JOINT MEETING OF THE SANTA CLARA VALLEY TRANSPORTATION AUTHORITY PARTNERSHIP SPECIAL COMMITTEE AND SANTA CLARA VALLEY TRANSPORTATION AUTHORITY (VTA)/ SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT (BART) WORKING COMMITTEE

March 6, 2026

PUBLIC COMMENT

Item 2

Comments

1. **Aleta Dupree**
2. **Barney Smits**

COMMENT 1: ALETA DUPREE

From: aleta dupree <tsjoan@icloud.com>
Sent: Thursday, March 5, 2026 8:13 AM
To: Board Meeting <board.meeting@bart.gov>
Subject: BART/VTA Partnership Meeting 6 March, 2026

District Secretary Bob Franklin, with thanks, please forward this message to the BART/VTA Partnership Committee for the Meeting of 6 March, 2026

Greetings to the Chairs and Members of the Committee.
Aleta Dupree for the record, she, her, with Team Folds.
I bring you my condensed comments in relevance to the ongoing activities of the BART/VTA Partnership Committee.

On matters of round stations.
This is the 5 Avenue-53 Street Station, (E, F, M services, B Division, IND), opened in 1933, a prominent example of a round station in the New York City Subway.

I bring forth matters of stations, in being germane to the work and mission of BART. I consider the London Underground, which is a famous rail transportation system serving the greater London area in the United Kingdom. The London Underground is known for being one of the oldest transportation systems in the world, the first underground line opened in 1863. The largest station in the London Underground is known as Baker Street, which opened in 1863 as part of the original Metropolitan Railway. Gerry Rafferty is most known for his song called Baker Street. I have never been on the London Underground, I've never been anywhere in London or the United Kingdom for that matter. Yet I consider that I have used the New York City Subway, a peer system of the London Underground since 1970. And the largest and busiest station in the Subway is Times Square-42 Street, of which I have been through many times. I refer back to a letter I sent to you on 9 April, 2025, titled "comments about coverage". In that letter I shared mostly about stations. And the New York City Subway is known for having what are called "big stations", mostly on the lines of the historical Independent System.

And the London Underground is a distinctive and historic system. The Underground has more route miles than the New York City Subway. The Underground also has a number of stations that are outdoors, many on flat ground or embankments. I do not know if the London Underground has steel elevated structures such as those found in New York and Chicago. Yet for many, the London Underground is known as The Tube. You see, many of the London Underground stations have curved walls and ceilings. This is because of continuity with the tunnels that were built deep below the city streets above.

I have never heard of any of the stations in the New York City Subway referred to as tubes, though the tunnels under Newtown Creek on the Brooklyn/ Queens border are known as the Greenpoint Tubes. This is part of the "G" service (IND), the only mainline service that does not go into Manhattan. Yet the Subway has a number of what are called "round stations", which have curved ceilings much like those in London. Some have small diameters, such as Fulton Street (A, C services, B Division, IND), and Clark Street (2, 3, services, A Division, IRT). Some are of much larger diameters, such as 5 Avenue-53 Street (E, F, M, services, B Division, IND), and Grand Central 42-Street (7 service, A Division, IRT).

And the Subway is distinctive in its own right. Just as the London Underground is known as The Tube, the Subway has the unique distinction of having round stations. And some might ask, why do I bring up the matter of round stations, just as I have with big stations? Some might equate my primer with dry saltine crackers, though I happen to like saltine crackers on occasion and I put them in soups and chilis. Some might accuse me of being inebriated, but I've never been much of a drinker. Yet stations are foundational to any system of Public Transportation, including BART. and there is another distinction of stations that is mostly unique to New York, which are express stations. You see, the Subway is the only urban rail transportation system in the world that has a comprehensive systemwide network of express routes. And such is reflected in a number of stations. Most of these are three and four tracks, yet one has eight tracks, on two levels, which is West Fourth Street (A, C, E, on the upper level, B, D, F, M, on the lower, B Division, IND). As an aside I often think of the eight track tapes and players that were common in the 1970's. The former JFK Express used this station during its time, 1978-90, and south of the station the JFK service used the non revenue connection between the upper and lower levels.

This is the upper level of Grand Central Madison, an eight track railroad terminal located in New York City.


TRACK
204
AREA
C
12:28PM
47TH STREET

I consider our BART to Silicon Valley Phase 2 Project (BSVII). And in seeing the renderings of the stations on the underground section, such is reminiscent of round stations in New York City. Yet I would say that BSVII seems more in the style of Grand Central Madison, as in the picture shown above. Such is part of the Grand Central ecosystem, which includes several Subway stations, and the historic Grand Central Terminal which opened in 1913. I have actually used Grand Central Madison, and not just taking in the scenery, but also in the riding of trains. And Grand Central Madison is very reminiscent of BART, with the wide platforms, much like our Main Line in downtown San Francisco. I am in support of BSVII, and the single bore design, which will bring the round station experience to BART as many see and enjoy in New York. And it took a lot of difficult work to bring us to the stage gate of commitment to the single bore design. I believe that the single bore design is the appropriate path forward for our BSVII work. If I did not think so, I would have told you so, and I would have offered clear and irrefutable evidence of such. Yet I ask of you to remember the importance of your project leadership team of Bob Powers and Carolyn Gonot, who daily put forth clear and understandable directives in this most important work. I am nowhere near an expert on this matter and I might not be understood. Yet in my resume of fifty five years of using the New York City Subway, I have much experience of using and traveling through the various “round stations” throughout that famous transportation system. And I think that I have always worn a skirt at the same time when I have used Grand Central Madison. And on every occasion there I have also used the Train Time mobile application for my tickets, as many often do. I cannot call myself an expert on the things of Grand Central Madison. However I think I am very good at at practicing the things of Grand Central Madison, including using the big escalators. I have also used the elevators, which are available for anyone to use in their intended manner. And one time the Metropolitan Transportation Authority convened a Board Meeting in Grand Central Madison which included a visit with Kathy Hochul, the Governor of New York. I was not able to be at that Meeting in person, but I did participate on Zoom. I mentioned that I wished I was there. I’m sure I would have had a good time, taking in the atmosphere of Grand Central Madison and all it has to offer. Perhaps when BSVII opens we can convene a Meeting in one of the new round stations and we can bask in all that BSVII has to offer.

This is Grand Central-42 Street (7 Service, A Division, IRT).


7
To 5 Avenue, Times Square &
34 Street, Hudson Yards
all times
42 Street
Exit
3 Avenue &
42 Street
42 St-Grand Central

I think back to your question and answer session in the BART Annual Workshop of 2025. In that each of you offered three statements about yourselves, and then shared which was true and which was not true. I offer my three statements before you. I had a commercial drivers license at one time. I am a painter. I have been involved in a rocket launch. The first and third statements are true. I did have a commercial drivers license after my military service in order to drive various kinds of large vehicles. I did build a few model rockets in my younger years, and I launched them in appropriately overseen group spaces. Yet I have never been a painter, and I don't ever see myself doing so, much as I respect and appreciate the work of others. I am sure your lunch will be very good. I might buy a piece of Italian or French bread, and put some cold cuts, cheese, tomatoes on it. I can buy a small bag of potato chips and a large cookie. Then I can enjoy lunch in the same style that you do, as I would if I was in person with you. I think back to one of your Meetings, and during that time I had a large sandwich delivered to me from a deli near the Las Vegas Strip. I don't know that anyone has ever had a sandwich in Las Vegas while sharing at your Board Meeting. And I have shared my time with you in Meetings from many places, including from Subway trains, and the Oyster Bar in Grand Central Terminal. And so I share with you a selection from my letter to you dated 16 April, 2024.

I share my thoughts on Public Transportation, and other matters as well, in order to bring context as to why I think and practice the things that I do. I enjoyed spending part of the last Board Meeting with you while having lunch in Grand Central Terminal. I assure you that my attending and speaking at your Meeting while I was in Grand Central Terminal was not a stunt for publicity. But instead that day I chose to share my time with you in a place that has had significant meaning for me since the fall of 1980. You see, I share with you my thoughts based on both style and substance. I do not just use the Subway as a means to an end, but to enjoy the journey as well. And things I discover in other places can be relevant to the work and mission of BART. And so I see it this way, even when I am traveling on the Subway, the System that is Legendary and Stately, steeped in tradition and mindful of history. I am reminded of this most important ideal, that BART is The Peoples System.

This is everyone’s Grand Central Terminal which is located in New York City.

Thank you.

COMMENT 2: BARNEY SMITS

From: Barney Smits <barneysmits@pacbell.net>
Sent: Thursday, March 5, 2026 10:56 AM
To: Robert Franklin <BFrankl@bart.gov>; BART Board <BoardofDirectors@bart.gov>
Cc: Elizabeth Ames <Elizabeth.Ames@bart.gov>; Claudette Biemeret <CBiemer@bart.gov>
Subject: BSVII Variances

Mr Franklin;

Please add the attached letter and variance attachment to the Board packet for Friday's Joint VTA BART meeting on the BSVII Project.

Thanks

Barney Smits P.E.

Bernard Smits

446 Hudson St.

Oakland, CA 94618

March 4, 2026

Dear BART Board Members;

Attached is an executive summary of the 14 "Requests for Variance" provided by VTA and the BSVII Project team. It should be noted that the number of the last variance received is 049. That means that there may be at least 36 more variances that have not been made available to the public or 3rd party SMEs. In the attached variances you should see that about half of these variances are indicated as serious safety issues.

What is a variance? Like a Contract Change Order, variances change the BART Standards that are required to be utilized in the design of this project. A variance can correct minor problems (like pay telephones) or create significant safety and operating issues. Variances should never be taken lightly. As, say, a variance changing the tunnel size can change numerous critical elements like say the platform width, making the platforms narrower and less safe for the next 100 plus years.

The BART Standards are required per the 2001 Comprehensive Agreement and are mainly captured in an amazing document known as the BART Facilities Standard (BFS). The BFS captures the design, operating, maintenance and safety expertise of BART based on its 50 years of operating experience. A side note, when the BFS was first introduced transit agencies around the world were so impressed that many agencies immediately adopted significant portions of the BFS for their own standards.

When VTA approached BART to restart phase 2 of the Silicon Valley Rapid Transit (SVRT) project VTA insisted on developing a project specific Design Criteria Manual (DCM). At this time VTA already had a 60% complete twin-bore design, based on BART Standards, sitting on their shelf. This DCM was to include all of the BART requirements necessary for the BSVII project. This should have been a red flag for BART as this clearly was an attempt to remove significant BART specific design requirements that were based on BART's 50 years of experience. BART also should have declined this obvious reduction in standards based on the significant flaws, design errors, construction errors, and code violations that were produced in VTA's phase 1 project. Remember that VTA could not finish the phase 1 project and required BART's help for 6 months, during the pandemic, to finally get phase 1 finished and operational.

VTA is, now, presenting a design to BART that is not based on the BFS (BART Standards) but is based on the reduced standards of the DCM. Even though they have the twin-bore design meeting BART Standards sitting on the shelf. Then, since 2022 the project has been submitting variances to reduce the design, operating, maintenance and safety standards even further. These variances are not the end of these design reductions. To try and reduce project costs the project will continue to submit variances to reduce design requirements and safety even further. Also, when the design bar is lowered to a minimum standard, by the time construction is done (as with Phase 1) you find that you have created significant code violations. With half of the variances received creating significant reductions in safety, the question everyone should be asking is, "What is going on here?" The Board should be asking staff for an in-depth analysis of each and every RFV as part of the 2001 Comprehensive Agreement (Contract) oversight.

This letter and the RFV summary is why I have repeatedly asked the BART Board to develop an independent BART subcommittee on the BSVII project. The subcommittee should be asking questions like;

1. The 2001 Comprehensive Agreement requires that VTA design and build to "BART Standards", then what is the purpose of the DCM and how has the DCM deviated from BART Standards?
2. If the DCM was agreed to be the project specific criteria for the BSVII project, then why are these 50 plus variance being presented and further reducing design criteria and safety?
3. If VTA had a twin-bore design that met the 2001 Contract what was the point of developing the DCM and starting over again with the Phase 2 design?
4. If VTA's twin-bore design was 60% complete, met the BART Standards, met the 2001 Comprehensive Agreement, was projected to cost ½ of the cost of the current BSVII project design and was projected to be operational in 2026 (this year). Then how and why are we continuing to waste time and money on this less safe, more expensive to build and more expensive to operate and maintain Phase 2 re-design?

These are the kinds of questions that BART patrons, employees, and first responders need answers to and that a BART subcommittee on the BSVII project could put pressure on the project to get answers to.

Thank you

Barney Smits P.E.

VTA's Request for Variance from the requirements of the project specific Design Criteria Manual for the BART to Silicon Valley, Phase 2 (BSVII) Project.

RFV 002, 11/15/2024 - Soft Starters for EVS Fans - DCM 10.2 Art. 6.8.A; **This is a significant reduction in safety.** "… Fan motors must be across the line start. Variable-frequency or "soft starter" are not acceptable." This variance removes the restriction against VFDs and "Soft Starters" claiming that agencies outside of BART don't allow "Direct On Line" (DOL) starting of motors over 100 hp. The Justification is baseless as BART has over 75ea. Fans (85 hp) that all start with DOL starting. And over 20 fans with horsepower ratings up to 300 hp that are DOL started. Additionally the designers have complicated the system by reducing the number of fans and increasing motor size (horsepower) to the point that exceeds all practicality (400 to 500 hp). BART does not have 400 horsepower (or greater) fans and there is no rational reason to use large fans of this size. Soft Starter are an unreliable and unnecessary additional piece of equipment that requires additional maintenance and reduces the reliability of this emergency system.

RFV 014, 9/11/2024 - Deletion of Clean Agent in spaces with sensitive electronic equipment - DCM 9.12, DCM 10.4 and DCM 10.5; Although allowed by California Building Code (CBC) 903.2.17.1. The San Jose Fire Department has not accepted this CBC paragraph. San Jose municipal code, Section 17.12.670, requires that automatic sprinkler systems be provided in these spaces. This could be a significant maintenance problem as an accidental discharge could damage significant critical train control equipment.

RFV 016, 9/11/2024 - Reduction of Battery Run time to 90 minutes - DCM 8.1, DCM 8.3, DCM 8.4, DCM 8.5, and DCM 9.14; **This is a significant reduction in safety.** Seems to reduce the battery backup to numerous systems including train control, communications, security systems, CCTV, DOYi, public address, radio and emergency lighting systems. Some of these systems have 4 hour and 8 hour battery backup requirements. Reducing the battery backup time to 90 minutes may not provide enough time for BART maintenance to detect, diagnose, and correct the problem before power (and the system) can be restored.

RFV 022, 11/4/2024 - Raised Walkways at interlocking through S65, S75 and S85 - DCM 7.1; **This is a significant reduction in safety.** Appears to be a significant safety issue as there are no longer emergency exit handles on the BART cars. This means that evacuating patrons would need to jump down a couple of feet to the emergency walkway. In an emergency this could result in increased exiting times and/or significant injuries for younger and older patrons or for persons with mobility restrictions.

RFV 026, 1/9/2025 - Alternative in Tunnel Sump - DCM 10.2; **This is a significant reduction in safety.** Appears to be required due to "the deletion of the mid-tunnel facilities and the inability of the Project to mitigate the deletion with gallery access". Seems to increase the possibility of tunnel flooding due to ground water or surface rain and storm conditions. See attachment.

ATTACHMENT: SSRC Record of Decision, 10/25/2023 - Decision #01-2023, SSRC meeting #31; **This is a significant reduction in safety.** This document states; Issue #1 - Continuity of Codes and Standards. Codes and Standards for the BSVII Program 2019 CBC, 2020 NFPA 130 and project DCM. Issue #2 - KST EVS design confirmed to meet NFPA cover to cover. Issue #3 - The deletion of the Mid-Tunnel Facilities (MTFs) initially proposed. Design Concept has proven that MTFs are not needed. BART has agreed that they are not critical to maintenance functions. FLSSC agreed to the removal of the MTFs. "Staff Recommendation - Approval", "Committee Decision - 0 Approved, No Reject, No Additional concurrence Required", "Approved on behalf of the SSRC; signed Krishna Davey" Seems very unusual with no committee vote for approval. Appears to be signed solely by Mr. Davey.

RFV 029, 2/14/2025 - Deletion of Fire Hose Cabinets in Non-public Areas - DCM 10.2 and DCM 10.4; While this appears to make some sense for back of house or limited underground locations. What is more concerning

is the reference to RFV 015. BART normally requires a Class III automatic wet standpipe system for fighting fires. It appears that in RFV 015 the BSVII project has reduced safety to a Class I manual wet standpipe system with no Class II components.

RFV 030, 2/12/2025 - No PVC Coated Exposed Conduits in Underground Environments - DCM 12.1; Seems to be a correction of editorial mistake in the transfer from the BFS to the DCM. PVC conduits are not allowed underground unless they are encased in concrete. The fumes from burning PVC are toxic. Exposed conduits in trainway and underground facilities are required to be rigid, hot dipped galvanized, steel. The title seems accurate and correct. The sentence "Exposed steel conduits and fittings must be hot-dip galvanized and PVC coated" seems incorrect as I don't believe that such a product exists.

RFV 032, 2/12/2025 - Fire Protection of EVS Cables per NFPA 130 - DCM 8.4; **This is a significant reduction in safety.** The discussion was whether to use cables as indicated in Chapter 12.2 of NFPA 130 or the significantly better and safer cables described in Chapter 12.5. BART chose the significantly better Chapter 12.5 cables for use in the emergency ventilation system as these systems are required to move smoke, hot gases, hot fumes and potentially fire to provide safe evacuation of people. If a lesser cable is used then what guarantee is there that the system will function fully and completely during a catastrophic fire.

RFV 033, 2/12/2025 – Underground Metallic Conduits for Medium Voltage Emergency Circuits – DCM 8.1; **This is a significant reduction in safety.** This appears to be a request by the EOR to use a fire resistive product to protect emergency circuits that is permitted by Chapter 12.4.4 of NFPA 130. This appears to reduce safety as indicated in RFV 032 (above) BART chose the more stringent Chapter 12.5 cable requirements so the combination of RFV 032 and RFV 033 indicates a significant reduction in the protection of emergency circuits in the event of a fire.

RFV 039, 3/5/2025 – Remove Call-on Requirement in the Yard – DCM 9.4; This variance removes storage tracks and other zones designated for train consist management from the Yard signaling requirements. This may not be a problem as most train movements in the Yards are low speed manual operations.

RFV 040, 5/5/2025 – Remove Yard Microprocessor Hot Standby Requirements – DCM 9.4; This variance removes two paragraphs from the requirements, paragraph 3.2.A.7. and paragraph 3.3.5.A. which described a variety of train control equipment being provided for Yard control area systems. This may not be a problem as most train movements in the Yards are low speed manual operations.

RFV 043, 5/5/2025 – Eliminate Requirements of Detection in Storage Tracks – DCM 9.4; This variance removes the train control detection of trains located in Storage Tracks in the Yards. This may not be a problem as most train movements in the Yards are low speed manual operations.

RFV 044, 3/5/2025 – Remove Signal Overrun Detection in Yard – DCM 9.4; This variance remove overrun detection within certain areas of the Yard. Overrun detection is still required on tracks associated with Mainline including Transfer Tracks and Yard Leads. This may not be a problem as most train movements in the Yards are low speed manual operations.

RFV 048, 4/9/2025 – Deletion of Public Telephones at Stations – DCM 6.4, DCM 8.4, DCM 9.13; This variance removes all of the requirements related to public pay telephones. The requirements for Emergency telephones, Fire telephones, and IPPBX (internet protocol private branch exchange) telephone systems are still required. This may not be a problem as pay telephone have been removed from almost every BART station and in most public spaces outside of BART.