

**Bay Area Toll Authority
Oversight Committee**

December 11, 2024

Agenda Item 5c-24-1171

The Bay Lights 360 Maintenance Actions:

- i. Contract - The Bay Lights 360 Maintenance: Musco Lighting (\$3,300,000)**
 - ii. Memorandum of Understanding Amendment- Caltrans, Illuminate and BATA**
 - iii. Agreement-Transportation Art Maintenance Agreement: Caltrans and BATA**
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Subject:

A request for Committee approval for the following actions related to maintenance of The Bay Lights 360 on the San Francisco Oakland Bay Bridge:

- (i) Negotiate and enter into a contract with Musco Lighting to provide maintenance services on a scheduled and as-needed basis in an amount not to exceed \$3,300,000 for a period of ten (10) years subject to the approval of future BATA budgets.
- (ii) Authorize the Executive Director or designee to negotiate and enter into an amendment to the Memorandum of Understanding (MOU) with Caltrans and Illuminate.
- (iii) Authorize the Executive Director or designee to negotiate and enter into the Transportation Art Maintenance Agreement (TAMA) with Caltrans.

Background:

The Bay Lights is an art display sponsored by the non-profit organization Illuminate (formerly Illuminate the Arts) and was developed to commemorate the 75th anniversary of the San Francisco-Oakland Bay Bridge (Bay Bridge). The Bay Lights were originally installed in 2013 and later reinstalled in 2015 on the west span of the Bay Bridge facing north and composed of 24,000 individual light emitting diodes (LEDs). Due to an aging system, the Bay Lights were turned off in March 2023 with the existing LEDs planned for removal in November 2024. A new Bay Lights 360 (TBL360) system will be installed and is scheduled to be illuminated in March 2025.

The new TBL360 Project will install forty-eight thousand (48,000) new energy-efficient LEDs, replacing the existing LEDs on the north side and adding new LEDs on the driver's (south-facing) side of the same suspender cables on the west spans of the bridge for a potential 360-degree view of the lights. TBL360 will include updated and more robust components while keeping the same technical details and intensity of the lights as the current installation. The new TBL360 will have the capability to be visible from all directions (360-degree view) for increased aesthetic equity and will be lit from dusk to dawn. The lights facing north towards San Francisco and Richmond and the lights facing south towards the East Bay and Peninsula will have separate control systems so they can be turned off independently as necessary. In coordination with Caltrans and the California Highway Patrol, a testing plan and evaluation for the south facing lights, which face the roadway, will be implemented in advance of illumination. The new TBL360 will be consistent with the previous lighting display and will appear to be moving in a wave-like and non-repeatable but abstract pattern, and will be programmed by artist Leo Villareal. As the owner of the bridge, Caltrans will have the ability to control the lights at all times.

Illuminate raised \$11,000,000 in funding for the replacement of the Bay Lights. Musco Lighting, industry leaders in stadium and transportation lighting, designed and manufactured TBL360 and has agreed to maintain TBL360 for a ten-year period. The proposal is for BATA to continue to provide maintenance services for TBL360, similar to how BATA formerly provided maintenance services for the original Bay Lights, at approximately \$340,000 per year over a ten-year period. In December 2014, with approval of the BATA Oversight Committee, Illuminate, Caltrans, and BATA entered into a Memorandum of Understanding (MOU) to document their intentions to keep the lights on indefinitely. In the MOU, Caltrans agreed to assume ownership of the Bay Lights contingent upon reimbursement by BATA for any operations and maintenance costs borne by Caltrans. Staff is working with Caltrans and Illuminate to update the MOU and include details for TBL360, with the roles and responsibilities remaining consistent with the original MOU. Also, since TBL360 is installed in Caltrans' right-of-way, the Caltrans Transportation Art approval process requires a Transportation Art Maintenance Agreement (TAMA) to be completed that outlines the roles and responsibilities of Caltrans and BATA for maintaining TBL360.

Procurement Process

Staff recommends a sole source agreement with Musco Lighting because the equipment is proprietary and to ensure consistency and quality in the appearance of the Bay Lights. BATA and Caltrans agreed that BATA will continue to contract directly with the lighting company to provide maintenance services for the project and reimburse Caltrans for operations costs, including power and setting lane closures. The proposed services in the maintenance agreement would include commissioning work (ensuring lights have been installed to specifications), replacement materials, labor, equipment, continuous remote inspections to proactively monitor the entire lighting system for any maintenance needs, and quarterly inspections. Attachment A includes a summary of the small business and disadvantaged business enterprise status of Musco Lighting and its subcontractors. The contract would be for a ten-year period for a fixed fee of up to \$3,300,000 and is contingent upon approval of future BATA budgets. The table below summarizes the annual maintenance cost.

Year	Annual Cost	Total Cost
March 2025 (Commissioning Work)	\$825,000	\$825,000
Years 1-10 (Annual Maintenance: \$225,000 fee plus 10% taxes)	\$247,500	\$2,475,000
		\$3,300,000

Issues:

None identified.

Recommendations:

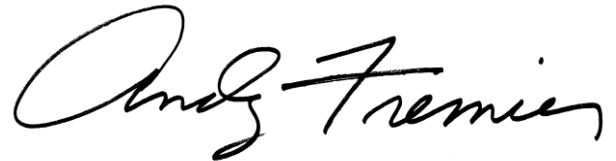
Staff recommends that this Committee authorize the Executive Director or designee to:

- (i) Negotiate and enter into a contract with Musco Lighting in an amount not to exceed \$3,300,000 for a period of ten (10) years to provide maintenance services on a scheduled and as-needed basis for The Bay Lights 360 Project, subject to the approval of future BATA budgets.
- (ii) Authorize the Executive Director or designee to negotiate and enter into an amendment to the MOU with Caltrans and Illuminate.

- (iii) Authorize the Executive Director or designee to negotiate and enter into the Transportation Art Maintenance Agreement (TAMA) with Caltrans.

Attachments:

- Attachment A – Disadvantaged Business Enterprise and Small Business Enterprise Status
- Attachment B – Request for Committee Approval- Summary of Proposed Contract
- Attachment C – Request for Committee Approval - Summary of Proposed Memorandum of Understanding Amendment
- Attachment D – Request for Committee Approval - Summary of Proposed Maintenance Agreement

A handwritten signature in black ink, reading "Andrew B. Fremier". The signature is fluid and cursive, with the first name "Andrew" being more prominent and the last name "Fremier" following in a similar style.

Andrew B. Fremier

Attachment A

Disadvantaged Business Enterprise and Small Business Enterprise Status

	Firm Name	Role on Project	DBE* Yes	If DBE Yes, List #	DBE No	SBE** Yes	If SBE Yes, List #	SBE No
Prime Contractor	Musco Lighting, LLC	Project Lead, Designer			X			X
Subcontractor	Shimmick	Light Installation			X			X
Subcontractor								
Subcontractor								
Subcontractor								

*Denotes certification by the California Unified Certification Program (CUCP).

**Denotes certification by the State of California.

Request for Committee Approval

Summary of Proposed Contract

Work Item No.:	1251
Consultant:	Musco Lighting, Oskaloosa, IA
Work Project Title:	The Bay Lights 360 Maintenance Services Agreement
Purpose of Project:	To provide maintenance services for the Bay Lights 360, an art display on the San Francisco Oakland Bay Bridge sponsored by Illuminate, owned by Caltrans and maintained by BATA.
Brief Scope of Work:	Musco Lighting will maintain The Bay Lights 360 for ten years. Typical maintenance services include material and equipment replacement, labor, quarterly inspections, and other items.
Project Cost Not to Exceed:	\$3,300,000
Funding Source:	Toll Bridge Rehabilitation Program Funds
Fiscal Impact:	\$825,000 in funding is included in the FY 2024-25 BATA Toll Bridge Operating and Capital Budgets and the balance will be included in future Toll Bridge Operating and Capital Budgets, subject to approval of the Authority.
Motion by Committee:	That the Executive Director or designee is authorized to negotiate and enter into a contract with Musco Lighting for maintenance services on a scheduled and as-needed basis for The Bay Lights 360 Project described above and in the BATA Oversight Committee Summary Sheet dated December 11, 2024, subject to the approval of future BATA budgets.
Bay Area Toll Authority:	Federal Glover, Chair
Approved:	December 11, 2024

Request for Committee Approval

Summary of Proposed Memorandum of Understanding Amendment

Work Item No.:	1251
Parties:	Department of Transportation (Caltrans), Illuminate, and BATA
Work Project Title:	The Bay Lights 360 Memorandum of Understanding (MOU)
Purpose of Project:	To update the existing MOU with the Bay Lights 360, an art display on the San Francisco Oakland Bay Bridge sponsored by Illuminate, owned by Caltrans and maintained by BATA.
Brief Scope of Work:	The MOU outlines the roles and responsibilities of Caltrans, Illuminate and BATA for the TBL360 project.
Project Cost Not to Exceed:	N/A
Funding Source:	N/A
Fiscal Impact:	None
Motion by Committee:	That the Executive Director or designee is authorized to negotiate and enter into an amendment to the MOU with Caltrans and Illuminate for The Bay Lights 360 Project as described above and in the BATA Oversight Committee Summary Sheet dated December 11, 2024.
Bay Area Toll Authority:	
	Federal Glover, Chair
Approved:	December 11, 2024

Request for Committee Approval

Summary of Proposed Maintenance Agreement

Work Item No.:	1251
Parties:	Department of Transportation (Caltrans), BATA
Work Project Title:	The Bay Lights 360 Transportation Art Maintenance Agreement (TAMA)
Purpose of Project:	To negotiate and enter into the Transportation Art Maintenance Agreement (TAMA) with Caltrans since TBL360 is installed in Caltrans' right-of-way and as required by the Caltrans Transportation Art approval process.
Brief Scope of Work:	The TAMA outlines the roles and responsibilities of Caltrans and BATA for maintaining TBL360.
Project Cost Not to Exceed:	N/A
Funding Source:	N/A
Fiscal Impact:	None
Motion by Committee:	That the Executive Director or designee is authorized to negotiate and enter into a TAMA agreement with Caltrans for The Bay Lights 360 Project described above and in the BATA Oversight Committee Summary Sheet dated December 11, 2024.
Bay Area Toll Authority:	
	Federal Glover, Chair
Approved:	December 11, 2024