



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>[Signature]</i> 5/19/21		GENERAL MANAGER ACTION REQ'D: Approve and forward to Board of Directors		
DATE: 9/22/2020		BOARD INITIATED ITEM: No		
Originator/Prepared by: Jin Cao Dept: MAINTENANCE AND ENGINEERING	General Counsel <i>[Signature]</i> 4/15/21	Controller/Treasurer <i>[Signature]</i> 4/15/21	District Secretary	BART <i>[Signature]</i> 5/18/2021
Signature/Date: <i>[Signature]</i> 4/15/2021	[]	[]	[]	[]

To Authorize the Award of Contract 54RR-350 Turntable Replacement Project Concord Yard

PURPOSE:

To obtain Board authorization for the General Manager to award Contract No. 54RR-350 for the Turntable Replacement Project Concord Yard to Clark Construction Group – California, LP for the amount of \$3,877,900.

DISCUSSION:

Rail Vehicle Turntables are used to turn rail cars in preparation for their return to revenue service. This contract is for the replacement of the turntable at Concord Yard, which is beyond its reasonable usable life and would require significant and costly maintenance if it were to continue in use.

This Contract provides the demolition of the existing turntable assembly; site preparation and grading; installation of power conduits, motor controls and panels; and the installation of a new turntable assembly.

On October 6, 2020, an Advance Notice to Bidders was emailed to one-thousand-one (1,001) prospective Bidders, and then published in various publications. Later the same day, it was posted to the BART Procurement Portal, and various Plan Rooms, to prospective Bidders with a Class A “General Engineering” License. Seventy-four (74) prospective Bidders downloaded the Contract Book. A Pre-Bid meeting was conducted on October

20th, 2020, eight (8) prospective Bidders attended the meeting, and five (5) bidders went on the site tour.

Bids were opened on December 8th, 2020, and the following six (6) bids were received:

Bidder	Total Bid
Clark Construction Group - California LP (Irvine, CA 92612)	\$ 3,877,900.00
Thompson Builders, Inc. (Novato, CA 94945)	\$ 4,187,000.00
Shimmick Construction Company, Inc. (Suisun City, CA 94585)	\$ 4,211,000.00
Anvil Builders Inc. (San Francisco, CA 94124)	\$ 4,765,700.00
NTK Construction Inc. (San Francisco, CA 94124)	\$ 4,901,000.00
Rosendin Electric (San Jose, CA 95133)	\$ 5,489,558.76
Engineer's Estimate	\$5,030,000.00

All Bids were evaluated, and Staff determined that the apparent low Bid price submitted by Clark Construction Group - California LP is fair and reasonable. A review of their business experience and financial capabilities has resulted in a determination that it is a responsible Bidder, and that the Bid is responsive to the requirements of the Contract Book.

FISCAL IMPACT:

Funding in the amount of \$3,877,900 for Contract No. 54RR-350 is included in the total project budget for FMS# 54RR350 – Turntable Replacement Project Concord Yard.

The table below lists funding assigned to the referenced project and is included to track funding history against spending authority. Funds needed to meet this request will be expended from the following source:

Proposed Funding	
F/G 802A/B/C – Measure RR GOB	7,475,436
TOTAL	7,475,436

As of February 1, 2021, \$7,475,436 is the total budget for this project. BART has expended \$128,058, committed \$0, and reserved \$0 to date. This action will commit \$3,877,900, leaving an available fund balance of \$3,469,478 in fund sources for this project.

The Office of Controller/Treasurer certifies that funds are currently available to meet this obligation.

This action is not anticipated to have any Fiscal Impact on unprogrammed District reserves.

Pursuant to the District's Non-Federal Small Business Program, the Office of Civil Rights set a 7% Local Small Business Prime Preference for this Contract for Small Businesses certified by the California Department of General Services and verified as Local (i.e., located in Alameda, Contra Costa or San Francisco counties) by the District. The lowest responsive Bidder, Clark Construction, is not a certified Local Small Business and, therefore, is not eligible for the 7% Small Business Prime Preference but is still the lowest responsive Bidder.

Pursuant to the District's Non-Discrimination Program for Subcontracting, the Availability Percentages for this Contract are 18.2% for Minority Business Enterprises ("MBEs") and 9.3% for Women Business Enterprises ("WBEs"). The Office of Civil Rights has determined that the apparent low Bidder, Clark Construction, has exceeded both the MBE and WBE Availability Percentages for this Contract at 69% for MBEs and 29.5% for WBEs.

ALTERNATIVES:

Reject all bids and re-advertise the Contract. It is staff's opinion that rejecting the Bids and re-advertising the Contract is not likely to result in better pricing, would increase the District's procurement and maintenance costs and would delay the facility improvement for Concord Yard.

RECOMMENDATION:

It is recommended that the Board adopt the following Motion:

To Authorize the Award of Contract 54RR-350 Turntable Replacement Project Concord Yard (cont.)

The General Manager is authorized to Award Contract No. 54RR-350 – Turntable Replacement Project Concord Yard to Clark Construction Group – California, LP for an amount not to exceed \$3,877,900 pursuant to notification to be issued by the General Manager, subject to the District's protest procedures.