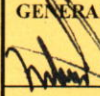
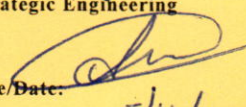
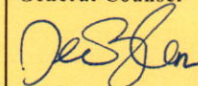
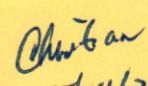
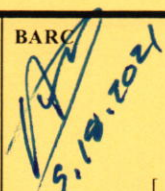




EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL:  5/19/21		GENERAL MANAGER ACTION REQ'D: Yes		
DATE: 5/5/2021		BOARD INITIATED ITEM: No		
Originator/Prepared by: Avineet Garg Dept: Strategic Engineering  Signature/Date: 5/14/2021	General Counsel  5/14/2021 []	Controller/Treasurer  5/14/21 []	District Secretary []	BARC  5.18.2021 []

34.5KV Cable Replacement and Fiber Optic Cable Installation, R-Line, RCP To RRY

PURPOSE:

To obtain Board authorization for the General Manager to award 34.5 KV Cable Replacement and Fiber Optic Cable Installation on the R-line to DMZ Builders, Concord, CA for the Bid amount of \$54,149,787.

DISCUSSION:

This Contract is to upgrade the 34.5 KV system on the R-line and includes the replacement and installation of sections of the feeder cable circuits between the El Cerrito Plaza ("RCP") and Richmond Yard ("RRY") Traction Power Substations ("TPSS") as well as the installation of new 288-count and 144-count fiber optic cables.

The 34.5 KV transmission system consists of Right and Left feeder cables that deliver 34.5 KV AC power from the Switching Stations to each TPSS. The existing cables from El Cerrito Plaza station to Richmond Yard have been in operation for more than 40 years and are near the end of their useful life. Replacement of these sections with Ethylene Propylene Rubber ("EPR") insulated cables will improve system reliability and reduce the maintenance burden.

The contract was advertised on December 6, 2019 and was posted on BART's Procurement Portal on December 10, 2019. A Pre-Bid meeting was conducted on December 19, 2019 with thirteen (13) prospective Bidders in attendance. Two (2) site visits were conducted on

December 20, 2019 and January 8, 2020. The duration of the contract is 824 calendar days from the date specified in the Notice-To-Proceed ("NTP").

A total of four (4) Bids were received and publicly opened on Tuesday, February 16, 2021 as follows:

Bidder	Total Bid
Contra Costa Electric, Martinez, CA	\$45,224,565
Shimmick Construction Co., Inc, Oakland, CA	\$50,878,914
DMZ Builders, Concord, CA	\$54,149,787
Aldridge Electric, Inc, Libertyville, IL	\$54,482,836
Engineer's Estimate	\$52,178,162

Contra Costa Electric's Bid was deemed non-responsive as the required Statement of Qualification was not included in the Bid package.

Shimmick Construction Co, Inc's Bid was deemed non-responsive due to a conflict of interest as its parent corporation advised on the creation of the specifications and provided direct design input for the Contract.

The apparent low Bid submitted by DMZ Builders has been deemed to be responsive to the solicitation and the Bid price of \$54,149,787 has been determined to be fair and reasonable, which is approximately 3.8% above engineer's estimate. Examination of the Bidder's business experience and financial capabilities has resulted in a determination that the Bidder is responsible.

Pursuant to the District's Non-Discrimination Program for Subcontracting, the Availability Percentages for this Contract are 6.0% for Minority Business Enterprises ("MBEs") and 3.9% for Women Business Enterprises ("WBEs"). The Office of Civil Rights has determined that the apparent lowest responsive Bidder DMZ Builders has exceeded both the MBE and WBE Availability Percentages for this Contract at 64.2% for MBEs and 33.7% for WBEs.

Pursuant to the District's Non-Federal Small Business Program, the Office of Civil Rights

set a 10% Local Small Business ("LSB") Subcontractor Participation Goal for this Contract. Bidders who meet the LSB Subcontractor Participation Goal are eligible for an LSB Preference of 7% of the lowest responsive Bidder's Bid, up to a cap of \$150,000. The Bidder, DMZ Builders, committed to subcontracting 10.5% to LSBs. The Bidder, DMZ Builders, met the LSB Subcontractor Participation Goal and, therefore, is eligible for the 7% Bid Preference. After the application of the 7% Bid Preference, DMZ Builders is still the lowest responsible Bidder and, therefore, the application of the Bid Preference will not alter the award to DMZ Builders.

CAPITAL FISCAL IMPACT:

Funding in the amount of \$54,149,787 is included in the total budget for R-Line 34.5 KV Cable Replacement project.

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	\$78,597,960
TOTAL	\$78,597,960

As of May 11, 2021, \$78,597,960 is the total budget for this project. BART has expended \$5,982,902, committed \$4,322,007, and reserved \$277,437 to date. This action will commit \$54,149,787, leaving an available fund balance of \$13,865,827 in these 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.

ALTERNATIVES:

The alternative would be to reject all Bids and re-advertise. Staff does not believe this will

result in lower prices or increased competition and it would delay critical traction power upgrades, which could negatively impact revenue service due to infrastructure failure.

RECOMMENDATION:

It is recommended that the Board adopt the following motion.

MOTION:

The General Manager is authorized to award Contract for R-Line Cable Replacement and Fiber Optic Cable Installation project to DMZ Builders, Concord, CA in the amount of \$54,149,787, pursuant to notification to be issued by the General Manager, subject to the District's protest procedures.