



## EXECUTIVE DECISION DOCUMENT

<b>GENERAL MANAGER APPROVAL:</b> <div>DocuSigned by: <i>Michael Jones</i> 47000790F2D7463...</div>		<b>GENERAL MANAGER ACTION REQ'D:</b> No		
<b>DATE:</b> 2/19/2025      3/6/2025		<b>BOARD INITIATED ITEM:</b> No		
<b>Originator/Prepared by:</b> Cristiano Torresi <b>Dept:</b> Strategic Administrative Group <div>DocuSigned by: <i>Cristiano Torresi</i> 15AD466D82FA476...</div> <b>Signature/Date:</b> 3/3/2025	<b>General Counsel</b> <div>DocuSigned by: <i>Amelia Sandoval</i> 2528C067C44147D...</div> 3/3/2025 [ ]	<b>Controller/Treasurer</b> <div>Signed by: <i>Stephen Beach</i> 7D9A7C6E7348456...</div> 3/3/2025 [ ]	<b>District Secretary</b> [ ]	<b>BARC</b> <div>DocuSigned by: <i>Shane Edwards</i> 8128A2EB2F014F3...</div> 3/3/2025 [ ]

### Award of Single Source Contract With Vulcanite for primary suspension components

#### PURPOSE:

To request Board Authorization, in accordance with Public Contract Code Section 20227, to execute a single source of supply contract with Vulcanite for primary suspension components for the District's revenue vehicles. Two thirds vote required.

#### DISCUSSION:

The District's Rolling Stock and Shops seeks authority to purchase sufficient stock to support the replacement schedule for maintenance of the trains. The car bodies of the District's revenue vehicles ride on two trucks ("bogies"). The trucks are equipped with sixteen Vulcanite journal rubber halves (eight upper and eight lower) and house the car's journal bearings. These components serve as the primary suspension for the revenue vehicle. Due to wear and tear, they have a limited lifespan and require routine replacement to prevent failure and service disruptions.

Replacing the primary suspension with pre-qualified parts is crucial to ensure that the revenue vehicles maintain service requirements and avoid failures. Having a limited number of spare parts can lead to vehicles being taken out of service when units fail. This procurement seeks to have an adequate supply of spare parts that meet BART's standards.

The proposed agreement with Vulcanite is an estimated quantities contract with a five (5) year term. During the term of the contract, the contract requires that the District purchase a minimum amount of fifty percent (50%) of the total dollar value of the contract. Upon Board authorization to award this contract, the General Manager will also have the authority to purchase up to one hundred fifty percent (150%) of the total value of the contract, subject to the availability of funding.

BART staff has estimated the cost of the materials to be \$1.26M. District staff believes the Vulcanite quote of \$769K to be fair and reasonable.

Pursuant to Public Contract Code Section 20227, the Board may direct the purchase of any supply, equipment, or material without observance of competitive bidding upon a finding by two-thirds of all members of the Board that there is only a single source of procurement and that the purchase is for the sole purpose of duplicating or replacing equipment currently in use.

Here, the District's revenue fleet vehicle manufacturer has installed and specified Vulcanite components for the fleet. The purchase is for the sole purpose of duplicating and replacing primary suspension components already in use on revenue vehicles throughout the District. The District would incur substantial delays and costs to have another supplier produce nearly identical components that would need to meet the District's stringent vehicle specifications. Thus, this purchase complies with Section 20227.

Pursuant to the District's Non-Federal Small Business Program, the Office of Civil Rights has determined that the District's Non-Federal Small Business Program is not applicable to this Single Source Contract.

The District's Non-Discrimination Program for Subcontracting is not applicable to Single Source Contracts. Accordingly, the Office of Civil Rights did not set Minority Business Enterprise (MBE) and Women Business Enterprise (WBE) Availability Percentages for this Contract.

The Procurement Department will review the Contract to confirm compliance with the District's procurement standards. The Office of the General Counsel will approve the Contract as to form.

**FISCAL IMPACT:**

Funding for the Contract in the amount of \$768,538.55 will come from Rolling Stock and Shops (RS&S) Non-Inventory Material Usage Account 680-030 as materials are procured. Funding for FY25 is included in the operating budget of RS&S department 0803622. Funding for out years, FY26 through FY29, will be requested as part of each year's operating budget cycle and is subject to Board approval. Total funding for this Contract in the amount of \$769K is based on the following estimated totals by year:

FY25	\$ 63,636.95
FY26	\$ 176,225.40
FY27	\$ 176,225.40
FY28	\$ 176,225.40
FY29	\$ 176,225.40

Total \$ 768,538.55

The Chief Financial Officer certifies that funds are currently available to meet this obligation. This action is not anticipated to have any Fiscal Impact on unprogrammed District reserves.

**ALTERNATIVE:**

The alternative to authorizing the single-source procurement is competitive bidding. As discussed above, having another supplier produce nearly identical components that meet the District's stringent vehicle specifications would incur substantial delays and costs.

**RECOMMENDATION:**

Staff recommends that the Board adopt the following motion.

**MOTION:**

Pursuant to Public Contract Code Section 20227, the Board finds by two-thirds vote that Vulcanite is the single source of supply for the purchase of primary suspension components for the District's vehicles, and the purchase is for the sole purpose of replacing equipment in use throughout the District. The General Manager may enter into a contract with Vulcanite for the purchase of primary suspension components for the District's fleet for an amount not to exceed \$768,538.55 including sales tax and shipping.