

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

Board of Directors
Minutes of the 1,774th Meeting
October 27, 2016

A regular meeting of the Board of Directors was held October 27, 2016, convening at 9:03 a.m. in the Board Room, 344 20th Street, Oakland, California. President Radulovich presided; Kenneth A. Duron, District Secretary.

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

Absent: None.

President Radulovich called for Introduction of Special Guests. Director McPartland welcomed and introduced his son and Alameda County Sheriff Gregory J. Ahern. Sheriff Ahern presented Director McPartland a plaque recognizing his 45 years of service as a volunteer on the Alameda County Sheriff's Underwater Dive Unit.

Michael Petrelis addressed the Board.

Consent Calendar items brought before the Board were:

1. Approval of Minutes of the Meeting of October 13, 2016.
2. Award of Contract No. 15QG-150, Replace Glass Panels at El Cerrito Plaza, El Cerrito Del Norte, Pleasant Hill and Concord Stations Platforms.
3. Award of Invitation for Bid No. 8940A, Escalator Inventory Material Safety Stock.
4. Change Order to Contract No. 20LT-110, Procurement of Train Control Room Multiplex and Speed Encoding System Equipment, with Alstom Signaling, Inc., for Extension of Time (C.O. No. 002).
5. Compliance Standards for Electric Service under Previously Approved Electric Power Transmission and Distribution Contracts.

Director Blalock made the following motions as a unit. Directors McPartland, Murray, and Raburn 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 Meeting of October 13, 2016, be approved.

2. That the General Manager be authorized to award Contract No. 15QG-150, Replace Glass Panels at El Cerrito Plaza, El Cerrito Del Norte, Pleasant Hill and Concord Stations Platforms, to R & I Glassworks of San Francisco, California, for the Bid price of \$179,800.00, pursuant to notification to be issued by the General Manager, and subject to compliance with the District's protest procedures.
3. That the General Manager be authorized to award Invitation for Bid No. 8940A, an estimated quantities contract for escalator inventory material safety stock, to Precision Escalator of Kenilworth, NJ, for the amount of \$336,646.80, and to Kone Inc., of Moline, IL, for the amount of \$1,438,545.30, for a total amount of \$1,775,192.10, pursuant to notification to be issued by the General Manager, and subject to compliance with the District's protest procedures.

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

4. That the General Manager be authorized to execute Change Order No. 2 to Contract No. 20LT-110, Procurement of Train Control Room Multiplex and Speed Encoding System Equipment, with Alstom Signaling, Inc., to add 613 days to perform the primary scope of the Change Order work.
5. That the General Manager or her designee be authorized to establish and comply with rules required under the California Independent System Operator tariff in order for the District to begin taking transmission service, as specified in the transmission and distribution agreements between the District and PG&E which were filed with the Federal Energy Regulatory Commission and the California Public Utilities Commission on September 23, 2016.

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

Kevin Boggess
Jessie Fernandez
Mari Elena Ramos
Charlie Sciammas
Teresa Almagner
Jacquie Gutierrez
Victoria Sanchez
Michael Petrelis

Director Saltzman, Chairperson of the Administration Committee, brought the matter of Change Orders to Regular Temporary Help Services Agreements for Time Extension and Increase Contract Value before the Board. Ms. Patrice McElroy, Human Resources Program Manager, Workforce Development, presented the item. Director Raburn moved that the General Manager be authorized to execute change orders to Agreement No. 6M4197, with SearchPros Staffing,

LLC, and Agreement No. 6M4191, with Wollborg/Michelson Personnel Services, Inc., to increase the compensation under each Agreement by \$300,000.00, which would increase the not-to-exceed limit to \$1,600,000.00, and to extend the term of each Agreement to April 30, 2017. The item was discussed. Director McPartland 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 Saltzman brought the matter of Open Data Policy before the Board. Mr. Timothy Moore, Supervisor, Business Systems Operations, and Mr. Ravi Misra, Chief Information Officer, presented the item.

Michael Petrelis addressed the Board.

The item was discussed. Director Josefowitz moved adoption of the attached Open Data Policy. Director Raburn seconded the motion. Director Murray requested the motion be amended to include an update, with an implementation plan, to the Board at a future workshop in early 2017. The maker and seconder of the motion accepted the amendment. Discussion continued. The motion carried by unanimous electronic vote. Ayes – 9: Directors Blalock, Josefowitz, Keller, Mallett, McPartland, Murray, Raburn, Saltzman, and Radulovich. Noes - 0. (The Open Data Policy is attached and hereby made a part of these Minutes.)

Director Saltzman brought the matter of Regional Clipper® Card Fare Payment System Update before the Board. Ms. Patricia Nelson, Project Manager, Clipper Program, and Mr. Carter Mau, Assistant General Manager, Administration and Budgets, presented the item. The item was discussed.

Chris Finn addressed the Board.

Discussion continued.

Jerry Grace addressed the Board.

Director McPartland, Chairperson of the Engineering and Operations Committee, brought the matter of Award of Contract No. 03SO-100, Concord Station Plaza Improvements, before the Board. Ms. Shirley Ng, Group Manager, Stations Engineering and Construction, presented the item.

The item was discussed.

Jerry Grace addressed the Board.

Discussion continued.

Director Murray moved that the General Manager be authorized to award Contract No. 03SO-100, Construction of BART Concord Station Plaza Improvements, to Gordon N. Ball, Inc., for the Bid price of \$3,170,000.00, pursuant to notification to be issued by the General Manager, and subject to the District's protest procedures; and that the General Manager be authorized to exercise any one or all Options, subject to funding availability.

Directors Saltzman and Raburn 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 with Simmons Machine Tool Corporation for the Modification of Five Sets of Wheel Truing Machine Cutter Bodies before the Board. Director Blalock moved that the General Manager be authorized to enter into a professional services agreement with Simmons Machine Tool Corporation (SMTC), of Albany, NY, for the modification of the District’s SMTC wheel truing machine cutter bodies, in an amount not to exceed \$259,000.00, shipping and tax included. Director Murray 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 brought the matter of Power Purchase Agreements with SolarCity Corporation for Photovoltaic Installations at the Lafayette and eBART/Antioch Stations before the Board. Director Keller moved that the General Manager or her designee be authorized to execute power purchase agreements for 20 years, and optionally to renew for up to two additional five-year terms, with SolarCity Corporation, for its design, installation, operation, and maintenance of, and the purchase of all electricity output from, one or both of the solar photovoltaic systems at the Lafayette Station and at the new Antioch eBART Station. Director Saltzman seconded the motion. Mr. Nathanael Miksis, Manager of Management Analysis, presented the item. The item was discussed. The motion 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 Change Order to Contract No. 05EA-110, BART Downtown Berkeley Plaza Improvement Project, with USS Cal Builders, for South Entrance Fare Area Re-opening (C.O. No. 4), before the Board. Director Saltzman moved that the General Manager be authorized to execute Change Order No. 4, South Entrance Fare Area Re-Opening, to Contract No. 05EA-110, Downtown Berkeley Plaza Improvement Project, with USS Cal Builders, for an amount not to exceed \$335,892.00. 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.

The Board Meeting recessed at 12:19 p.m.

The Board Meeting reconvened in open session at 12:48 p.m.

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

Absent: None. Director Keller entered the Meeting later.

President Radulovich called for the General Manager’s Report.

Director Keller entered the Meeting.

Mr. David Kutrosky, Managing Director, Capital Corridor, gave a brief presentation on the draft agenda for the Capitol Corridor Joint Powers Board Meeting of November 16, 2016. The report was discussed.

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

Jerry Grace addressed the Board.

President Radulovich called for the Controller/Treasurer's Report. Ms. Rose Poblete, Controller/Treasurer, gave the report on the Quarterly Report for the Period Ending June 30, 2016. The report was discussed.

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

Director Raburn reported he had attended a "rust, dust, and rail" tour at the Hayward Maintenance Complex, the Metropolitan Transportation Commission's Excellence in Motion award event

Director Saltzman reported she had attended a Fleet of the Future open house at the MacArthur Station.

Director Murray reported she had attended a Fleet of the Future event at Pleasant Hill/Contra Costa Centre Station and had given three Better BART presentations.

Director McPartland commented on the award he had received from the Alameda County Underwater Dive Unit.

Director Mallett noted he had submitted an email request related to Clipper transactions that would not require an RCI entry.

President Radulovich called for In Memoriam. No requests were received.

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

Johnnie Carter

Jerry Grace

President Radulovich announced that the Board would enter into closed session under Item 11-A (Conference with Labor Negotiators) of the regular Meeting agenda, and that the Board would reconvene in open session at the conclusion of that closed session.

The Board Meeting recessed at 1:33 p.m.

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

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

Absent: Director Saltzman. Directors Mallett and McPartland entered the Meeting later.

Director Mallett entered the Meeting.

Director McPartland entered the Meeting.

The Board Meeting recessed at 2:48 p.m.

The Board Meeting reconvened in open session at 2:49 p.m.

Directors present: President Radulovich.

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

President Radulovich announced that there were no announcements to be made.

The Meeting was adjourned at 2:49 p.m.

Kenneth A. Duron
District Secretary