



SFMTA
Municipal
Transportation
Agency

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Edward D. Reiskin, *Director of Transportation*

September 26, 2016

**The Honorable Members of the Board of Supervisors
City and County of San Francisco
1 Dr. Carlton Goodlett Place, Room 244
San Francisco, CA 94102**

Subject: Communications Agreement between the City and County of San Francisco, acting through the San Francisco Municipal Transportation Agency, and the Bay Area Rapid Transit District

Honorable Members of the Board of Supervisors:

The San Francisco Municipal Transportation Agency (SFMTA) requests that the San Francisco Board of Supervisors authorize the SFMTA to enter into a Communications Agreement (Agreement) with the Bay Area Rapid Transit District (BART).

Background

The SFMTA currently experiences long absences of cellular coverage in the underground system. The SFMTA believes that providing reliable cellular coverage is in the best interests of the SFMTA and its customers.

The SFMTA has examined options for the construction of underground cellular infrastructure and, after significant review, has concluded that the most effective way to extend cellular coverage to the SFMTA underground is through the extension of an existing underground Distributed Antennae System (DAS) already in place on Market Street and managed by BART. BART's underground cellular network is used by AT&T, Verizon, Sprint, T-Mobile and Metro PCS. BART constructed the nation's first neutral host underground cellular network that allows competing carriers to use the same equipment, extending competitive cellular markets to the underground while minimizing the amount of wayside equipment.

In August 2015, the SFMTA and BART completed a Feasibility Study to determine if it was viable to extend BART's existing underground cellular network to the SFMTA underground. After careful consideration, the agencies have determined that it is feasible and that the best approach is to execute the Agreement, which will allow BART to negotiate with the cellular carriers to cover the cost of extending the BART network to the SFMTA underground system. This arrangement will leverage BART's sizeable investment in underground cellular infrastructure, providing the SFMTA with a fiscally responsible way to deliver cellular service.

It is estimated that the construction required to extend the existing BART network to the SFMTA underground will take 12-18 months once an agreement is reached with the cellular carriers and

funding is secured. All capital costs are expected to be borne by the cellular carriers and it is further expected that the carriers will pay annual licensing payments for operating on the network. BART will continue to manage the existing underground cellular network and collect license payments.

Proposed Agreement

The proposed Agreement contains the following provisions:

- **Contract Term**—The Agreement will be for a term of 15 years plus two five-year options which will begin following approval by the Board of Supervisors.
- **Revenue**—Under the Agreement, the SFMTA will receive a portion of the annual license payments collected by BART, less administrative and other costs, as follows: 20% for areas controlled or used by BART and 50% for areas controlled or used by the SFMTA.
- **Process**—The SFMTA Board of Directors approved the Agreement on September 20, 2016. The BART Board of Directors may also need to approve the Agreement.

The Agreement also provides that the SFMTA and BART, through the Director of Transportation and the BART General Manager, will enter into any further agreements needed (1) to cover procedures for coordinating access, resolving any permitting issues, addressing and preventing any actual or potential harmful radiofrequency interference and ensuring that there are no negative service impacts to the SFMTA's transit operations or any other SFMTA operations, (2) to set forth requirements for insurance, indemnity and handling of hazardous materials and (3) to provide a process for reimbursement of project related costs.

Funding Impact

The SFMTA will receive a portion of the annual license payments collected by BART, less administrative and other costs, as follows: 20% for areas controlled or used by BART and 50% for areas controlled or used by the SFMTA. The SFMTA is not expected to incur any costs as a result of the Agreement.

Recommendation

The SFMTA requests that the San Francisco Board of Supervisors authorize the SFMTA to enter into the Communications Agreement with BART.

Thank you for your consideration of this proposed agreement and for your continued support for the SFMTA. Should you have any questions or require more information, please do not hesitate to contact me at any time.

Sincerely,

Sonali Bose

Edward D. Reiskin
Director of Transportation