



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL:		GENERAL MANAGER ACTION REQ'D:		
DocuSigned by: <i>Michael Jones</i> 47000790F2D7463...				
DATE: 3/10/2025 4/18/2025		BOARD INITIATED ITEM: No		
Originator/Prepared by: David Silva Dept: PM/CM - Facilities	General Counsel	Controller/Treasurer	District Secretary	BARC
DocuSigned by: <i>David Silva</i> 7C1ECBD3A2C842F...	DocuSigned by: <i>Amelia Sandoval</i> 2528C067C44147D...	Signed by: <i>Stephen Beach</i> 7D9A7C6E7348456...		DocuSigned by: <i>Shane Edwards</i> 8128A2EB2F014F3...
Signature/Date: 4/17/2025	4/17/2025 []	4/17/2025 []	[]	4/17/2025 []

Authorization for BART Police Department Headquarters (BPD HQ) Sole Source Procurement of Radio Console Equipment from Dailey and Wells Communications, Inc.

PURPOSE:

To obtain Board authorization for the General Manager to negotiate and execute non-competitive, federally funded agreements with Dailey and Wells Communications, Inc. in an amount not to exceed \$2,900,000.

DISCUSSION:

In August 2024, the BART Board of Directors authorized the General Manager to award Contract 6M4861 for the Progressive Design-Build of BART Police Department Headquarters to Swinerton / Gensler / SKA.

Apart from Contract 6M4861, the BPDHQ project will require the procurement of Harris P25 radio console equipment from Dailey and Wells Communications, Inc., to support police dispatch and other emergency response operations.

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 Harris P25 radio console equipment is for the sole purpose of duplicating, as well as interfacing with, radio equipment currently in use throughout the District. Such equipment must be procured from Dailey and Wells Communications, Inc. since they are the only regional distributor of Harris P25 radio system equipment. Dailey and Wells Communications, Inc. is also the only vendor that can provide proprietary software updates and configurations for radio console integration with the District's existing radio system. Thus, this purchase from Dailey and Wells Communications, Inc. is justified under Section 20227.

Pursuant to the District's Disadvantaged Business Enterprise ("DBE") Program, the Office of Civil Rights reviewed the scope of work for this Sole Source procurement and determined that there were no DBE subcontracting opportunities; therefore, no DBE participation goal was set for this procurement.

Project staff seeks authorization to enter into direct negotiations and execute agreements with Dailey and Wells Communications, Inc. for the single-source procurement of all radio console equipment (and proprietary software updates and configurations for radio console integration) required for the new BPDHQ in an amount not to exceed \$2,900,000.

FISCAL IMPACT:

Funding in the amount of \$2,900,000 to execute a non-competitive, federally funded agreement with Dailey and Wells Communications, Inc. for the purchase of Radio Console Equipment for the BART Police Department Headquarters at 2000 Broadway, Oakland is included in the total Project budget for FMS# 17AY001 – BART Police Headquarters BPDHQ.

The table below lists funding assigned since project inception date of 11/01/2023, including \$146,500,000 of BART funds released by a January 2, 2025, disbursement of the BART Rail Car Replacement Project TIFIA Loan.

Funding Sources				
Project	Project Description	Fund Group	Fund Description	Amount
17AY001	BART Police	BART	Measure RR Interest	\$26,500,000

	Headquarters BPDHQ		Earnings	
17AY001	BART Police Headquarters BPDHQ	BART	BART Funds (TIFIA Loan)	\$146,500,000
17AY001	BART Police Headquarters BPDHQ	Federal	USDOT Regional Infrastructure Accelerator Grant	\$450,000
Total Project Funding				\$173,450,000

As of March 4, 2025, the table below lists the current budget for the project:

Project	Budget	Expense	Encumbrance	Pre-Encumbrance	Available Budget
17AY001	\$173,450,000	\$30,531,399	\$8,351,606	\$6,000,000	\$128,566,996

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.

ALTERNATIVES:

The Board may elect not to approve the procurement of the radio console equipment. Failure to procure this equipment may result in the use of incompatible public safety radio equipment and significant delays to the completion and utilization of the new BPDHQ.

RECOMMENDATION:

It is recommended that the Board adopt the following motion.

MOTION:

Pursuant to Public Contract Code Section 20227, the Board of Directors finds that Dailey and Wells Communications, Inc. is the single-source supply for the District's radio console equipment, and that this procurement is for the sole purpose of duplicating or replacing equipment currently in use throughout the District. The General Manager is authorized to enter into direct negotiations and to execute agreements with Dailey and Wells Communications, Inc. in an amount not to exceed \$2,900,000 for the procurement of radio console equipment needed for the new BART Police Department Headquarters. Two-thirds vote required.

