993	AFE	\$100,252.37	\$130,327.76
544	QC224	Sr Right of Way Officer	AFSCME, Local 3993	AFF	\$106,286.37	\$138,173.50
545	000240	Sr Safety Engineer	Non-Represented Employees	N07	\$105,333.00	\$159,580.00
546	SC130	Sr Safety Specialist	AFSCME, Local 3993	AFF	\$106,286.37	\$138,173.50
547	000031	Sr Scheduling Analyst ATU	ATU, Local 1555	732	\$106,800.93	\$125,648.22
548	AB135	Sr Secretary ATU	ATU, Local 1555	061	\$64,550.10	\$75,941.42
549	AJ135	Sr Secretary SEIU	SEIU, Local 1021 - Clerical & Maintenance	061	\$54,482.69	\$71,219.41
550	UA160	Sr Storekeeper	SEIU, Local 1021 - Clerical & Maintenance	171	\$67,832.96	\$88,670.61
551	EF275	Sr Structural Engineer	Non-Represented Employees	N06	\$98,442.00	\$149,140.00
552	IC200	Sr Systems Programmer	AFSCME, Local 3993	AFE	\$100,252.37	\$130,327.76
553	IA210	Sr Telecommunications Tech	SEIU, Local 1021 - Professional Chapter	S14	\$97,918.68	\$127,998.24
554	FC200	Sr Time & Labor Admin Analyst	AFSCME, Local 3993	AFD	\$93,205.36	\$121,167.19
555	000241	Sr Traction Power Engineer	Non-Represented Employees	N07	\$105,333.00	\$159,580.00
556	EF145	Sr Train Control Engineer	Non-Represented Employees	N07	\$105,333.00	\$159,580.00
557	000044	Sr Transp Training Clerk	ATU, Local 1555	036	\$67,664.90	\$79,605.76
558	000194	Sr Transportation Analyst	AFSCME, Local 3993	AFF	\$106,286.37	\$138,173.50
559	CB160	Sr Transportation Clerk	ATU, Local 1555	031	\$64,550.10	\$75,941.42
560	TF232	Sr Transportation Planner	AFSCME, Local 3993	AFF	\$106,286.37	\$138,173.50
561	TF234	Sr Vehicle Systems Engineer	Non-Represented Employees	N07	\$105,333.00	\$159,580.00
562	000297	Sr Wkfrce & Policy Compl Anlys	Non-Represented Employees	N05	\$92,002.00	\$139,383.00
563	000242	Sr Workforce Dev Analyst	Non-Represented Employees	N05	\$92,002.00	\$139,383.00
564	OB155	Station Agent	ATU, Local 1555	521	\$69,018.35	\$81,198.21

## 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
565	OB156	Station Agent PT	ATU, Local 1555	541	\$75,920.21	\$89,317.90
566	UA170	Storekeeper	SEIU, Local 1021 - Clerical & Maintenance	201	\$62,116.70	\$81,198.42
567	000223	Strategic Budget Administrator	AFSCME, Local 3993	AFH	\$121,143.23	\$157,486.09
568	000057	Strategic Prg Mgr, Ext Affairs	Non-Represented Employees	N10	\$129,038.00	\$195,493.00
569	EF280	Structural Engineer	Non-Represented Employees	N05	\$92,002.00	\$139,383.00
570	MA615	Structures Equipment Operator	SEIU, Local 1021 - Clerical & Maintenance	301	\$73,145.07	\$95,614.69
571	MA620	Structures Foreworker	SEIU, Local 1021 - Clerical & Maintenance	825	\$80,459.60	\$105,176.03
572	MA638	Structures Inspect Foreworker	SEIU, Local 1021 - Clerical & Maintenance	810	\$84,115.41	\$109,955.04
573	MA637	Structures Inspector	SEIU, Local 1021 - Clerical & Maintenance	311	\$76,468.70	\$99,959.18
574	MA636	Structures Inspector Asst	SEIU, Local 1021 - Clerical & Maintenance	201	\$62,116.70	\$81,198.42
575	MA630	Structures Welder	SEIU, Local 1021 - Clerical & Maintenance	301	\$73,145.07	\$95,614.69
576	MA635	Structures Worker	SEIU, Local 1021 - Clerical & Maintenance	201	\$62,116.70	\$81,198.42
577	000036	Structures Worker PT	SEIU, Local 1021 - Clerical & Maintenance	221	\$68,328.21	\$68,328.21
578	000085	Supt of eBART Operations	Non-Represented Employees	N11	\$138,071.00	\$209,177.00
579	MF535	Supt of Power & Mech Maint	Non-Represented Employees	N11	\$138,071.00	\$209,177.00
580	MF818	Supt of Rolling Stock & Shops	Non-Represented Employees	N11	\$138,071.00	\$209,177.00
581	000087	Supt of Sys eBART	Non-Represented Employees	N11	\$138,071.00	\$209,177.00
582	000164	Supt of System Service	Non-Represented Employees	N11	\$138,071.00	\$209,177.00
583	MF703	Supt of Systems Maintenance	Non-Represented Employees	N11	\$138,071.00	\$209,177.00
584	MF610	Supt of Way & Facilities	Non-Represented Employees	N11	\$138,071.00	\$209,177.00
585	000010	Supv Bus Sys Operations	AFSCME, Local 3993	AFI	\$129,246.45	\$168,020.13
586	HF133	Supv Human Resources Programs	Non-Represented Employees	N08	\$112,707.00	\$170,751.00
587	000301	Supv of Compensation	Non-Represented Employees	N07	\$105,333.00	\$159,580.00
588	000243	Supv of EEO Programs	Non-Represented Employees	N07	\$105,333.00	\$159,580.00
589	000244	Supv of HRIS	Non-Represented Employees	N07	\$105,333.00	\$159,580.00
590	000300	Supv of Leave Mgmt	Non-Represented Employees	N07	\$105,333.00	\$159,580.00
591	000148	Supv of Operations eBART	AFSCME eBART	EB7	\$114,081.83	\$148,306.37
592	000245	Supv of Recruiting	Non-Represented Employees	N07	\$105,333.00	\$159,580.00
593	000221	Supv of Workforce Development	Non-Represented Employees	N07	\$105,333.00	\$159,580.00
594	TF263	Survey Taker	Non-Represented Employees	093	\$77,048.82	\$77,048.82
595	EA315	Survey Tech	SEIU, Local 1021 - Clerical & Maintenance	091	\$63,708.32	\$83,279.04
596	000157	Sys General Custodian eBART	SEIU Maintenance eBART	401	\$52,861.54	\$69,100.30
597	000152	System Main Signal Comm eBART	SEIU Maintenance eBART	400	\$73,145.07	\$95,614.69
598	000154	System Main Track Signal eBART	SEIU Maintenance eBART	400	\$73,145.07	\$95,614.69
599	MA385	System Service Crewleader	SEIU, Local 1021 - Clerical & Maintenance	141	\$54,561.73	\$71,322.58
600	MA390	System Service Foreworker	SEIU, Local 1021 - Clerical & Maintenance	818	\$74,382.67	\$97,232.51
601	MC395	System Service Supv	AFSCME, Local 3993	AFD	\$93,205.36	\$121,167.19
602	MA400	System Service Worker	SEIU, Local 1021 - Clerical & Maintenance	111	\$52,861.54	\$69,100.30
603	MA399	System Service Worker 141	SEIU, Local 1021 - Clerical & Maintenance	141	\$54,561.73	\$71,322.58
604	MA401	System Service Worker PT	SEIU, Local 1021 - Clerical & Maintenance	121	\$58,147.65	\$58,147.65
605	IC198	Systems Programmer	AFSCME, Local 3993	AFF	\$106,286.37	\$138,173.50
606	000007	Tech Maintenance Support Coord	AFSCME, Local 3993	AFE	\$100,252.37	\$130,327.76
607	TA140	Tech Publications Admin	SEIU, Local 1021 - Professional Chapter	S10	\$80,660.64	\$105,438.72
608	TA302	Technical Administrator	SEIU, Local 1021 - Professional Chapter	S11	\$84,664.80	\$110,672.88
609	TA125	Technical Editor	SEIU, Local 1021 - Professional Chapter	S03	\$57,492.00	\$75,152.88
610	IA300	Technical Programmer Analyst	SEIU, Local 1021 - Professional Chapter	S11	\$84,664.80	\$110,672.88
611	000025	Technical Publications Analyst	SEIU, Local 1021 - Professional Chapter	S09	\$76,847.40	\$100,454.04



## 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
612	TA301	Technical Resources Admin	SEIU, Local 1021 - Professional Chapter	S13	\$93,283.44	\$121,939.20
613	IA200	Telecommunications Specialist	SEIU, Local 1021 - Professional Chapter	S06	\$66,462.60	\$86,879.16
614	IA205	Telecommunications Technician	SEIU, Local 1021 - Professional Chapter	S09	\$76,847.40	\$100,454.04
615	FA212	Time & Labor Admin Analyst	SEIU, Local 1021 - Professional Chapter	TAD	\$80,841.24	\$105,674.76
616	000068	Time & Labor Admin Analyst ATU	ATU, Local 1555	741	\$89,823.14	\$105,674.40
617	UA180	Tool Room Attendant	SEIU, Local 1021 - Clerical & Maintenance	201	\$62,116.70	\$81,198.42
618	MA640	Track Equipment Operator	SEIU, Local 1021 - Clerical & Maintenance	301	\$73,145.07	\$95,614.69
619	MA645	Track Foreworker	SEIU, Local 1021 - Clerical & Maintenance	825	\$80,459.60	\$105,176.03
620	MA655	Track Welder	SEIU, Local 1021 - Clerical & Maintenance	301	\$73,145.07	\$95,614.69
621	MA660	Track Worker	SEIU, Local 1021 - Clerical & Maintenance	201	\$62,116.70	\$81,198.42
622	000022	Track Worker PT	SEIU, Local 1021 - Clerical & Maintenance	221	\$68,328.21	\$68,328.21
623	MA720	Train Control Electronic Tech	SEIU, Local 1021 - Clerical & Maintenance	301	\$73,145.07	\$95,614.69
624	EF165	Train Control Engineer	Non-Represented Employees	N05	\$92,002.00	\$139,383.00
625	MA725	Train Control Foreworker	SEIU, Local 1021 - Clerical & Maintenance	825	\$80,459.60	\$105,176.03
626	OC190	Train Controller	AFSCME, Local 3993	AFI	\$129,246.45	\$168,020.13
627	OB160	Train Operator	ATU, Local 1555	621	\$69,018.35	\$81,198.21
628	OB161	Train Operator PT	ATU, Local 1555	641	\$75,920.21	\$89,317.90
629	CA165	Transit Information Clerk	SEIU, Local 1021 - Clerical & Maintenance	031	\$58,095.02	\$75,941.42
630	CA175	Transit Information Supv	SEIU, Local 1021 - Professional Chapter	S11	\$84,664.80	\$110,672.88
631	CA159	Transit Information Tech	SEIU, Local 1021 - Clerical & Maintenance	036	\$60,898.24	\$79,605.76
632	MA825	Transit Veh Elec Tech	SEIU, Local 1021 - Clerical & Maintenance	301	\$73,145.07	\$95,614.69
633	MA830	Transit Vehicle Mechanic	SEIU, Local 1021 - Clerical & Maintenance	301	\$73,145.07	\$95,614.69
634	000037	Transit Vehicle Mechanic PT	SEIU, Local 1021 - Clerical & Maintenance	314	\$80,459.39	\$80,459.39
635	000033	Transportation Adm Specialist	ATU, Local 1555	031	\$64,550.10	\$75,941.42
636	CB175	Transportation Clerk	ATU, Local 1555	021	\$64,550.10	\$75,941.42
637	OF080	Transportation Operations Mgr	Non-Represented Employees	N09	\$120,596.00	\$182,703.00
638	OC150	Transportation Supervisor	AFSCME, Local 3993	AFG	\$114,081.83	\$148,306.37
639	FC275	Treasury Analyst	AFSCME, Local 3993	AFD	\$93,205.36	\$121,167.19
640	CA180	Trouble Desk Data Specialist	SEIU, Local 1021 - Clerical & Maintenance	036	\$60,898.24	\$79,605.76
641	MA826	TVET Trainee	SEIU, Local 1021 - Clerical & Maintenance	331	\$65,888.99	\$86,129.47
642	MA840	Utility Foreworker	SEIU, Local 1021 - Clerical & Maintenance	818	\$74,382.67	\$97,232.51
643	MA835	Utility Worker	SEIU, Local 1021 - Clerical & Maintenance	111	\$52,861.54	\$69,100.30
644	MA836	Utility Worker PT	SEIU, Local 1021 - Clerical & Maintenance	121	\$58,147.65	\$58,147.65
645	TA130	Vehicle Inspector	SEIU, Local 1021 - Clerical & Maintenance	311	\$76,468.70	\$99,959.18
646	MC830	Vehicle Performance Analyst	AFSCME, Local 3993	AFF	\$106,286.37	\$138,173.50
647	TF233	Vehicle Systems Engineer	Non-Represented Employees	N06	\$98,442.00	\$149,140.00
648	MA900	Warranty Administrator	SEIU, Local 1021 - Professional Chapter	S11	\$84,664.80	\$110,672.88
649	TA135	Wayside Inspector	SEIU, Local 1021 - Clerical & Maintenance	311	\$76,468.70	\$99,959.18
650	TA311	Web Page Specialist	SEIU, Local 1021 - Professional Chapter	S10	\$80,660.64	\$105,438.72
651	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>[Signature]</i> 11/13/19		GENERAL MANAGER ACTION REQ'D:		
DATE: 10/24/2019		BOARD INITIATED ITEM: No		
Originator/Prepared by: Debora Faniel Huff Dept: Office of the General Counsel	General Counsel <i>[Signature]</i> 11/8/19 [ ]	Controller/Treasurer <i>[Signature]</i> 11/12/19 [ ]	District Secretary [ ]	BARC <i>[Signature]</i> 11/12/19 [ ]
Signature/Date: <i>Debora Faniel</i> 11/8/19				

## Amendment to Legal Services Agreement with Renne Public Law Group

**PURPOSE:** To request that the Board of Directors approve an increase in funding for the Renne Public Law Group for the appeal of a CalPERS finding that an independent contractor is entitled to service credit.

**DISCUSSION:** The firm of Renne Public Law Group currently represents the District in this appeal of a CalPERS fine related to the award of service credit to an individual who worked for the District as a contractor. The law firm of Renne Public Law Group was initially retained in 2018. The firm was chosen following discussions with three (3) firms and it was determined that Renne Public Law Group had the most experience in handling these types of matters and handled a substantially similar matter in the past. As a result, it was determined that Renne Public Law Group provided the best value.

The hearing of this matter is concluded; however, the matter still needs significant briefing and, depending upon the ruling, additional appeals, including a potential appeal to the superior courts. It is recommended that Renne Public Law Group which has significant experience in such matters and has been responsible for this matter from the outset continue representation through the conclusion of this matter.

**FISCAL IMPACT:** The value of the legal services agreement to date from FY 18 - 19 is \$165,000. This action would be funded by existing operating funds as needed for continued representation on this matter, estimated to be an additional \$75,000. Funding will be budgeted in Human Resources' operating budget (Dept. 0502420, Account 681352 Legal Fees) for FY 2020. This action is not anticipated to have any fiscal impact on unprogrammed District reserves in the current fiscal year.

**ALTERNATIVES:** To not authorize this amendment to Renne would result in Renne Public Law Group's withdrawal and result in additional costs of outside counsel.

**RECOMMENDATION:** That the Board adopt the following motion.

**MOTION:** That the Board approves the amendment of this agreement with Renne Public Law Group to continue its representation of the District to handle the Adverse CalPERS Appeal matter and as required to complete representation of the District in this matter.



## EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: 11/15/19		GENERAL MANAGER ACTION REQ'D:		
DATE: 11/8/2019		BOARD INITIATED ITEM: Yes		
Originator/Prepared by: Tim Chan Dept: System's Development Signature/Date: 11/14/2019	General Counsel Signature/Date: 11/14/19 [ ]	Controller/Treasurer Signature/Date: 11/14/19 [ ]	District Secretary  Signature/Date: [ ]	BARC Signature/Date: 11.14.2019 [ ]

### Amendment to Agreement with Urban Alchemy for the Elevator Attendant Program

**PURPOSE:**

To seek authorization to amend the agreement with Urban Alchemy to supply elevator attendants in the Downtown San Francisco stations.

**DISCUSSION:**

On July 25, 2019, the Board authorized the General Manager to negotiate and execute agreements with Urban Alchemy for the Elevator Attendant Program in the amount of \$1,500,000 in FY20 and \$1,900,000 in FY21. These authorization amounts were not inclusive of the MTC Lifeline grant of \$1,300,000 for each fiscal year. With this additional outside funding, the total authorization is not to exceed amounts of **\$2,800,000** in FY20 and **\$3,200,000** in FY21. There is no change to the authorization in FY22, because there is no grant funding identified for that year. The table below provides additional detail.

Table 1. Summary of Board Authorization

	FY20	FY21	FY22
July 25, 2019 Board Authorization	\$1.5M	\$1.9M	\$3.3M
Request Additional Authorization (MTC Lifeline Grant)	\$1.3M	\$1.3M	\$0.0M
<b>Total Authorization</b>	<b>\$2.8M</b>	<b>\$3.2M</b>	<b>\$3.3M</b>

This action will allow the General Manager to execute this amendment in accordance with the authorization approved by the Board on July 25, 2019.

**FISCAL IMPACTS:**

This revision does not affect the FY20 and FY21 Quality of Life Initiatives and Fiscal Impacts to the District as summarized in the previous EDD dated July 25, 2019.

**ALTERNATIVES:**

The alternative is to not authorize one of more of these Agreements, limit the duration and/or return the grant funds to MTC.

**RECOMMENDATION:**

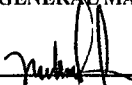

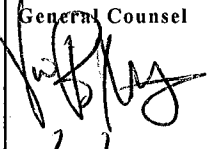
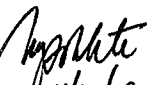
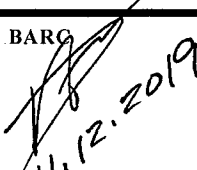
It is recommended that the Board adopt the following motion:

**MOTION:**

The Board authorizes the General Manager to amend the agreement with Urban Alchemy for Elevator Attendants at Civic Center, Powell St., Montgomery and Embarcadero stations. In FY20 not to exceed \$2,800,000 and FY21 not to exceed \$3,200,000.



## EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL:  11/12/19		GENERAL MANAGER ACTION REQ'D:		
DATE: 11/1/2019		BOARD INITIATED ITEM: No		
Originator/Prepared by: Maurice Rattray Dept: PD&C  Signature/Date: 11/12/19	General Counsel  11/12/19 [ ]	Controller/Treasurer  11/12/19 [ ]	District Secretary [ ]	BARC  11.12.2019 [ ]

### Award Contract No. 04SF-210, for Construction of East Contra Costa BART Extension Project Maintenance Facility Canopies and Structures

#### PURPOSE:

To obtain Board authorization for the General Manager to Award Contract No. 04SF-210, for Construction of East Contra Costa BART Extension Project Maintenance Facility Canopies and Structures to Alex Kushner General Inc. of San Francisco, CA.

#### DISCUSSION:

BART to Antioch, also referred to as the eBART Project, is an eastward extension of BART service within the median of SR4 from the existing Pittsburg/Bay Point Station to two new stations in Pittsburg and Antioch. The eBART Maintenance Facility, located east of Antioch Station, consists of all facilities and equipment to operate the system and maintain the vehicles. All day-to-day responsibility for operations is located at this facility.

On April 23, 2009, the BART Board of Directors (Board) certified the Final Environmental Impact Report (FEIR) and adopted the eBART Project. The Project Description of the FEIR identifies the construction of Maintenance Facility elements, which include a spare truck parts and storage building, train washer equipment, and concrete slab fueling with canopy. The design and schedule to install these elements has been refined since the adoption of the FEIR.

Contract No. 04SF-210 provides for the construction of the FEIR elements described above at the existing eBART Maintenance Facility as well as the assembly and finishing of a BART-furnished prefabricated structure to store additional equipment and parts, including associated electrical and communications components.

On August 7, 2019, the District provided Advance Notice to one hundred twenty-three (123) prospective Bidders who received the electronic version of the Contract book, including forms to submit, from the District’s Vendor Portal, plans were sent to six (6) Plan Rooms. The Contract was advertised on August 8, 2019 in local publications. A total of twenty-six (26) firms downloaded the Contract Documents from the District’s Vendor Portal. The Office of Civil Rights (OCR) notified three thousand two hundred and thirty three (3233) firms in performing outreach for the Contract. A pre-bid meeting was conducted on September 11, 2019 with seven (7) prospective Bidders attending the meeting. A site tour was conducted on September 11, 2019 with two (2) prospective Bidders.

A total of two (2) Bids were received and publicly opened on October 08, 2019. Tabulation of the Bids, including the Engineer’s Estimate, is as follows:

<b>Bidder Name</b>	<b>Total Bid Amount</b>
Alex Kushner General Inc. (San Francisco)	\$ 1,302,341.00
Valentine Corporation (San Rafael)	\$ 1,610,369.00
<b>Engineer's Estimate</b>	<b>\$ 1,141,000.00</b>

Review of the Bids by District Staff indicates that Alex Kushner General Inc. is the lowest responsive and responsible bidder with a bid price 14% above the Engineer's Estimate.

Pursuant to the District’s Non-Discrimination Program for Subcontracting, the Availability Percentages for this Contract are 18.2% for Minority Business Enterprises (“MBEs”) and 9.3% for Women Business Enterprises (“WBEs”). The Bidder, Alex Kushner General, Inc. committed to 0% MBE and WBE participation. Alex Kushner General, Inc. did not meet either the MBE or WBE Availability Percentages and therefore was requested to provide the Office of Civil Rights with supporting documentation to determine if it had discriminated on the basis of race, national origin, color, gender or ethnicity. Based on the review of the information submitted by Alex Kushner General, Inc. the Office of Civil Rights found no evidence of discrimination.

Pursuant to the District’s Non-Federal Small Business Program, the Office of Civil Rights set a 5% Small Business Prime Preference for this Contract for Small Businesses certified by the California Department of General Services. The lowest responsive Bidder, Alex Kushner General, Inc. is a certified Small Business, thus, making it eligible for the Prime Preference. However, since Alex Kushner General, Inc. is the lowest responsive Bidder as well as the only Bidder eligible for the 5% Small Business Prime Preference, the Prime Preference will not be applied to alter the award to Alex Kushner General, Inc.

**FISCAL IMPACT:**

Funding in the amount of \$1,302,341 for award of Contract No. 04SF-210 is included in the total Project budget for FMS #04SF210 – eBART Maintenance Facility Canopies and Structures.

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

Fund No.	Fund Description	Source	Amount
6512	City of Pittsburg	Local	\$330,000
8526	FY 2014 Operating to Capital Allocation	BART	\$304,000
881C	Proceeds from Hillcrest Property Land Sale	BART	\$800,000
<b>TOTAL</b>			<b>\$1,434,000</b>

As of 11/04/2019, \$1,434,000 is the total budget for this project. BART has expended, committed, and reserved \$0 to date. This action will commit \$1,302,341 leaving an available fund balance of \$131,659 in these fund sources for this project.

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

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

**ALTERNATIVES:**

The Board may decline to authorize award of the Contract and reject all Bids. If this Contract is re-advertised, there is no assurance that new Bids would be lower than the amount of the current Bids received. If the Contract is not awarded, scope of work will not be constructed.

**RECOMMENDATION:**

It is recommended that the Board adopt the following motion:

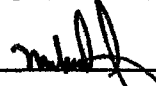
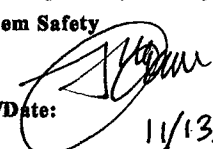
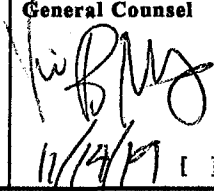


**MOTION:**

The General Manager is authorized to award Contract No. 04SF-210, for Construction of East Contra Costa BART Extension Project Maintenance Facility Canopies and Structures to Alex Kushner General Inc. for the amount of \$1,302,341.00, subject to the District's protest procedures.





# EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL:  11/14/19		GENERAL MANAGER ACTION REQ'D: Forward to Board of Directors		
DATE: 10/28/2019		BOARD INITIATED ITEM: No		
Originator/Prepared by: Jeffrey Lau Dept: System Safety Signature/Date:  11/13/19	General Counsel  11/14/19 [ ]	Controller/Treasurer  11/14/19 [ ]	District Secretary [ ]	BARC  11-24-2019 [ ]

## Amendment to the Agreement with K&J Safety and Security Consulting for Safety Training

### PURPOSE:

To obtain Board authorization for the General Manager to execute an Amendment to the Agreement with K&J Safety and Security Consulting to perform specialized safety training in an amount not-to-exceed \$91,000 (Total Contract Value \$181,556)

### DISCUSSION:

In October 2018, the California Public Utilities Commission (CPUC) issued Decision 18-10-020 ordering BART to complete probationary terms including development and implementation of 40-hour safety rules, practices, policies, procedures, and culture training courses for select staff. In particular, the 40-hour safety training program is required for select BART staff annually for 3 years. This matter is extremely time sensitive as the training program must be promptly developed and implemented by BART.

K&J Safety offers industry-leading safety services in the area of Transit System Safety and Safety and Security Training. Its Safety and Security Training capabilities in the area of Safety Management Systems (SMS) and safety culture are unparalleled in the industry and the team is comprised of seasoned safety experts and rail transit veterans. Many of its team members are Transportation Safety Institute (TSI) safety course instructors. No other firms can support BART and offer the same type of safety services that can satisfy the CPUC requirements while simultaneously shifting the agency safety culture towards the SMS framework adopted by the Federal Transit Administration (FTA). K&J Safety has successfully delivered SMS safety training programs at rail transit agencies in Washington DC, Philadelphia, Charlotte, and others.

BART staff worked with K&J Safety to develop a safety training program to ensure that BART satisfies the requirements in the CPUC Decision for the first year. After months of discussion between CPUC and BART staff, the safety training program to be conducted by K&J Safety was formally approved by the CPUC. In July 2019, BART secured funds of \$90,556 via a Management Decision Document (MDD) and training locations to ensure Phase 1 of the training program (five onsite in-person classes) can be implemented without delay. The five classes have been scheduled for November 2019 through January 2020. Phase 2 of the training, which includes six onsite in-person classes, will complete the first year training requirements and will cost an additional \$91,000. This EDD addresses the funds for Phase 2 only since the total agreement amount for K&J Safety will exceed the \$100,000 threshold for Board approval.

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

**FISCAL IMPACT:**

Compensation for services under this Agreement will be for an not-to-exceed amount of \$91,000. Funding will be made available from the General Manager's annual operating budget (Dept 1303388 - System Safety, Account 681300 – Professional & Technical Svcs). The Controller/Treasurer will certify availability of such funding prior to incurring costs against the Agreement. 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:**

Not to authorize the General Manager to enter into an Agreement with K&J Safety. Likely non-compliance with the CPUC Decision order will likely result in further enforcement action.

**RECOMMENDATION:**

It is recommended that the Board adopt the following motion:

**MOTION:**

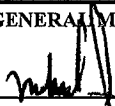

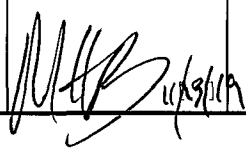

The Board of Directors authorizes the General Manager to execute an Amendment to the

Safety Training - K&J Safety and Security Consulting

Agreement with K&J Safety and Security Consulting in an amount not-to-exceed \$91,000.  
(Total Contract Value \$181,556)



# EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL:  11/13/19		GENERAL MANAGER ACTION REQ'D: Approve and forward to Board		
DATE: 10/25/2019		BOARD INITIATED ITEM: No		
Originator/Prepared by: Michael Gerbracht Dept: Maintenance and Engineering  Signature/Date: 11/13/19	General Counsel 	Controller/Treasurer Chris Gray 11/13/19 [ ]	District Secretary [ ]	BARC  11.13.2019 [ ]
Status: Approved		Date Created: 10/25/2019		

## Reject all Bids for Contract Number 54RR-110 Sewage Pumps Replacement

### PURPOSE:

To request Board Authorization to reject all received Bids for Contract Number 54RR-110 Sewage Pumps Replacement.

### DISCUSSION:

This contract is for the upgrade and replacement of thirty (30) Sewage Sump Pump systems at twenty-four (24) locations throughout the District. Sewage sump pumps serve either sanitary or industrial waste water systems, by transferring all waste water in the given system to the local utility for disposal.

The District provided Advance Notice to fifty-six (56) prospective Bidders who received the electronic version of the Contract book, including forms to submit, from the District's Vendor Portal, plans were sent to six (6) Plan Rooms. The Contract was advertised on August 8, 2019 in local publications. A total of thirty-five (35) firms downloaded the Contract Documents from the District's Vendor Portal. A pre-bid meeting was conducted on August 28, 2019 with ten (10) prospective Bidders attending the meeting. A site tour was conducted on August 28, 2019 with seven (7) prospective Bidders. A total of two (2) Bids were received and publicly opened on October 1, 2019. Tabulation of the Bids, including the Engineer's Estimate, is as follows:

No	Bidder	Location	Bid
1	Thompson Builders Corporation	Novato, CA	\$8,071,000
2	Shimmick Construction	Oakland, CA	\$8,085,000
	Engineer's Estimate		\$9,129,674

Staff conducted a line-item evaluation of both bidders pricing. Both bidders significantly underpriced replacement of the Sanitary systems. The Engineer's Estimate reflected an expected *increase* in cost for a Sanitary system as compared to Industrial Systems; whereas both bidders' pricing showed a net *decrease* in price for Sanitary systems. This does not appear to accurately account for field conditions and represents a risk that significant portions of the intended work scope for Sanitary Systems were excluded from the Bid pricing and could result in unacceptable delays or future change orders to complete the work.

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 both Bidders exceeded both the MBE and WBE Availability Percentages for this Contract.

Pursuant to the District's Non-Federal Small Business Program, the Office of Civil Rights set a 20% Local Small Business ("LSB") Subcontractor Participation Goal for this Contract. Bidders who meet the LSB Subcontractor Participation Goal are eligible for an LSB Preference of 7% of the lowest responsive Bidder's Bid, up to a cap of \$150,000. The Office of Civil Rights determined that both Bidders fell significantly short of the LSB Goal. Bidder Thompson Builders Corporation committed to subcontracting 3.7% to LSBs, whereas Bidder Shimmick Construction, committed to subcontracting 1.1% to LSBs.

Staff recommends that the Board Rejects all bids. Staff will re-evaluate the Contract requirements with respect to Sanitary Systems to ensure the Bid Documents are more clearly defined and accurate. Staff will also determine if the work scope can be repackaged and re-advertised to receive more bids favorable to the District.

**FISCAL IMPACT:**

There is no Fiscal Impact resulting from rejection of all Bids.

**ALTERNATIVES:**

The Board can elect to Award this Contract. This may result in excessive change requests and/or claims from the Contractor.

**RECOMMENDATION:**

Staff recommends that the Board approve the following Motion:

**MOTION:**

All Bids for Contract Number 54RR-110, Sewage Pumps Replacement, are rejected.

# SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

---

## MEMORANDUM

**TO:** Board of Directors

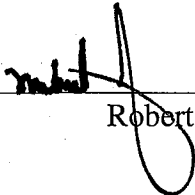
**DATE:** November 15, 2019

**FROM:** General Manager

**SUBJECT:** ADMIN Agenda Item #1: Clipper Update and Mean-Based Pilot Program

At the November 21, 2019 Board meeting, MTC staff will be updating Board members on the next generation Clipper system and means-based pilot program. The attached document, Clipper Next-Generation System and Means-Based Pilot Program, provides the information that will be presented.

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




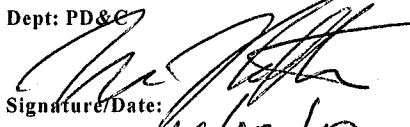
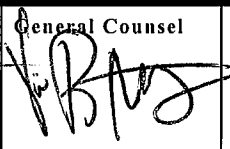

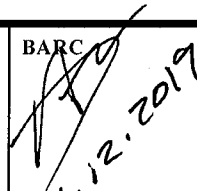
---

Robert Powers

cc: Board Appointed Officers  
Deputy General Manager  
Executive Staff



## EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL:  11/12/19		GENERAL MANAGER ACTION REQ'D:		
DATE: 10/31/2019		BOARD INITIATED ITEM: No		
Originator/Prepared by: Maurice Rattray Dept: PD&E Signature/Date:  11/12/19	General Counsel  11/12/19 [ ]	Controller/Treasurer  11/12/19 [ ]	District Secretary [ ]	BARC  11.12.2019 [ ]

### Award Contract No. 04SF-190, for Antioch Station Expansion Parking Project and Miscellaneous Site Improvements

#### PURPOSE:

To obtain Board authorization for the General Manager to Award Contract No. 04SF-190, for Antioch Station Expansion Parking Project and Miscellaneous Site Improvements to O.C. Jones & Sons, Inc. of Berkeley, CA and to exercise Option 1 for the Slatten Ranch Rd Interchange Striping Modification and Multi Use Improvements.

#### DISCUSSION:

BART to Antioch, also referred to as the eBART Project, is an eastward extension of BART service within the median of SR 4 from the existing Pittsburg/Bay Point Station to two new stations in Pittsburg and Antioch. The initial 10-mile segment of the eBART system has been completed to the new terminus station at Antioch and the system began operation in May 2018.

On December 6, 2018, the BART Board of Directors approved the Fourth Addendum to the Final Environmental Impact Report for the eBART project (certified April 2009) pursuant to the California Environmental Quality Act (CEQA) and approved the Revised eBART Project to provide additional parking at the Antioch Station.

Contract No. 04SF-190 provides for the construction of approximately 850 parking spaces at the Antioch Station on a BART-owned parcel, located between the current station parking lot and the Maintenance Facility. It also enhances the existing parking lot and access at the Antioch Station, and will install motorized gates for emergency vehicle access from the



**BART Maintenance of Way (MOW) to the Transfer Platform.**

This Contract also contains an Option (Option 1) for the relocation of the on-street bike lane within Slatten Ranch Road to an off-street multi-use access path within the Caltrans Right-of-Way (ROW) and includes striping and signals modification within City of Antioch ROW and Caltrans ROW. The City has approved the plans and obtained a Categorical Exemption under CEQA section 15301 (c) – Existing Facilities – because the project involves the repair and maintenance of an existing roadway.

The Contract was advertised on August 8-9, 2019 in various publications. An advance Notice to Bidders for Contract No. 04SF-190 was emailed on August 12, 2019 to nine prospective bidders. The Office of Civil Rights (OCR) notified approximately 223 firms in performing outreach. The Contract was publicly posted on the BART Procurement Portal on August 12, 2019. A total of 50 firms downloaded the Contract Documents. The pre-Bid meeting was held on September 3, 2019 with representatives from approximately 14 firms in attendance. In addition, the Office of Civil Rights conducted a Pre-Bid Matchmaking Session on September 16, 2019 to help introduce Local Small Businesses to potential prime bidders.

Five bids were timely received on October 1, 2019. Tabulation of the Bids is included below, including the Engineer's Estimate.

<b>Bidder Name</b>	<b>Total Base Bid Amount</b>	<b>Total Bid Price (with Options)</b>
O.C. Jones and Sons, Inc. (Berkeley, CA)	\$9,300,000.00	\$9,935,000.00
DeSilva Gates Construction LP (Dublin, CA)	\$9,965,000.00	\$10,495,000.00
A Teichert & Son, Inc. DBA Teichert Construction (Roseville, CA)	\$10,841,768.00	\$11,493,768.00
Ghilotti Construction Company, Inc. (Santa Rosa, CA)	\$11,736,071.00	\$12,212,571.00
Granite Rock Company (San Jose, CA)	\$12,192,000.00	\$12,820,000.00
<b>Engineer's Estimate</b>	\$11,795,000.00	\$12,735,000.00

Review of the Bids by District staff revealed that the apparent low Bidder is O.C. Jones & Sons, Inc. (O.C. Jones). Bid Price evaluation for this Contract is based on Total Bid Price, which is inclusive of all option items. This low Bid is 22% below the Engineer's Estimate.

District staff has determined that O.C. Jones is the lowest bidder. Further review of O.C. Jones' contractor's license(s) and business experience has resulted in a determination that O.C. Jones is a responsive and responsible Bidder.

Pursuant to the District's Non-Discrimination Program for Subcontracting, the Availability Percentages for this Contract are 18.2% for Minority Business Enterprises ("MBEs") and 9.3% for Women Business Enterprises ("WBEs"). O.C. Jones & Sons, Inc. committed to 17.9% MBE and 3.8% WBE participation but did not meet either the MBE or WBE Availability Percentages; therefore, O.C. Jones & Sons, Inc. was requested to provide the Office of Civil Rights with supporting documentation to determine if it had discriminated on the basis of race, national origin, color, gender or ethnicity. Based on the review of the information submitted by O.C. Jones & Sons, Inc., the Office of Civil Rights found no evidence of discrimination.

Pursuant to the District's Non-Federal Small Business Program, the Office of Civil Rights set a 19% Local Small Business (LSB) Subcontractor Participation Goal for this Contract. Bidders who meet the LSB Subcontractor Participation Goal are eligible for an LSB Preference of 7% of the lowest responsive Bidder's Bid, up to a cap of \$150,000. The Office of Civil Rights determined that O.C. Jones & Sons, Inc. committed to subcontracting 8.4% to LSBs. Although O.C. Jones & Sons, Inc. did not meet the LSB Subcontractor Participation Goal and is not eligible for the Bid Preference, it is still the low Bidder.

#### **FISCAL IMPACT:**

Funding in the amount of \$9,935,000 for award of Contract No. 04SF-190 is included in the total Project budget for FMS #04SF190 – eBART Additional Parking Lot.

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

<b>Fund Group</b>	<b>Amount</b>
Various Local Grant Sources	\$ 8,696,582
Measure RR Funds	\$ 7,450,000
BART Operating Allocation to Capital	\$ 482,000
<b>Total</b>	<b>\$ 16,628,582</b>

As of 11/08/2019, \$16,628,582 is the total budget for this project. BART has expended \$1,147,353, committed \$1,331,800 and reserved \$0 to date. This action will commit \$9,935,000 leaving an available fund balance of \$4,214,429 in these fund sources for this project.

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

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

**ALTERNATIVES:**

The Board may decline to authorize award of the Contract and reject all Bids. If this Contract is re-advertised, there is no assurance that new Bids would be lower than the amount of the current Bids received. If the Contract is not awarded, additional parking at the Antioch Station will not be constructed.

**RECOMMENDATION:**

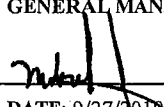
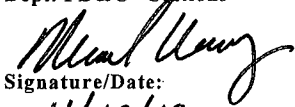
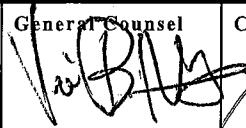

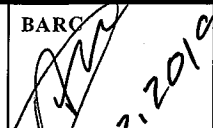
It is recommended that the Board adopt the following motion:

**MOTION:**

The General Manager is authorized to award Contract No. 04SF-190, for Antioch Station Expansion Parking Project and Miscellaneous Site Improvements to O.C. Jones & Sons, Inc of Berkeley, CA for the amount of \$9,300,000.00, subject to the District's protest procedures, and to exercise Option 1 for the Slatten Ranch Rd Interchange Striping Modification and Multi Use Improvements for the Total Option 1 Bid Price of \$635,000.00. Total Contract amount is \$9,935,000.00.



# EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL:  11/13/19		GENERAL MANAGER ACTION REQ'D: Approve and Forward to E&O Committee		
DATE: 9/27/2019		BOARD INITIATED ITEM: No		
Originator/Prepared by: Michael Wong Dept: PD&C - Stations  Signature/Date: 11/12/19	General Counsel  11/12/19 [ ]	Controller/Treasurer  11/12/19 [ ]	District Secretary [ ]	BARC  11.12.2019 [ ]

## Award of Contract No. 15IF-140, Powell Street Station Modernization Project

### PURPOSE:

To obtain Board authorization for the General Manager to award Contract No. 15IF-140, Powell Street Station Modernization Project, to ProVen Management, Inc. ("ProVen"), of Oakland, CA.

### DISCUSSION:

Contract No. 15IF-140 provides security upgrades including new 5'-0" tall glass fare barriers, additional fare gates, and LED lighting at the platform level. Additional improvements include relocating equipment as well as the art tile partitions to improve the line of sight, reopening of the underground restrooms, and replacement of the breakroom and offices. There are also two options. Option 1 is for modifying Platform Seating and Flooring, and Option No. 2 is for the Accessible Ramp at Hallidie Plaza.

Advance Notice to Bidders was emailed on July 12, 2019, to three hundred and three (303) prospective bidders with a A or B Contractor License Classification, as well as five (5) plan rooms. The Contract was advertised on July 22, 2019, and subsequently was posted to the BART Procurement Portal where it was sent to two hundred thirty four (234) additional prospective bidders. A Pre-Bid meeting was held on August 5th, 2019, with 6 prospective bidders attending the meeting. Forty seven (47) plan holders downloaded the Contract Book from the Procurement Portal. Four (4) Bids were received on September 24, 2019.

At Bid Opening, Tabulation of the Bids, including the Engineer's Estimate, is as follows:

BIDDER	LOCATION	BASE BID	OPTIONS	TOTAL BID PRICE
Icenogle Construction Management, Inc.	San Francisco, CA	\$14,108,238.00	\$5,772,750.00	\$19,880,988.00
Build Group, Inc.	San Francisco, CA	\$14,103,285.00	\$3,874,497.00	\$17,977,782.00
Thompson Builders Corporation	Novato, CA	\$11,888,000.00	\$4,498,000.00	\$16,386,000.00
ProVen Management, Inc.	Oakland, CA	\$11,256,710.00	\$3,721,000.00	\$14,977,710.00
Engineer's Estimate		\$13,094,439.00	\$7,005,757.00	\$20,100,196.00

ProVen Management, Inc. (ProVen) submitted the apparent low Total Bid of \$14,977,710. After review, Staff determined that the apparent low Bid price submitted by ProVen is fair and reasonable, based upon the Engineer's Estimate and the other Bids submitted. A review of ProVen's business experience and financial capabilities has resulted in a determination that ProVen is a responsible Bidder, and that the Bid submitted by ProVen is responsive to the requirements of the Contract Book.

District staff has determined that this work is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Title 14, California Code of Regulations, Section 15301, Existing Facilities, because it consists of minor alterations of an existing facility involving no expansion of use.

Pursuant to the District's Non-Discrimination Program for Subcontracting, the Availability Percentages for this Contract are 18.2% for Minority Business Enterprises ("MBEs") and 9.3% for Women Business Enterprises ("WBEs"). The Bidder, ProVen, committed to 14.4% MBE and 5.2% WBE participation. The Bidder, ProVen, did not meet either the MBE or WBE Availability Percentages; therefore, the Bidder, ProVen, was requested to provide the Office of Civil Rights with supporting documentation to determine if it had discriminated on the basis of race, national origin, color, gender or ethnicity. Based on the review of the information submitted by the Bidder, ProVen, the Office of Civil Rights found no evidence of discrimination.

Pursuant to the District's Non-Federal Small Business Program, the Office of Civil Rights set a 17% Local Small Business (LSB) Subcontractor Participation Goal for this Contract. Bidders who meet the LSB Subcontractor Participation Goal are eligible for an LSB Preference of 7% of the lowest responsible Bidder's Bid, up to a cap of \$150,000. The Bidder, ProVen, committed to subcontracting 22.5% to LSBs. The Bidder, ProVen, met the

LSB Subcontractor Participation Goal and, therefore, is eligible for the 7% Bid Preference. After the application of the 7% Bid Preference, ProVen is still the lowest responsive Bidder and, therefore, the application of the Bid Preference will not alter the award.

**CAPITAL FISCAL IMPACT:**

Funding in the amount of \$14,977,710 for Contract No. 15IF-140 is included in the total project budget for FMS# 15IF003 – Powell Street - Gateway Station.

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

<b>Proposed Funding</b>	
F/G 535A - FY10-11 Prop 1B - PTMISEA	\$4,656,075
F/G 535B - FY14-15 Prop 1B - PTMISEA	\$6,843,925
F/G 6814 - SFMTA (Muni)	\$7,250,000
F/G 6815 - Prop K - Powell St Modern	\$327,025
F/G 6819 - Prop K - Powell St. Modern	\$672,975
<b>TOTAL</b>	<b>\$19,750,000</b>

As of October 8, 2019, \$19,750,000 is the total budget for this project. BART has expended \$2,043,026, committed \$2,442,240, and reserved \$0 to date. This action will commit \$14,977,710, leaving an available fund balance of \$287,024 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 may elect to reject all Bids and authorize staff to re-advertise the Contract. Re-advertising the Contract would result in additional cost and time to the District with no assurance that rebidding will result in lower Bid prices.

**RECOMMENDATION:**

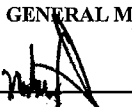
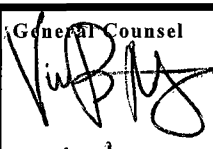

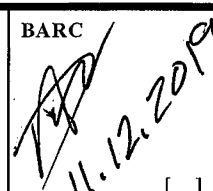
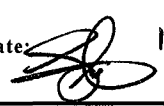
It is recommended that the Board adopt the following motion:

**MOTION:**

The General Manager is authorized to award Contract No. 15IF-140, Powell Street Station Modernization Project to ProVen Management, Inc. for the base Bid price of \$11,256,710 pursuant to notification to be issued by the General Manager, and subject to the District's protest procedures. The General Manager is also authorized to exercise the two options for a total price of \$3,721,000 (subject to funding availability).



# EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL:  DATE: 9/26/2019		GENERAL MANAGER ACTION REQ'D: Approve and Forward to the Board		
11/13/19		BOARD INITIATED ITEM: No		
Originator/Prepared by: Sonny Au Dept: Extensions	General Counsel  11/8/19 [ ]	Controller/Treasurer  11/8/19 [ ]	District Secretary [ ]	BARC  11.12.2019 [ ]
Signature/Date:  11/8/2019				

## Sole Source Procurement of Portable Rail Car Lifts; (Two-Thirds Vote Required)

### PURPOSE:

To obtain Board authorization, in accordance with Public Contract Code Section 20227, for the General Manager to award a sole source contract to Windhoff Bahn- und Anlagentechnik GmbH of Rheine, Germany (Windhoff) for the purchase of sixteen (16) portable rail car lifts for an amount not to exceed \$440,000.

### DISCUSSION:

The Rolling Stock and Shops (RS&S) department maintains the District's fleet of rails cars through a preventive maintenance program. Rail cars are routinely scheduled for maintenance based on the number of hours accumulated on the vehicle. During a scheduled visit, inspections and corrective maintenance work are performed on the rail cars. Such work frequently requires the use of a car lift system that raises the rail car to provide staff with safe and easy access to the underside of the vehicle. Each of the District's shops (located in Hayward, Richmond, Concord and Daly City) has permanent lift systems installed inside the shop to facilitate this necessary work. Currently, RS&S has an inadequate number of car lifts to sustain efficient maintenance operations needed to meet service demands from the District's larger fleet.

Under construction Contract No. 01RQ-110, four additional (4) Macton permanent rail car lift systems were to be installed in the Hayward Back Shop to help alleviate service demand stresses at the other shops. As a result of the unexpected death of its owner in late 2018, Macton has ceased operations and these permanent lift systems cannot be installed under this Contract. As a result, the permanent lift systems will be installed by a different manufacturer under a future construction contract, pending funding availability.

This proposed sole source contract is for the procurement of portable rail car lifts in order

to meet current service demands until permanent lift systems can be installed. Staff has determined that sixteen (16) portable rail car lifts are required. One set of lifts consists of four (4) individual lifts. Sixteen (16) lifts will create four (4) sets.

RS&S currently owns twenty (20) portable rail car lifts manufactured by Windhoff. One set of four (4) lifts is capable of raising a single rail car by providing support points at each corner of the vehicle. Each lift is connected through cables to a central controller that synchronizes the raising and lowering of the lifts to ensure constant rates and distances of travel at each corner. The lifts, cables and controller are proprietary to the manufacturer. Although other manufacturers can fabricate portable lifts, different kinds of lifts cannot be combined in a set to service a rail car. In order for lift sets to remain modular as intended, all lifts must be of the same type.

Shortly after the District received notice that the Macton permanent car lifts would not be installed, the District designed and modified the Hayward Back Shop floor to accommodate Windhoff lifts to use the existing lifts it currently owns inside the Shop. The modifications include a thickened floor slab that utilizes a below-floor trench cabling system which allows special extension cables to be routed below the floor to connect the lifts to the central controller. This helps maintain shop safety by eliminating tripping hazards and obstructions otherwise caused by routing cables on the floor.

A sole source procurement will ensure that the new portable lifts will be the same as the existing portable lifts, which ensures interoperability and compatibility between all lifts. It increases work efficiency because every lift set remains modular and can be used with any central controller and cables to service a rail car. It will also drastically reduce the risk of losing production capacity if some of the lifts are not functional, such as when repairs are needed, because any lift from the inventory can be used at any Shop. It will also ensure that the new lifts can utilize the under-floor trench cabling system in the Hayward Back Shop. Not pursuing a sole source procurement may result in a mixed pool of lifts if the award is given to a different manufacturer.

A mixed pool will result in the loss of interoperability between lifts, which will impact work efficiency. The Hayward Back Shop floor design will also need to be examined and assessed to determine if it can accommodate a different type of lift, with the risk that if it cannot, staff will lose the safety benefit provided by the trench cabling system. A mixed pool will also create duplication of costs for training, spare parts, and engineering required to operate and maintain a different type of lift.

If a sole source procurement is not authorized, staff will need to pursue an Invitation for Bid (IFB) procurement which will take approximately four (4) months longer than a sole source procurement. This would delay staff in obtaining the additional lifts it needs to meet service demands. The additional lifts will also become increasingly necessary as the District's fleet



size grows, which will place further capacity constraints on the Shops.

Pursuant to Public Contract Code Section 20227, the Board may direct the purchase of any supply, equipment, or material without observance of competitive bidding upon a finding by two-thirds of all members of the Board that there is only a single source of procurement and that the purchase is for the sole purpose of duplicating or replacing equipment currently in use. Because of the operational need, discussed above, to purchase compatible and interoperable rail car lifts currently in use throughout the District, the portable rail car lifts manufactured by Windhoff constitute a single source of supply for the sole purpose of duplicating equipment currently in use.

Staff is seeking to enter into direct negotiations with Windhoff in order to award a sole source contract for the purchase of sixteen (16) portable rail car lifts for an amount not to exceed \$440,000. The contract would be subject to approval as to form by the Office of the General Counsel.

**FISCAL IMPACT:**

Funding in the amount of \$440,000 for this contract is included in the total Project budget for FMS #15HB001 – Car Lifts, Richmond.

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

Fund Source	Amount
F/G 802B – FY19 B Measure RR Capital GOB#2	\$14,8263,740
F/G 8529 – FY15 Bart Operating to Capital	1,000,000
F/G 3609 – FY16 Bart Operating to Capital	253,253
F/G 3609 – FY17 A Measure RR Capital GOB#1	58,260
TOTAL	\$16,138,253

As of 11/04/2019, \$16,138,253 is the total budget for this project. BART has expended \$1,185,220 and committed \$62,737 to date. This action will commit \$440,000, leaving an available fund balance of \$14,450,296 in these fund sources for this project.

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

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

**ALTERNATIVES:**

The alternative is to issue an Invitation for Bid (IFB), which may result in a manufacturer other than Windhoff supplying the portable rail car lifts. If this occurs, it will impact staff's preventive maintenance operations and will delay obtaining the lifts needed to meet current revenue service demands.

**RECOMMENDATION:**

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

**MOTION:**

Pursuant to Public Contract Code Section 20227, the Board finds that Windhoff is the single source of supply for the purchase of compatible and interoperable portable rail car lifts that would duplicate equipment currently in use by the District. The Board authorizes the General Manager to negotiate with and award a contract to Windhoff for the purchase of sixteen (16) portable rail car lifts for an amount not to exceed \$440,000, including applicable sales tax, tariff and shipping.

(Two-thirds vote required)

# SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

---

## MEMORANDUM

**TO:** Board of Directors

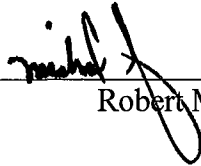
**DATE:** November 14, 2019

**FROM:** General Manager

**SUBJECT:** Fleet of the Future Update

Attached is the "Fleet of the Future Update" presentation that will be presented at the November 21, 2019 meeting as an information item.

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



---

Robert M. Powers

**cc:** Board Appointed Officers  
Executive Staff

# SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

---

## MEMORANDUM

**TO:** Board of Directors

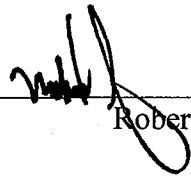
**DATE:** November 14, 2019

**FROM:** General Manager

**SUBJECT:** Sunday Service Update

Attached is the "Sunday Service Update" presentation that will be presented at the November 21, 2019 meeting as an information item.

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



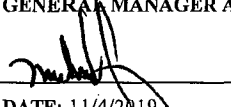

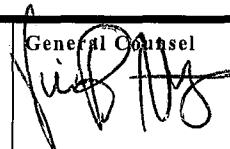

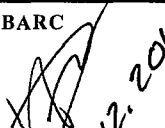
---

Robert M. Powers

**cc:** Board Appointed Officers  
Executive Staff



# EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL:  11/13/19		GENERAL MANAGER ACTION REQ'D: Yes		
DATE: 11/4/2019		BOARD INITIATED ITEM: No		
Originator/Prepared by: Bryant Fields Dept: Maintenance and Engineering  Signature/Date: 11/8/2019	General Counsel  11/8/19 [ ]	Controller/Treasurer  11/8/19 [ ]	District Secretary [ ]	BARC  11.12.2019 [ ]

## Request for Authority to Execute Change Order No. 013 to Contract No. 15EJ-171, 34.5KV Cable Replacement M-Line MVS Switching Station and MTF, MSS, MPS and MTW Substations

### PURPOSE:

To authorize the General Manager to execute Change Order No. 013 to Contract No. 15EJ-171, 34.5KV Cable Replacement M-Line MVS Switching Station and MTF, MSS, MPS and MTW Substations, in an amount not to exceed \$1,500,000.00 and which includes a 180 compensable calendar day extension of the Contract duration.

### DISCUSSION:

On August 9, 2018 the Board of Directors authorized the General Manager to award Contract No. 15EJ-171, 34.5KV Cable Replacement M-Line MVS Switching Station and MTF, MSS, MPS and MTW Substations, to DMZ Builders Co., Inc. in the amount of \$79,195,100.00. This Contract is for the upgrade of the aging 34.5 kV cable system and includes replacement and installation of sections of 34.5 kV feeder cable circuits (MLC and MRC circuits), on M2 and M1 tracks between MVS Switching Station, MBP, MGP, MTF, MSS, MPS, and MTW Substations.

The District wishes to eliminate single-tracking on Sundays at downtown San Francisco stations (between M17 and M30) and have this work performed as "blanket-work". Change Order No. 013, in an amount not to exceed \$1,500,000.00, is for the additional time and costs resulting from this change. Changing this work to blanket-work reduces station

crowding at downtown San Francisco stations. The result is a constant headway of 24 minutes between trains which directly benefits BART's riders.

This change order cost represents approximately 1.90% of the base amount of the contract and compensates the contractor for the additional inefficiency and increased cost of working during blanket versus during single-tracking on Sundays.

**CAPITAL FISCAL IMPACT:**

Funding of the not to exceed amount of \$1,500,000 for change order No. 013 to Contract No. 15EJ-171 is included in the total project budget for FMS# 15EJ450 M-Line 34.5KV Replacement Phase II. 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 November 5, 2019, \$119,034,000 is available for this project from the following sources:

<b>Fund Description</b>	<b>Amount</b>
Various FTA Grant Sources	1,520,000
Local Area Bridge Toll	80,000
BART Funds	300,000
Measure RR GOB	117,134,000
<b>Total</b>	<b>119,034,000</b>

BART has expended \$26,248,737, committed \$65,959,865 and reserved \$79,300 to date for other action. This action will commit \$1,500,000 leaving an available fund balance of \$25,246,098 in this project fund.

There is no fiscal impact on available unprogrammed District Reserves.

**ALTERNATIVES:**

The Board may elect not to authorize the execution of this Change Order. Failure to issue this Change Order could lead to increased station crowding and extended headways at downtown San Francisco stations.

**RECOMMENDATION:**

Recommend that the Board approve the following Motion:

**MOTION:**

The General Manager is authorized to execute Change Order No. 013 for Contract No. 15EJ-171, 34.5KV Cable Replacement M-Line MVS Switching Station and MTF, MSS, MPS and MTW Substations, with DMZ Builders Co., Inc. in the amount not to exceed \$1,500,000.00 and to extend the Contract completion date by 180 calendar days.

## EXECUTIVE DECISION DOCUMENT

### ATTACHMENT #1

### CHANGE ORDER SUMMARY

#### BACKGROUND

Name of Contractor: DMZ Builders Co., Inc.  
Contract No./NTP: 15EJ-171 / September 28, 2018  
Contract Description: 34.5KV Cable Replacement M-Line MVS Switching Station and MTF, MSS, MPS and MTW Substations  
Percent Complete as of 9/28/2019 25.01%

<u>COST</u>	<u>% of Award</u>	<u>CO Totals</u>	<u>Contract Amount</u>
Original Contract Award Amount			\$79,195,100.00
Change Orders:	4.92%	3,894,000.00	
Other than Board Authorized C.O.s	0.09%	\$74,547.10	
Pending Board Authorized C.O.s	<u>1.89%</u>	<u>\$1,500,000.00</u>	
Subtotal of all Change Orders	6.91%	\$5,468,547.10	
<u>Revised Contract Amount:</u>			\$84,663,647.10

#### SCHEDULE

Original Contract Duration: 1800 days  
Time Extension to Date: 69 days  
Time Extension Due to Approved COs: 180 days  
Revised Contract Duration: 2049 days

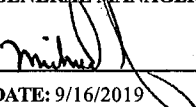

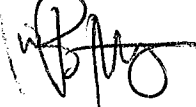
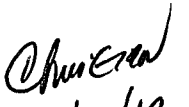

#### SUMMARY REASON FOR THESE CHANGE ORDER(S)

Required to eliminate single-tracking Sundays between M17 and M30 and to shift this work effort to "blanket-work". Changing this work to blanket-work reduces station crowding at the downtown San Francisco stations. The results are a constant headway of 24 minutes between trains which directly benefits BART's riders.





# EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL:  DATE: 9/16/2019		GENERAL MANAGER ACTION REQ'D:  11/13/19		
DATE: 9/16/2019		BOARD INITIATED ITEM: No		
Originator/Prepared by: David Baumann Dept: Real Estate and Property Development  Signature/Date: 11/13/19	General Counsel  11/13/19 [ ]	Controller/Treasurer  11/13/19 [ ]	District Secretary  [ ]	BARC  11/12/2019 [ ]
Status: Approved		Date Created: 9/16/2019		

## Authorization to Enter into Lease for Employee Work Space

### PURPOSE:

To authorize the General Manager, or his designee, to enter into a Lease with Merced Bar, LLC (Landlord) for approximately 25,000 square feet of employee work space at 2500 Bates Avenue, Concord, CA for a 10-year term with a tenant option to extend for five years.

### DISCUSSION:

As part of the Measure RR infrastructure renewal programs, it is important for employees to have a meeting place, along the C-Line to report at the beginning and end of their shift, as well as a secure area for construction vehicle storage. Construction projects have commenced and are scheduled to continue through 2029.

Staff evaluated multiple potential reporting locations and identified three potential properties that meet the District's needs. After an evaluation of each site based on proximity to the C-line, cost per square foot, truck and dock access, common area maintenance; staff determined that 2500 Bates Avenue in Concord ("Property") was the most suitable location. The other properties were determined to be too small, had insufficient parking, or were too far away from the central project locations. This site is within 1/2 mile of the North Concord-Martinez BART station, which aids in the efficient deployment of resources. The average cost per square foot of the industrial properties considered is \$1.20 per square foot. The subject property cost is \$1.17 per square foot for the initial year, with rent escalation of 3% per year.

The Property selected will be leased for a term of one hundred and twenty five months, commencing on January 1, 2020 and expiring May 2030, with an option to renew for an additional sixty months, at the District's request.

The first-year lease payment, including taxes, insurance, and common area operating expenses ("Net Charges") are estimated to be \$297,282.00. This amount includes 5 months of rent abatement. PG&E and water costs have been excluded from this amount, and will be billed monthly. A previous tenant's monthly utility bill was approximately \$1,100. It is unclear what BART's monthly utility bills will be. The landlord does not require a security deposit.

**INITIAL 10-YEAR LEASE**

YEAR	RENT
1	\$297,282.00
2	\$458,694.60
3	\$474,388.56
4	\$490,661.39
5	\$507,525.26
6	\$525,004.92
7	\$543,113.77
8	\$561,889.85
9	\$581,347.95
10	\$601,527.54
11	\$259,352.05
<b>TOTAL</b>	<b>\$5,300,787.89</b>

These amounts are estimates. They include the initial monthly rent of \$1.17 per square foot escalating at 3% per year plus the estimated initial monthly net charges of \$7,711.00. These amounts will vary slightly over the course of the lease due to variability of the Net Charges.

The cost of the option to extend the Lease for an additional 5 years is dependent upon market conditions at the time of renewal and therefore cannot currently be accurately determined.

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

**FISCAL IMPACT:**

Funding of \$5,300,787.89 for 10-year capital Lease obligation for employee work space

located on the Bates Avenue, Concord will come from the following projects:

**Project: 15CQ002 – Rails, Ties, Fasteners Ph3 Measure RR-\$1,766,929**

As of October 7, 2019, \$164,926,076 is available for project 15CQ002 from the following sources:

Fund No.	Fund Description	Source	Amount
8529	FY15 Capital Allocation	BART	197,246
802A-B	Measure RR GOB	BART	164,728,831
<b>Total</b>			<b>164,926,077</b>

BART has expended \$90,135,237, committed \$23,297,120, and reserved \$3,190,392 to-date for project 15CQ002. This Lease will commit \$1,766,929 leaving an available Project 15CQ002 fund balance of \$46,536,398.

**Project: 15EJRR1 – 34.5 KV AC Cable Replacement -\$1,766,929**

As of October 7, 2019, \$71,073,601 is available for Project 15EJRR1 from the following source:

Authorization to Enter into Lease for Employee Work Space (cont.)

Fund No.	Fund Description	Source	Amount
802A-B	Measure RR GOB	BART	71,073,601
<b>Total</b>			<b>71,073,601</b>

BART has expended \$36,224,981, committed \$17,256,323, and reserved \$151,492 to-date for Project 15EJRR1. This action will commit \$1,766,929 leaving an available Project 15EJRR1 fund balance of \$15,673,876.

**Project: 15TC002 – Renewal of Tunnels & Structures-\$1,766,929**

As of October 7, 2019, \$84,058,613 is available for Project 15TC002 from the following sources:

Fund No.	Fund Description	Source	Amount
6814	SFMTA Muni	Local	294,230
802A-B	Measure RR GOB	BART	83,764,382
<b>Total</b>			<b>84,058,612</b>

BART has expended \$15,981,440, committed \$10,631,505, and reserved \$41,340 to-date for Project 15TC002. This action will commit \$1,766,929 leaving an available Project 15TC002

fund balance of \$55,637,399.

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 execution of the Lease agreement. If the District does not lease the employee work space space at 2500 Bates Avenue, Concord, Staff will continue to search for another location to temporarily stage employees and store vehicles required for the Measure RR infrastructure renewal programs construction.

**RECOMMENDATION:**

Adoption of the following Motion.

**MOTION:**

The General Manager, or his designee, is authorized to execute a Lease agreement with Merced Bar, LLC for approximately 25,000 square feet of employee work space at 2500 Bates Avenue, Concord for a ten-year term for a total base amount (excluding electricity, gas and water, which will be billed monthly), not to exceed \$5,300,787.89.

# SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

---

## MEMORANDUM

**TO:** Board of Directors

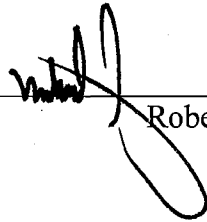
**DATE:** November 15, 2019

**FROM:** General Manager

**SUBJECT:** PPAAL Agenda: BART-VTA O&M Agreement - For Information

At the Board of Directors meeting on November 21, 2019, an overview of the draft BART Silicon Valley Extension Operations and Maintenance Agreement will be presented for information.

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



---

Robert Powers

cc: Board Appointed Officers  
Deputy General Manager  
Executive Staff

# SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

---

## MEMORANDUM

**TO:** Board of Directors

**DATE:** November 15, 2019

**FROM:** General Manager

**SUBJECT:** PPAAL Agenda: BART-VTA Phase 1 Extension - For Information

At the Board of Directors meeting on November 21, 2019, the BART Silicon Valley Berryessa Extension (SVBX) Phase I, will be presented for information.

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

  
11/15/19  
\_\_\_\_\_  
Robert Powers

cc: Board Appointed Officers  
Deputy General Manager  
Executive Staff

# SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

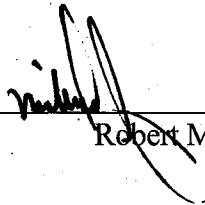
---

## MEMORANDUM

**TO:** Board of Directors **DATE:** November 13, 2019  
**FROM:** General Manager  
**SUBJECT:** Update on Transit Operations Facility and Lake Merritt Plaza

At the November 21, 2019 Board meeting, staff will provide an update on the Transit Operations Facility. The presentation will include an overview of the project, challenges identified at the Lake Merritt Site, information on a proposed alternative site, and an overview of the next steps for the Transit Operations Facility and Lake Merritt Plaza.

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



---

Robert M. Powers

cc: Board Appointed Officers  
Deputy General Manager  
Executive Staff



# SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

---

## MEMORANDUM

**TO:** Board of Directors

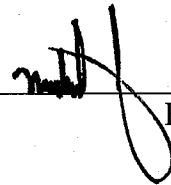
**DATE:** November 15, 2019

**FROM:** General Manager

**SUBJECT:** PPAAL Agenda Item: Millbrae Station Transit-Oriented Development  
(Gateway at Millbrae Station TOD)

At the November 21, 2019 Board meeting, staff will provide an update on the mixed-use Gateway at Millbrae Station TOD project which is expected to start construction in December 2019. Staff's presentation during the PPAAL agenda will cover project and schedule updates as an information item. In addition, an update on deal terms will be provided to the Board in Closed Session. No action is being requested by the Board at this time.

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



---

Bob Powers

Attachment

cc: Board Appointed Officers  
Deputy General Manager  
Executive Staff