

SECTION 4. CAMPAIGN CONTRIBUTION STATEMENTS AND STATEMENTS OF ECONOMIC INTERESTS

5-4.1 Filing and Publication of Required Statements

Pursuant to the Political Reform Act of 1974, Campaign Contribution Statements and Statements of Economic Interests are required to be filed by Directors. At the times required by law, Directors shall file their original Statements of Economic Interests and copies of their Campaign Contribution Statements with the District Secretary. The information in both types of Statements will be published on the District's web site, when the web site is available, and on the Internet within fourteen (14) days of receipt by the District Secretary.

New Rule, Adopted
June 13, 1996

SECTION 5. FINANCIAL CONTRIBUTION LIMITATION

5-5.1 Contractor/Subcontractor Contributions

In regard to any contract, or agreement requiring authorization of the Board, no prospective contractor, or the contractor's proposed first tier subcontractors and subsuppliers whose subcontracts exceed \$100,000 (hereinafter referred to as "subcontractors"), shall provide to any Director, or any candidate for Director, and no Director, or a candidate for Director, shall accept or solicit any monetary or in-kind contribution valued at greater than \$1,000 (including loans) from any contractor or its subcontractors during the time periods from the receipt of that prospective contractor's bid, through award.

Revised and Adopted
December 20, 2007

This rule applies only to contributions made to a candidate for the BART Board of Directors or to the candidate's committee in support of that candidate's election campaign and has no application to contributions to other campaigns including but not limited to ballot measures.

New Rule, Adopted
August 12, 2004

This Rule shall apply to a candidate from the date of filing of his or her declaration of candidacy with the Registrar of Voters.

Any Director who wishes to voluntarily continue to abide by the Rule in place immediately prior to December 20, 2007, shall demonstrate his or her commitment by advising the District Secretary in writing. Such commitments shall remain in place until the Director indicates otherwise in writing to the District Secretary.

New Rule, Adopted
December 20, 2007

5-5.2 Contractor/Subcontractor Certification of Compliance

Contract and agreement documents shall require contractors, and their subcontractors, to submit a certification of compliance with this Rule with their bid or proposal, or as otherwise directed in contract and agreement documents. Failure to submit a certification within five calendar days after it is due may render the bid or proposal non-responsive.

Revised and Adopted
November 20, 1997

5-5.3 Contractor/Subcontractor Information Submitted to Board

The General Manager shall provide the following information to the Board:

- (a) For those subject to this Rule, the names of all contractors submitting bids and proposals for contract award, and their subcontractors, on the date bids or proposals are opened by the District.
- (b) The names of contractors and subcontractors and the dates when this Rule no longer applies to them.

Revised and Adopted
December 20, 2007

5-5.4 Definitions

For purposes of this Board Rule:

- (a) "Agreement" is defined as an agreement for services, leases, and licenses.
- (b) "Candidate" is defined as a person who has filed a declaration of candidacy with the Registrar of Voters for the office of Director of the San Francisco Bay Area Rapid Transit District.

- (c) "Contract" is defined as a contract for construction of facilities and works, or for the purchase of supplies, equipment, and materials.
- (d) "Contractor" is defined as an individual, proprietorship, firm, partnership, joint venture, syndicate, business trust, company, corporation, limited liability company, association, committee, and any other organization or group of persons acting in concert and their agents.
- (e) "Contribution" is as defined in Government Code Section 82015 and implementing regulations adopted by the Fair Political Practices Commission.

Revised and Adopted
November 20, 1997

- (f) "Director" is defined as a current member of the Board of Directors of the San Francisco Bay Area Rapid Transit District.

New Rule, Adopted
August 8, 1996

Note: Board Rule 5-5.4 revised to delete two provisions and renumber the section accordingly. Adopted December 20, 2007