



# EXECUTIVE DECISION DOCUMENT

<b>GENERAL MANAGER APPROVAL:</b>		DocuSigned by: <i>Michael Jones</i> 47000790F2D7463...	<b>GENERAL MANAGER ACTION REQ'D:</b> Approve and Send to Board		
<b>DATE:</b> 2/23/2024		3/8/2024	<b>BOARD INITIATED ITEM:</b> No		
<b>Originator/Prepared by:</b> Rachel Russell <b>Dept:</b> PM/CM - Facilities	<b>General Counsel</b>	<b>Controller/Treasurer</b>	<b>District Secretary</b>	<b>BARC</b>	
DocuSigned by: <i>Rachel Russell</i> 99E33FCEC0A147D...	DocuSigned by: <i>Amelia Sandoval</i> 2528C067C44147D...	DocuSigned by: <i>Shirley Gan</i> EE11C8CEEEA04FD...		DocuSigned by: <i>Shane Edwards</i> 8128A2EB2F014F3...	
<b>Signature/Date:</b> 3/5/2024	3/5/2024 [ ]	3/7/2024 [ ]	[ ]	3/7/2024 [ ]	

## Authorize the General Manager to Award IFB for Procurement of High-Rail Inspection Crew Trucks

### PURPOSE:

To obtain Board authorization for the General Manager to award Invitation for Bid (IFB) No. 9132, to Custom Truck One Source of Kansas City, MO, in the amount of \$1,657,235.00 (includes all applicable taxes) for the purchase of ten (10) Hi-Rail Inspection Crew Trucks.

### DISCUSSION:

This Contract is for the procurement of ten (10) Class 3 Hi-Rail Inspection Crew Trucks. Nine (9) of these trucks will be equipped with 66" wide gauge and the remaining one (1) will be equipped with standard 56.5" gauge hi-rail gears. The acquisition of these hi-rail inspection crew trucks is crucial to replace aging vehicles and accommodate the District's expanding requirements. These trucks play a vital role in adhering to the track inspection schedule, ensuring the maintenance of the State of Good Repair.

This is a twenty-four (24) month contract. Pursuant to the terms of the District's standard estimated quantity contract, during the term of the Contract the District is required to purchase from the supplier a minimum amount of 50% of the contract bid price. Upon Board approval of this contract, the General Manager will also have the authority to purchase up to 150% of the contract bid price, subject to availability of funding.

A notice requesting bids for the IFB was published on November 17, 2023. On the same day, this solicitation was uploaded onto the BART vendor portal. Correspondence was sent to six (6) prospective bidders inviting them to view the solicitation on the portal. A total of six (6) prospective bidders downloaded the solicitation.

Two (2) bids were received on the bid opening date of December 12, 2023. Tabulation of the bids and the Engineer’s Estimate is indicated below:

<b>BIDDER</b>	<b>Total Bid Price</b>	<b>Grand Total Including 10.25% Sales Tax</b>
Custom Truck One Source* Kansas City, MO	\$1,503,161.00	\$1,657,235.00
Omaha Track Equipment Omaha, NE	\$1,637,186.00	\$1,804,997.57
<b>ENGINEER’S ESTIMATE</b>	<b>\$1,996,828.00</b>	<b>\$2,201,502.87</b>

\* Lowest Responsive Bidder

District staff has determined that both bids met the requirements and were deemed responsive. Staff has also determined that the lowest bid of \$1,657,235.00 from Custom Truck One Source is fair and reasonable based on market price analysis of similar equipment with a standard gauge. The bids are 25% and 18% below the Engineer’s Estimate, reflecting the competitive pricing in today’s market. This substantial cost savings aligns with our commitment to fiscal responsibility and ensures optimal value for the District.

Currently, there are no electric trucks that can be equipped to run on tracks, as the necessary hydraulics conflict with battery pack locations. Staff will continue to track available models for each procurement.

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

**FISCAL IMPACT:**

Funding of \$1,657,235 to award of Invitation for Bid No. 9132 to Custom Truck One Source, for the purchase of ten (10) Hi-Rail Inspection Crew Trucks is included in the total Project Budget for FMS #15TD005 – Procurement of Wayside Equipment.

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 sources:

<b>Fund Group</b>	<b>Fund Description</b>	<b>Amount</b>
FTA	F/G 3020/3025- Federal Transit Administration	\$8,066,692
BART	F/G 8534/8535/8536/8537 - Capital Improvement Allocation	\$2,666,673
	TOTAL	\$10,733,365

As of 01/16/2024, \$10,733,365 is the total budget for this project. BART has expended \$1,883,329, committed \$792,479, and reserved \$127,034 to date. This action will commit \$1,657,235, leaving an available fund balance of \$6,273,288 in the 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 Board may elect to reject the Bids and re-advertise the IFB. There is no assurance that re-advertising will increase the number of bidders or result in any lower bids. This will pose a challenge complying with the CPUC’s mandate for twice-weekly track inspections, potentially resulting in regulatory compliance penalties.

**RECOMMENDATION:**

It is recommended that the Board adopt the following motion.

**MOTION:**

The General Manager is authorized to award IFB No. 9132 Hi-Rail Inspection Crew Trucks, to Custom Truck One Source of Kansas City, MO, for the amount of \$1,657,235.00 (includes all applicable sales taxes), pursuant to notification to be issued by the General Manager, and subject to compliance with the District's Protest Procedures and FTA procedures related to protest.