



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL:		DocuSigned by: <i>Michael Jones</i> 47000790F2D7463...		GENERAL MANAGER ACTION REQ'D: No	
DATE: 2/4/2026		2/20/2026		BOARD INITIATED ITEM: No	
Originator/Prepared by: Cristiano Torresi Dept: Strategic Administrative Group		General Counsel		Chief Financial Officer	
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DocuSigned by: <i>Cristiano Torresi</i> 15AD466D825A475... 2/17/2026		DocuSigned by: <i>Robert Franklin</i> AFF4529E1F0D45C... 2/20/2026 []		DocuSigned by: <i>Leonardo P...</i> 431BF6F45C724DB... 2/20/2026 []	

Award of Single Source Contract With KONI NA LLC for OEM Vertical Dampers

PURPOSE:

To request Board Authorization, in accordance with Public Contract Code Section 20227, to execute a single source of supply contract with KONI NA LLC (“KONI”) for original equipment manufacturer (OEM) Vertical Dampers (vertical shock absorbers) for the District’s Fleet of the Future (FOTF) vehicles. Two-thirds vote required.

DISCUSSION:

The vertical damper (vertical shock absorber) is a critical component of the District’s FOTF suspension system, controlling vertical motions between the carbody and trucks to maintain ride quality, protect vehicle and track components, and support safe braking. Each FOTF revenue vehicle has two (2) trucks, with two (2) vertical dampers per truck, for a total of four (4) vertical dampers per car.

This procurement will establish a five-year contract term (2026–2030) for the manufacture and delivery of OEM vertical dampers, supplied by KONI, for systemwide use on FOTF vehicles.

The proposed agreement 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.

This is a Single Source procurement because KONI is the OEM of the original FOTF vertical dampers and the only qualified supplier due to proprietary design, tuning, and test data tied to the approved FOTF truck configuration. As a result, it is not feasible or advantageous to obtain this OEM component through competitive bidding, and it would not be practical or beneficial to unbundle the requirement.

KONI provided Quotation No. 20251022-1 dated October 22, 2025 for the supply of vertical dampers, with pricing that includes a 3% increase each year at the purchase order anniversary and tariff-related adjustment language.

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, KONI NA LLC is the OEM supplier of these vertical dampers specified by the vehicle manufacturer to operate compatibly with the District's Fleet of the Future (FOTF) vehicles, and due to proprietary rights, tuning, and related technical/data restrictions, such vertical dampers are not available from any other supplier. In addition, the purchase is for the sole purpose of replacing KONI vertical dampers already in use on the District's FOTF vehicles.

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 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 \$1,059,466.49 (including tax) will come from RS&S Inventory Material Usage Account (#680-010) as materials are procured. BART staff also prepared an Independent Cost Estimate (ICE) for internal use to support a determination that the quoted pricing is fair and reasonable; the ICE totals \$1,064,619.04 (including tax).

The quoted five-year pricing totals are as follows:

- **2026:** \$137,217.31
- **2027:** \$195,823.03
- **2028:** \$235,024.55
- **2029:** \$242,068.59
- **2030:** \$249,333.01

Total: 1,059,466.49 with tax

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 this single-source procurement is competitive bidding. However, because this is a proprietary OEM component subject to design and data restrictions, competitive bidding is not feasible or advantageous and would risk delays, added costs, and potential impacts to fleet reliability.

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 KONI NA LLC is the single source of supply for the purchase of OEM Vertical Dampers for the District's Fleet of the Future vehicles, and the purchase is for the sole purpose of replacing equipment in use throughout the District.

The General Manager is authorized to enter into a contract with KONI NA LLC for the purchase of OEM Vertical Dampers for an amount of \$1,059,466.49 (including tax).

Two thirds vote required.