



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <div style="border: 1px solid black; padding: 2px; display: inline-block;"> DocuSigned by: <i>Michael Jones</i> <small>47000790F2D7463...</small> </div>		GENERAL MANAGER ACTION REQ'D: N/A		
DATE: 8/4/2025 9/5/2025		BOARD INITIATED ITEM: Yes		
Originator/Prepared by: Myra Francisco Dept: M&E Acquisition Support Signature/Date: <div style="border: 1px solid black; padding: 2px; display: inline-block; margin-top: 10px;"> DocuSigned by: <i>Myra Francisco</i> <small>66959154E16A413...</small> 9/4/2025 </div>	General Counsel <div style="border: 1px solid black; padding: 2px; display: inline-block; margin-top: 10px;"> DocuSigned by: <i>Amelia Sandoval</i> <small>2528C067C44147D...</small> 9/4/2025 [] </div>	Chief Financial Officer <div style="border: 1px solid black; padding: 2px; display: inline-block; margin-top: 10px;"> Signed by: <i>Stephen Beach</i> <small>7D9A7C6E7348456...</small> 9/4/2025 [] </div>	District Secretary <div style="border: 1px solid black; padding: 2px; display: inline-block; margin-top: 10px;"> DocuSigned by: <i>Robert Franklin</i> <small>AFF4529E1F0D45C...</small> 9/5/2025 [] </div>	BARC <div style="border: 1px solid black; padding: 2px; display: inline-block; margin-top: 10px;"> DocuSigned by: <i>Shane Edwards</i> <small>8128A2EB2F014F3...</small> 9/4/2025 [] </div>

Single Source Contract No. 6M3731C for Handrails Replacement, Repair and Services

PURPOSE:

To obtain Board authorization for the General Manager, in accordance with Public Contract Code Section 20227, to execute single source Contract No. 6M3731C (with two options to extend) to Semperit Industrial Products, Inc. (Semperit) of Fair Lawn, New Jersey for Handrails Replacement, Repair and Services. Two thirds vote required.

DISCUSSION:

Escalator handrails have a limited shelf life, and such handrails need to be maintained because of wear and tear or vandalism. The District currently maintains 187 escalators, many of which are legacy conveyances where there is no redundancy. Without proper handrail maintenance, BART is at risk of extending escalator outages that can lead to customer complaints, alleged violations of the American with Disabilities Act (ADA), and findings of noncompliance by the state Department of Industrial Relations. When a conveyance suffers a failure, immediate attention is required and often exceeds the capacity or expertise of BART's elevator/escalator maintenance department. Additionally, unscheduled outages reduce the District's ability to achieve its Quality Service Performance Review (QPR) service goals.

The procurement by Semperit shall consist of, but is not limited to the following:

Vulcanizing and repairs to handrails on District vertical transportation assets; provision of replacement escalator handrails.

Pursuant to California Public Contract Code Section 20227, the Board may direct the purchase of any supply, equipment, or material 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 supply, equipment, or material, in use throughout the District. Consistent with Federal Transit Administration (FTA) Circular 4220.1G, a transit agency recipient may make a noncompetitive award to a vendor, if the recipient receives inadequate competition in response to multiple solicitations and determines that the prior solicitation specifications were not unduly restrictive, and changes cannot be made to future solicitations to encourage greater competition.

Three prior solicitations, #6M3731, #6M3731A, and #6M3731B, were conducted to procure Handrail replacements, each resulting in non-responsive Bids. Each solicitation was advertised in multiple newspapers, posted in the BART Vendor Portal, and a Notice to Bidders were emailed to 5 potential Bidders directly. Pre-Bid meetings were held for each solicitation to further explain the Contract Book, the instructions and requirements, and the procurement process. Small Business Support Services were also utilized to support potential Bidders during the procurement process. Nonetheless, such efforts did not result in any responsive Bids.

During each solicitation, changes were made to the Contract Books to further encourage Bidder participation by removing multi-step prequalification processes, as well as revising the Specifications to allow for equivalent “or equal” handrail materials. Plus, Small Business Support Services were tasked with supporting potential Bidders throughout the procurement process.

The Staff was not able to identify any further changes to the Contract documents that would encourage Bidder participation.

To that end, a single source procurement under the aforementioned circumstances is permitted and justified. The District has chosen to engage Semperit for this single source procurement. Semperit has been manufacturing handrails since 1955 with a company history of over 200 years. They are ISO certified in Management Systems, Environmental, Quality , Health, and Safety.

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 Procurement Contract.

FISCAL IMPACT:

This EDD proposes a 3-year term with a total cost from the operating fund not-to-exceed \$900,000 from the date of execution of the Agreement. This is a 5-year agreement (3 base years, 2 option years) for a total cost from the operating fund not-to-exceed \$1,500,000.00 from the date of execution of the Agreement. The Maintenance operating budget (Department 0802850 – Elevator/Escalators, Account 680230 – Maintenance, Repair, and Other) will fund the Agreement including the following estimated expenditures by fiscal year:

FY26 (September 1, 2025 – June 30, 2026)	\$ 300,000
FY27 (July 1, 2026 – June 30, 2027)	\$ 300,000
FY28 (July 1, 2027 – June 30, 2028)	\$ 300,000
FY29 (July 1, 2028 – June 30, 2029)	\$ 300,000
FY30 (July 1, 2029 – June 30, 2030)	\$ 300,000
TOTAL	\$ 1,500,000

Funding for the Agreement in the current Fiscal Year 2026 is available from the Department's existing operating budget from the adopted FY26 budget. Funding for subsequent years will be included in the proposed annual operating budget, which is subject to Board approval.

ALTERNATIVES:

Do not award to Semperit and re-advertise the Contract as a competitive solicitation. As discussed above, readvertisement of the solicitation is not expected to result in any responsive bidders. Further, failure to award this Agreement would disrupt the response time to replacement, repairs and services that are beyond the ability of the District's escalator repair services technicians to timely address any repair needs. Failure to complete replacement, repairs and services in a timely manner could lead to customer complaints or fines due to noncompliance with the ADA and other state regulations.

RECOMMENDATION:

Based on the evaluation by Staff and certification by the Chief Financial Officer (CFO) that the funds are available for this purpose, it is recommended that the Board adopt the following Motion.

MOTION:

Pursuant to Public Contract Code Section 20227, the Board finds that Semperit Industrial Products, Inc. is the single source of supply for the purchase of handrails specified herein, and the purchase is for the sole purpose of duplicating and replacing such handrails

throughout the District.

The General Manager is authorized to execute Agreement No. 6M3731C to Semperit Industrial Products, Inc. of Fair Lawn, New Jersey to provide Handrails Replacement, Repair and Services in an amount not to exceed \$900,000.00, pursuant to notification to be issued by the General Manager. The General Manager is also authorized to exercise up to two (2) options to extend Agreement No. 6M3731C in a not to exceed amount of \$300,00.00 per option. Two thirds vote required.