

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

Board of Directors  
Minutes of the 1,769th Meeting  
August 11, 2016

A regular meeting of the Board of Directors was held August 11, 2016, convening at 9:01 a.m. in the Board Room, 344 20<sup>th</sup> Street, Oakland, California. President Radulovich presided; Kenneth A. Duron, District Secretary.

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

Absent: None. Director Raburn entered the meeting later.

President Radulovich called for Introduction of Special Guests. General Manager, Grace Crunican recognized and introduced the participants of the 2016 APTA Rail Rodeo, which was held in Phoenix, Arizona on June 17-19<sup>th</sup>. The Winning Maintenance Team of Mr. Andre Trujillo, Mr. Darryl Johnson and Mr. Gary Crandell, managed by Scott Fitzgerald. The Train Operator Team of Mr. Curt Robinson and Mr. Stephen Bartlett, managed by Paula Fraser. Ms. Crunican also extended her appreciation to Mr. Roy Aguilera Chief Transportation Officer and Mr. Dave Hardt Chief Mechanical Officer for their continued support of staff in the APTA Rail Rodeo.

Director Raburn entered the meeting.

Consent Calendar items brought before the Board were:

1. Approval of Minutes of the Meeting of June 23, 2016, and July 14, 2016.
2. Extend the Term of the Services Provided by Acquia, Inc., for Website Platform Management Software..
3. Extend the Term of the Services Provided by GovDelivery, Inc., for Digital Subscription Management Software.
4. Fixed Property Tax Rates Fiscal Year 2016-2017 General Obligation Bonds.
5. Award of Contract No. 15QH-160, Site Improvements at Various Stations – Phase IV.
6. Award of Invitation for Bid No. 8980B, Standby Mobile Engine Generators with Trailers.
7. Award of Invitation for Bid No. 8985, A2 & C Car Vehicle Automatic Train Control (VATC) Antenna Kits.
8. Award of Invitation for Bid No. 9004, Vertical Shock Absorbers.

9. Award of Invitation for Bid No. 9008, Multi-Protection Relay Complete Kits.

Director Mallett requested that Item 2-J, Award of Invitation for Bid No. 9010, Recorder, Hybrid DVR and Item 2-K, Award of Invitation for Bid No. 9011, Camera, Box, NTSC be voted on separately as a unit. Director Raburn requested that Item 2-L, Resolution of Project Compliance and Initial Project Summary Regarding Bridge Toll Funds for Additional Environmental Phase Activities for the Proposed Livermore Extension Project be voted on separately.

Director Raburn made the following motions as a unit. Director Saltzman seconded the motions, which carried by unanimous electronic vote. Ayes – 9: Directors Blalock, Josefowitz, Keller, Mallett, McPartland, Murray, Raburn, Saltzman, and Radulovich. Noes - 0.

1. That the Minutes of the Meetings of Minutes of the Meetings of June 23, 2016, and July 14, 2016, be approved.
2. That the General Manager is authorized to issue a Purchase Order to Acquia, Inc. for Website Platform Management Software in the amount of \$444,248.00.
3. That the General Manager is authorized to extend the term of the services provided by GovDelivery, Inc., for Digital Subscription Management Software, in the amount of \$399,792.
4. Adoption of Resolution 5326 In the Matter of Fixing the Rate of Taxes For San Francisco Bay Area Rapid Transit District for Fiscal Year 2016/17.
5. That the General Manager is authorized to award Contract No. 15QH-160, Site Improvement at Various Stations-Phase IV to Golden Bay Construction, Inc. for the Bid Price of \$1,346,869.00, pursuant to notification to be issued by the General Manager and subject to compliance with the District's Protest Procedures.
6. That the General Manager is authorized to award Invitation For Bid No. 8980B for procurement of Generators, Standby Mobile Engine with Trailers, three (3) pairs of 200kW and two (2) pairs of 275 kW generators, to Cummins Pacific LLC, San Leandro, CA in the amount of \$1,273,704.00, including all applicable sales tax, pursuant to notification to be issued by the General Manager.
7. That the General Manager is authorized to award IFB 8985, a standard contract to Quest Rail LLC of Wellington, MO for the bid of \$579,942.00 including sales tax, pursuant to notification to be issued by the General Manager.

8. That the General Manager is authorized to award IFB No. 9004 for the procurement of Vertical Shock Absorbers to ITT Koni for the bid price of \$223,039.30 including all applicable sales taxes, pursuant to notification to be issued by the General Manager and subject to the District Protest Procedures.
9. The General Manager is authorized to award IFB No. 9008, for the Procurement of Multi-Protection Relay (MPR) to VG Controls of Oakland, New Jersey in the amount of \$628,705.20, including all applicable sales tax, pursuant to notification to be issued by the General Manager, subject to the District's Protest Procedures and the Federal Transit Administration's requirements related to protest procedures.

Invitation for Bid No. 9010, Recorder, Hybrid DVR and Invitation for Bid No. 9011, Camera, Box, NTSC was brought before the Board as unit. The item was discussed. General Manager, Grace Crunican and Assistant General Manager – Operations, Paul Oversier addressed questions posed by Directors Mallett and Saltzman.

Chris Finn addressed the Board.

Director Saltzman moved that the General Manager or her designee be authorized to award IFB No. 9010, an estimated quantity contract for Recorder, Hybrid DVR for the Bid price of \$214,555.00, including sales tax and the award of IFB No. 9011, an estimated quantity contract for Camera, Box, NTSC to B & H Foto & Electronics Corporation for the Bid price of \$249,194.00 including sales tax, pursuant to notification by the General Manager and subject to the District's protest procedures. Director Raburn seconded the motion, which carried by electronic vote. Ayes – 8: Directors Blalock, Josefowitz, Keller, McPartland, Murray, Raburn, Saltzman, and Radulovich. Noes - 1. Director Mallett.

Resolution of Project Compliance and Initial Project Summary Regarding Bridge Toll Funds for Additional Environmental Phase Activities for the Proposed Livermore Extension Project was brought before the Board.

Joel Ramos addressed the Board.

The item was discussed. Chief Planning and Development Officer, Val Menotti answered Directors' questions. Director McPartland moved adoption of Resolution 5327, Project Compliance and Initial Project Report dated August 11, 2016, for AB1171 and RM1 Bridge Toll Funds for the proposed BART to Livermore Extension Project, as described in the IPR Summary, and delegates authority to the General Manager or her designee to make non-substantive changes or minor amendments to the Initial Project Report deemed appropriate. Director Blalock seconded the motion, which carried by electronic vote. Ayes – 8: Directors Blalock, Josefowitz, Keller, McPartland, Mallett, Murray, Saltzman, and Radulovich. Noes - 1. Director Raburn.

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

Director Josefowitz exited the Meeting.

Director Saltzman, Chairperson of the Administration Committee, brought the matter of Agreement 6M4496: Oracle Hyperion Planning for Public Sector Implementation, before the Board. Ms. Monina Salonga, Department Manager, Information Systems, presented the item. The item was discussed. Director Raburn moved that the General Manager be authorized to award Professional Services Agreement No. 6M4496, Oracle Hyperion Planning for Public Sector Implementation to InnoFin Solutions, for the proposed price of \$695,760.00 pursuant to notification to be issued by the General Manager and subject to the District's protest procedures. Director Raburn seconded the motion, which carried by unanimous electronic vote. Ayes – 8: Directors Blalock, Keller, Mallett, McPartland, Murray, Raburn, Saltzman, and Radulovich. Noes - 0. Absent – 1. Director Josefowitz.

Director Raburn brought the matter of the Travel Pass Program with SFMTA, Golden Gate Transit, Sam Trans, CalTrain, SCVTA and AC Transit to provide complimentary rides for up to 2,500 attendees of both the Rail~Volution annual conference in San Francisco from October 8 to 12, 2016 and the California Transit Association annual conference in Oakland from November 16 to 19, 2016. Director Murray seconded the motion, which carried by unanimous electronic vote by the required two-thirds vote. Ayes –8: Directors Blalock, Keller, Mallett, McPartland, Murray, Raburn, Saltzman, and Radulovich. Noes - 0. Absent – 1: Director Josefowitz.

Director Josefowitz entered the Meeting.

Director McPartland, Chairperson of the Engineering and Operations Committee, brought the matter of Award of Professional Services Agreement No. 6M8114, Construction Management Services for TBT, before the Board. Mr. Thomas Horton, Group Manager, Earthquake Safety Program, presented the item.

The item was discussed. Director Josefowitz moved that the General Manager is authorized to award Agreement No. 6M8114 to provide Construction Management Services for the TBT to Jacobs Project Management Company for an amount not to exceed \$15,500,000, pursuant to notification to be issued by the General Manager. Director Murray seconded the motion, which carried by unanimous electronic vote. Ayes – 9: Directors Blalock, Josefowitz, Keller, Mallett, McPartland, Murray, Raburn, Saltzman, and Radulovich. Noes - 0.

Director McPartland brought the matter of Contract No. 15EK-125, Traction Power Substation Replacement RRY Installation, Change Order No. 009, before the Board. Mr. Reza Hessabi, Acting Division Manager, Traction Power, presented the item. The item was discussed. Director Blalock moved that the General Manager is authorized to execute Change Order No. 009, Traction Power Cable Installation 1kVDC, in an amount not to exceed \$1,000,000, to Contract no. 15EK-125, with Blocka Construction, Inc. Director Murray seconded the motion, which carried by unanimous electronic vote. Ayes - 9: Directors Blalock, Josefowitz, Keller, Mallett, McPartland, Murray, Raburn, Saltzman, and Radulovich. Noes - 0.

Director McPartland brought the matter of Contract No. 15NL-120, Elevator Flooring Replacement, Change Order No. 2, Contract Scope Reduction and Change in Flooring Materials, before the Board. Ms. Tamar Allen, Chief Maintenance and Engineering Officer and Mr. Patrick Quinn, Engineer Electrical Mechanical Engineering, present the item.

The item was discussed. Director Raburn moved that the General Manager is authorized to execute Change Order No. 2 for \$340,000.00 to Contract 15NL-120, Elevator Flooring Replacement to compensate the Contractor for implementation of design changes and impact of project delays. Director Saltzman seconded the motion, which carried by unanimous electronic vote. Ayes - 9: Directors Blalock, Josefowitz, Keller, Mallett, McPartland, Murray, Raburn, Saltzman, and Radulovich. Noes - 0.

Director McPartland brought the matter of Sole Source Procurement of Brake, Split Disc Assembly, before the Board. Mr. Benjamin Holland, Manager of Vehicle Systems Engineering, presented the item. The item was discussed. Director Blalock moved pursuant to Public Contract Code Section 20227 Knorr Brake Corporation is the sole source for procurement of the Brake, Split Disc Assembly and that the General Manager is authorized to enter into direct negotiations with Knorr Brake Corporation to execute a purchase in an amount not to exceed \$1,296,953.00. plus applicable taxes for the acquisition of Brake, Split Disc Assembly's. Director Raburn seconded the motion, which carried by unanimous electronic vote by the required two-thirds vote. Ayes - 9: Directors Blalock, Josefowitz, Keller, Mallett, McPartland, Murray, Raburn, Saltzman, and Radulovich. Noes - 0.

Director McPartland, Chairperson of the Engineering and Operations Committee, brought the matter of the Quarterly Performance Report, Fourth Quarter Fiscal Year 2016 – Service Performance Review, before the Board. Mr. Paul Oversier, Assistant General Manager – Operations, presented the report. The report was discussed.

Director Raburn, Chairperson of the Planning, Public Affairs, Access, and Legislation Committee, brought the matter of Underground Station Public Restrooms Pilot Update, before the Board. Mr. Robert Powers, Assistant General Manager – Planning, Development and Construction and Ms. Shirley Ng, Group Manager, Stations Engineering and Construction, presented the item.

The following individuals addressed the Board:

Robert Fernandez  
Jerry Grace  
Chris Finn

The item was discussed.

President Radulovich announced that the Board would enter into closed session under Item 10-A (Conference with Legal Counsel) and 10B (Conference with Legal Counsel) of the Regular Meeting Agenda, and that the Board would reconvene in open session upon the conclusion of the closed session.

The Board Meeting recessed at 12:01 p.m.

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The Board reconvened in closed session at 12:14 p.m.

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

Absent: None.

The Board Meeting recessed at 12:56 p.m.

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The Board Meeting reconvened in open session at 12:57 p.m.

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

Absent: None. Directors Blalock, Keller and McPartland entered the meeting later.

Director Raburn, Chairperson of the Planning, Public Affairs, Access, and Legislation Committee, brought the matter of Lake Merritt Station Plaza Design and New Operations Control Center Update, before the Board. Mr. Robert Powers, Assistant General Manager – Planning, Development and Construction and Ms. Hannah Lindelof, Principal Planner, presented the item.

Jerry Grace addressed the Board.

The item was discussed.

Director Raburn, Chairperson of the Planning, Public Affairs, Access, and Legislation Committee, brought the matter of Late Night Bus Update, before the Board. Mr. Aaron Weinstein, Manager of Marketing and Research and Ms. Mariana Parreiras, Access Coordinator, Transit, presented the item.

Jerry Grace addressed the Board.

The item was discussed.

President Radulovich called for the General Manager's Report. General Manager Grace Crunican reported on steps she had taken and activities and meetings she had participated in, ridership, outstanding Roll Call for Introductions items, and reminded the Board of upcoming events.

Mr. Paul Oversier, Assistant General Manager, Operations, gave a report on planned closures for system maintenance and upgrades.

President Radulovich brought the matter of Proposed Revision to Rules of the Board of Directors: Chapter III, Section 2, Board Meetings, before the Board. Director Keller requested a continuance of the item to a future meeting.

President Radulovich called for Board Member Reports and Roll Call for Introductions (RCI).

Director Mallett introduced a RCI requesting a summary of trend in volume and share of system trips and volume and share of system trip revenues associated with short v. medium v. long trips. Director McPartland seconded the request.

Director Blalock reported his attendance at the San Joaquin Joint Powers Authority meeting, Tour of eBART facility, attendance of the South Engineers Club meeting and the City of Fremont-Chamber of Commerce Annual Wine and Art Festival.

Director Murray reported her attendance at the Contra Costa Taxpayers meeting with Directors Keller and Mallett.

Director Murray introduced a RCI requesting staff develop a strategy to communicate with residents of the BART District who are not necessarily riders. Consider a concise printed newsletter similar to ones like EBMUD includes in billings, the BART newsletter available at stations, or like the City of Walnut Creek's newsletter, which is mailed separately to its residents. The content would emphasize positive news and long-term plans that inform the people who are paying indirectly for BART through property and sales taxes. There may be other strategies than a newsletter, but the goal is to reach people who have no particular reason to access BART's website and only learn about BART through TV or newspapers. Director Raburn seconded the request.

Director Raburn announced that the MacArthur BART Station Transit Oriented Development received a proposal for its site.

Director Josefowitz requested the Police to evaluate the drug use at the Civic Center Station entrance. He also requested staff to review the FTA Report on the Washington Metro Track Safety.

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

The Meeting was adjourned at 2:33 p.m.

Kenneth A. Duron  
District Secretary