

AGENDA REPORT

Resolution: Authorization to Execute an Extension Agreement with the San Francisco Bay Area Rapid Transit District (BART) to Provide As-Needed BART Bus Bridge Service for a Term up to December 31, 2024. **(Aviation)**

MEETING DATE: 11/21/2019

AMOUNT: \$0
Operating Expense

PARTIES INVOLVED: San Francisco Bay Area Rapid Transit District (BART),
Robert Powers, General Manager

SUBMITTED BY: Bryant L. Francis C.M., Director of Aviation

APPROVED BY: Danny Wan, Interim Executive Director

ACTION TYPE: Resolution

EXECUTIVE SUMMARY

This action would adopt a resolution to authorize the Executive Director to execute an extension to the Port's agreement with BART that establishes fees to provide BART Bus Bridge transit service ("Service") between mainline BART station(s) and Oakland International Airport, when BART service to the Airport is disrupted and when requested by BART or its contract operator Doppelmayr Cable Car ("DCC"). The agreement would be in effect through December 31, 2022 with two annual renewal options that would extend the agreement to December 31, 2024. BART would reimburse the Port for 100% of the cost of providing the Service as described herein, and there would be no impact to the Port operating budget.

BACKGROUND

The Port and BART jointly funded the AirBART shuttle bus service between the Coliseum and OAK from the 1980's until November 21, 2014, when the BART Oakland Airport extension opened. The Port provided on-call Bus Bridge service to BART under a temporary agreement through January 2015. In April of 2015, the Board authorized the Executive Director to execute an agreement with BART to continue providing Bus Bridge service at specified rates, through its agreement with Ampco or its successor, between mainline BART station(s) and OAK upon request by BART or its contract operator Doppelmayr Cable Car ("DCC"), in response to sudden, unforeseen BART rail service disruptions to and from OAK. In November of 2016, the Board authorized the Executive Director to extend the Bus Bridge service agreement through December 31, 2019.

ANALYSIS

BART will reimburse the Port for the 100% of the cost of requested Bus Bridge service, based on the following hourly rates.

BART Bus Bridge Rates¹

Service Scenario	<u>Regular Day Hourly Rates</u>	<u>Holiday Hourly Rates</u>
One-Bus Operation		
Fee Per First Hour	\$ 168	\$ 243
Fee Per Add'l Hour	\$ 119	\$ 177
Two-Bus Operation		
Fee Per First Hour	\$ 248	\$ 387
Fee Per Add'l Hour	\$ 203	\$ 297

BUDGET & STAFFING

The proposed action does not have any budget or staffing impact.

MARITIME AVIATION PROJECT LABOR AGREEMENT (MAPLA)

The matters included in this Agenda Report do not fall within the scope of the Port of Oakland Maritime and Aviation Project Labor Agreement (MAPLA) and the provisions of the MAPLA do not apply.

STRATEGIC PLAN

The action described herein would help the Port achieve the following goals and objectives in the Port's Strategic Business Plan (2018-2022).

- Goal: Improve Customer Service

LIVING WAGE

Living wage requirements, in accordance with the Port's Rules and Regulations for the Implementation and Enforcement of the Port of Oakland Living Wage Requirements (the "Living Wage Regulations"), do not apply to this agreement because BART is a government agency.

¹ Rates are calculated by Aviation staff and include costs for Port and contractor labor, overhead, maintenance and fuel. Rates shall be adjusted on January 1st of each year during the Extension Term. The rate adjustment shall be based on Consumer Price Index (CPI) as published by US Bureau of Labor Statistics for the San Francisco Bay Area for the previous 12-month period.

SUSTAINABILITY

Port staff have reviewed the Port's 2000 Sustainability Policy and did not complete the Sustainability Opportunities Assessment Form. There are no sustainability opportunities related to this proposed action because it does not involve a development project, purchasing of equipment, or operations that presents sustainability opportunities.

ENVIRONMENTAL

CEQA Determination: The Port has determined that this project is categorically exempt from the California Environmental Quality Act (CEQA) Guidelines pursuant to Section 15301, Existing Facilities. CEQA does not apply to the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment or topographical features, involving negligible or no expansion of existing or former use.

GENERAL PLAN

This action does not change the use of any existing facility, make alterations to an existing facility, or create a new facility; therefore, a General Plan conformity determination pursuant to Section 727 of the City of Oakland Charter is not required.

OWNER-CONTROLLED INSURANCE PROGRAM (OCIP)

This action is not subject to the Port's Owner Controlled Insurance Program (OCIP) as it is not a capital improvement construction project.

OPTIONS

1. Authorize the Executive Director to execute an extension agreement with BART to provide Bus Bridge transit service between BART station(s) and OAK, when BART operations to OAK are disrupted and when requested by BART or its contract operator DCC. The Agreement would be in effect through December 31, 2022, with two one-year options that would extend the agreement to December 31, 2024. The agreement would be subject to cancellation by either party with 30-day notice. This is the recommended action.
2. Do not authorize the Executive Director to execute an agreement with BART, as outlined above. The Port would no longer provide BART Bus Bridge service when requested by BART or DCC.
3. Do not approve the proposed actions and recommend different means for BART and DCC to address service disruptions to and from the Oakland Airport BART Station.

RECOMMENDATION

Adopt Option 1 and authorize the Executive Director to execute the proposed extension agreement, subject to the Port Attorney's review and approval as to form and legality.

