

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

Board of Directors
Minutes of the 1,646th Meeting
January 12, 2012

A regular meeting of the Board of Directors was held January 12, 2012, convening at 9:05 a.m. in the Board Room, 344 20th Street, Oakland, California. President McPartland presided; Kenneth A. Duron, District Secretary.

Directors present: Directors Blalock, Fang, Franklin, Keller, Murray, Raburn, and McPartland.

Absent: None. Directors Radulovich and Sweet entered the Meeting later.

President McPartland brought the matter of Introduction of Special Guests before the Board. General Manager Grace Crunican introduced Mr. Benjamin Gomez, Assistant General Manager, Administration. Controller-Treasurer Scott Schroeder introduced Ms. Rose Poblete, Assistant Treasurer.

Consent Calendar items brought before the Board were:

1. Approval of Minutes of the Meetings of November 4 and 5, 2011 (Special), November 17, 2011 (Regular), November 22, 2011 (Special), December 1, 2011 (Regular), and December 15, 2011 (Regular).
2. 2012 Standing Committee and Special Appointments.
3. Award of Contract No. 15TK-140, South San Francisco Auxiliary Substation (SSS) 34.5 KV/4.16 KV Transformer Replacement.
4. Authorization for Allocation of Funds for Payment of Department of Industrial Relations Conveyance Inspection Fees.
5. Revision to Succession Resolution to Reflect New General Manager and Assistant Treasurer.

Consent Calendar motions, as follow, were moved as a unit by Director Blalock. Director Fang seconded the motions, which carried by unanimous electronic vote. Ayes – 7: Directors Blalock, Fang, Franklin, Keller, Murray, Raburn, and McPartland. Noes – 0. Absent – 2: Directors Radulovich and Sweet.

1. That the Minutes of the Meetings of November 4 and 5, 2011 (Special), November 17, 2011 (Regular), November 22, 2011 (Special), December 1, 2011 (Regular), and December 15, 2011 (Regular), be approved.

2. That the Standing Committee and Special Appointments for 2012 be ratified. (The Appointments are attached and hereby made a part of these Minutes.)
3. That the General Manager be authorized to award Contract No. 15TK-140, for South San Francisco Auxiliary Substation (SSS) 34.5kV/4.16kV Transformer Replacement, to Cal Electro, Inc., for the Bid price of \$371,300.00, pursuant to notification to be issued by the General Manager, subject to the District's protest procedures.
4. That the General Manager be authorized to allocate and pay up to \$195,000.00 of Fiscal Year 2012 budgeted Power and Mechanical Operating Funds for the Conveyance Inspection Fees, required by the State of California, for the District's 176 escalators, 137 escalators, and 3 chair lifts.
5. Adoption of Resolution No. 5185, In the Matter of Designating an Alternate for the General Manager and Authorizing Certain District Officers to Use Facsimile Signatures on District Warrant-Checks.

Director Murray, Vice Chairperson of the Administration Committee, had no report.

Director Fang, Chairperson of the Engineering and Operations Committee, brought the matter of Award of Contract No. 09AU-110, Transbay Tube Internal Retrofit, before the Board. Mr. Thomas Horton, Manager of Earthquake Safety Programs, presented the item.

Mr. Jason Lucero addressed the Board.

Director Sweet entered the Meeting.

Director Radulovich entered the Meeting.

The item was discussed.

Mr. Wahid Tadros addressed the Board.

The item was continued to a future meeting.

Director Fang brought the matter of Award of Contract No. 20CE-210A, Procurement of New Train Control Switch Machines, before the Board. Mr. Kevin Connell, Senior Train Control Engineer, and Mr. William Kearney, Division Manager Train Control Engineering, presented the item. The item was discussed. Director Raburn moved that the Board find that Alstom Signaling, Inc's, proposal is most advantageous to the District with price and other factors considered; and that the General Manager be authorized to award Contract No. 20CE-210A, Procurement of Train Control Switch Machines, to Alstom Signaling, Inc., for the not-to-exceed price of \$1,170,647.00, plus applicable taxes for the base Contract; and to exercise Options 1, 2, and 3, and, subject to availability of funding, to exercise Option 4, for a total not-to-exceed price of \$14,403,095.00, plus applicable taxes, subject to the District's protest procedures and Federal Transit Administration's procedures related to protests. Director Sweet seconded the motion,

which carried by unanimous electronic vote. Ayes – 9: Directors Blalock, Fang, Franklin, Keller, Murray, Raburn, Radulovich, Sweet, and McPartland. Noes – 0.

Director Fang brought the matter of Award of Contract No. 79HT-110, Civic Center, 19th Street, and Downtown Berkeley Stations Site Hardening, before the Board. Mr. Anthony Seung, Principal Engineer, presented the item. The item was discussed. Director Blalock moved that the General Manager be authorized to award Contract No. 79HT-110, Civic Center, 19th Street, and Downtown Berkeley Stations Site Hardening, to Blocka Construction, Inc., for the Bid price of \$2,876,150.00, pursuant to notification to be issued by the General Manager, and subject to the District's protest procedures and the Department of Homeland Security's procedures related to protests. Director Franklin seconded the motion, which carried by unanimous electronic vote. Ayes – 9: Directors Blalock, Fang, Franklin, Keller, Murray, Raburn, Radulovich, Sweet, and McPartland. Noes – 0.

Director Blalock, Chairperson of the Planning, Public Affairs, Access, and Legislation Committee, brought the matter of Appointment of BART Accessibility Task Force Members before the Board.

Director Fang exited the Meeting.

Dr. Ike Nnaji, ADA Compliance Officer, presented the item. The item was discussed.

Mr. Randall Glock and Ms. Janice Armigo Brown addressed the Board.

Director Sweet moved that the nominated candidates, as shown on Attachment A, be appointed for membership on the BART Accessibility Task Force for a term effective January 26, 2012, to December 31, 2012, or until the Board makes new appointments, whichever occurs later. Director Murray seconded the motion, which carried by unanimous electronic vote. Ayes – 8: Directors Blalock, Franklin, Keller, Murray, Raburn, Radulovich, Sweet, and McPartland. Noes – 0. Absent – 1: Director Fang. (Attachment A is attached and hereby made a part of these Minutes.)

Director Blalock brought the matter of Proposed 2012 State and Federal Advocacy Programs before the Board.

Director Fang re-entered the Meeting.

Mr. Paul Fadelli, Legislative Analyst, Ms. Kerry Hamill, Department Manager, Government and Community Affairs, Mr. Jim Lites and Mr. Tim Schott, Schott and Lites, Inc., and Mr. Jim Copeland and Ms. Emily Bacque, CJ Lake LLC, presented the item. The item was discussed.

Director Radulovich moved that the Board approve the state advocacy program and federal advocacy program as recommended by staff, with clarification to include opportunities to advocate for bicycle, pedestrian, and accessibility projects and the addition of standards other than CalTrans' in the expedited CEQA process. Director Radulovich also moved that local preference in contracting be brought back to the Board at a future date for consideration of developing a policy. Director Sweet seconded the motion, which carried by unanimous electronic vote. Ayes – 9: Directors Blalock, Fang, Franklin, Keller, Murray, Raburn, Radulovich, Sweet, and McPartland. Noes – 0.

Director Blalock brought the matter of Extension of Agreements for State and Federal Legislative Advocacy Teams before the Board. Ms. Hamill presented the item. The item was discussed.

Director Radulovich moved that the General Manager be authorized to execute the following agreements with an effective date of January 1, 2012: a) a one-year agreement for State legislative advocacy services on behalf of BART with Schott & Lites, Inc., for a total not-to-exceed amount of \$98,387.00; and b) a one-year agreement for Federal legislative advocacy services on behalf of BART with CJ Strategies for a total not-to-exceed amount of \$161,539.00; and c) a one-year supplemental agreement for State legislative advocacy services on behalf of the Capitol Corridor Inter-City Passenger Service with Schott & Lites, Inc., for a total not-to-exceed amount of \$19,565.00. Director Sweet seconded the motion.

Mr. Jerry Grace addressed the Board.

The motion carried by unanimous electronic vote. Ayes – 9: Directors Blalock, Fang, Franklin, Keller, Murray, Raburn, Radulovich, Sweet, and McPartland. Noes – 0.

President McPartland called for the General Manager's Report. General Manager Grace Crunican reported on the District's upcoming activities in support of the upcoming Martin Luther King, Jr., holiday. Ms. Crunican reported on steps she had taken and meetings she had participated in.

President McPartland called for General Discussion and Public Comment. The following individuals addressed the Board.

Mr. Jerry Grace
Ms. Antonette Bryant
Mr. Charlie Walker

Mr. Walker's comments were briefly discussed.

President McPartland called for Board Member Reports.

Director Keller reported that he had attended several meetings.

Director Blalock reported that he had attended a meeting regarding the Diridon high-speed rail intermodal station, and had been working with Alameda County Transportation Commission to identify funding for District projects.

Director Sweet reported she met several times with the General Manager and that she spoke at a meeting of the Contra Costa African-American Chamber.

Director Radulovich reported he had been working to secure funding for access improvements at the Balboa Park Station.

Director Franklin reported he had attended a joint powers authority meeting with the City of Hayward regarding parking at the South Hayward development. Director Franklin reported he

had met with Metropolitan Transportation Commission (MTC) and AC Transit representatives to discuss new fare product ideas.

Director Murray reported she had attended the Mayors conference, the Contra Costa African-American Chamber of Commerce meeting, and an open house for Senator deSaulnier.

Director Raburn reported he had met with MTC's transit sustainability committee, had attended the Citizen Review Board meeting, had a community meeting with Oakland city representatives regarding the Lake Merritt Station area plan, and had attended MTC's Bay Plan presentation in Dublin.

President McPartland reported he had observed the District's operations during New Year's Eve service, had attended the Citizen Review Board meeting, and attended MTC's Bay Plan presentation in Dublin.

President McPartland brought Roll Call for Introductions before the Board.

Director Murray requested clarification of the appointment process for the Citizen Review Board, as those serving an initial one-year term would conclude their service in March.

Director Murray requested a review of accessibility requirements and development of solutions beyond the minimum legal requirements for the visually impaired at the Lake Merritt Station. Additionally, she requested an appropriate response to a constituent who is experiencing difficulty navigating the Station.

Director Radulovich requested the development of a Districtwide accessibility compliance program to include best practices versus satisfying minimum standards.

Director Radulovich requested a review of a local geographic preference for procurements and the steps required to implement for discussion of such a program on a future agenda.

President McPartland requested a briefing on the full scope, schedule, and cost of the comprehensive security program involving the site hardening activities under Contract No. 79HT-110.

The Board Meeting was adjourned at 12:23 p.m.

Kenneth A. Duron
District Secretary