



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <div style="float: right; text-align: right;"> <small>DocuSigned by:</small> <small>47000790F2D7463...</small> </div>		GENERAL MANAGER ACTION REQ'D: Approve and Send to Board		
DATE: 10/31/2022 11/10/2022		BOARD INITIATED ITEM: No		
Originator/Prepared by: Linda Lee Dept: Strategic Engineering <small>DocuSigned by:</small> <small>9FA454A5AF83469...</small> Signature/Date: <div style="text-align: right;">11/4/2022</div>	General Counsel <small>DocuSigned by:</small> <small>F8FD7B3A73E74E8...</small> <div style="text-align: right;">11/4/2022 []</div>	Controller/Treasurer <small>DocuSigned by:</small> <small>EE11C8CEEEA04FD...</small> <div style="text-align: right;">11/5/2022 []</div>	District Secretary <div style="text-align: right;">[]</div>	BARC <small>DocuSigned by:</small> <small>8128A2EB2F014F3...</small> <div style="text-align: right;">11/7/2022 []</div>

Authorize the General Manager to Execute Agreements for the Lease and Rental of Nonrevenue Vehicles and Equipment

PURPOSE:

To authorize the General Manager to execute agreements for the lease and rental of nonrevenue vehicles and equipment with the Vendors specified in Attachment I, for an aggregate amount not to exceed \$10,000,000.00 for a period of 5 years.

DISCUSSION:

On August 9, 2018, the Board authorized the General Manager to execute Lease and Rental Agreements for non-revenue vehicles and equipment with certain identified vendors for a period of five (5) years for an aggregate amount not to exceed \$20,000,000.00. On August 27, 2020, the Board authorized the General Manager to execute Lease and Rental Agreements for non-revenue vehicles and equipment with certain identified vendors for an additional five (5) year period for an additional aggregate amount not to exceed \$15,000,000.00.

To date, greater than 97% of the combined aggregate amount has been encumbered or spent for Leases and Rental Agreements. Additional funding authorization is necessary to meet the equipment needs of projects entering construction in the current and coming years.

To effectively and efficiently support work to be performed under the Measure RR Bond Program, the District will need to continue to utilize dedicated non-revenue vehicles and equipment for Measure RR funded projects. Since Measure RR Bond funds may not be used for the purchase of vehicles and other equipment the required non-revenue vehicles and

equipment necessary to complete the work must be leased or rented. The District's traditional procurement method of developing specifications and advertising a formal Request for Proposals, evaluating the Proposals and awarding an all-encompassing agreement was determined not to be a viable method of procuring the lease or rental of this equipment and vehicles due to various specialized and unique requirements for such equipment and vehicles. Therefore, consistent with the previous two Board approved EDDs for Lease and Rental Agreements, staff is seeking Board authorization for the General Manager to execute multiple agreements with the Vendors listed in Attachment I. Individual service agreements are not anticipated to exceed \$2,000,000 per agreement.

To identify the vendors in Attachment I, District staff prepared the potential Vendors List, (see Attachment I), from "questionnaires" submitted to and received from potential vendors indicating their ability to meet all or part of BART's vehicle and equipment needs. To date, District staff has 58 firms on our prospective Vendors List, of which 14 are Small Business (SB) vendors, see Attachment I. In order to increase the pool, additional firms will be added to the Vendors List after receipt of completed questionnaires. The agreements will be subject to the provisions of the District's SB program.

Prior to awarding any agreement, the District will conduct an informal request for quotations from prospective Vendors consistent with currently adopted practices and procedures for informal procurements, and services agreements. The informal request for quotations shall be issued to vendors on the Bidders list as identified in Attachment I for vehicles and equipment identified on Attachment II. The vendor list will be evaluated quarterly by the Maintenance and Engineering department and newly identified Vendors will be added as identified per the process described above.

The Office of General Counsel will approve lease and rental agreements as to form before they are executed.

The Procurement Department will review these agreements to confirm compliance with the District's procurement standards

FISCAL IMPACT:

Funding in the amount of \$10,000,000 for Leasing agreements will come from the following projects.

Project: 15EJRR1 – 34.5 KV AC Cable Replacement \$3,900,000

As of October 25, 2022, \$96,823,501 is available for this project from the following sources:

Fund Description	Amount
F/G 8535 – Capital Improvement Allocation	\$53,000
F/G 802A/B/C/D – Measure RR GOB	\$96,770,501
TOTAL	\$96,823,501

BART has expended \$71,434,785, committed \$13,155,688, and reserved \$3,611,180 to-date for other action. This action will commit \$3,900,000 leaving an available fund balance of \$4,721,848 in these fund sources for this project.

**Project: 15CQ002 – Rails, Ties, Fasteners Ph3 Meas. RR
\$4,500,000**

As of October 25, 2022, \$177,210,740 is available for this project from the following sources:

Fund Description	Amount
F/G 8529 – Capital Improvement Allocation FY15	\$197,245
F/G 802A/B/C/D – Measure RR GOB	\$177,013,495
TOTAL	\$177,210,740

BART has expended \$138,803,644; committed \$12,618,093 and reserved \$1,365,368 to-date for other action. This action will commit \$4,500,000 leaving an available fund balance of \$19,923,635 in these fund sources for this project.

**Project: 15TC002 – Renewal of Tunnels & Structures
\$1,600,000**

As of October 25, 2022, \$160,262,156 is available for this project from the following sources:

Fund Description	Amount
F/G 6814 - San Francisco Municipal Transportation	\$294,230
F/G 802A/B/C/D - Measure RR GOB	\$159,967,926
TOTAL	\$160,262,156

BART has expended \$42,053,880, committed \$7,295,947, and reserved \$350,415 to-date for other action. This action will commit \$1,600,000 leaving an available fund balance of \$108,961,914 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:

Do not authorize. The District currently does not possess the necessary equipment and vehicles needed to support work funded by Measure RR. Failure to authorize could result in delays in implementation of Measure RR bond project work.

RECOMMENDATION:

It is recommended that the Board adopt the following motion.

MOTION:

The General Manager is authorized to execute lease and rental agreements for nonrevenue vehicles and equipment as identified in Attachment I for an aggregate amount not to exceed \$10,000,000.00, for a period of 5 years with Vendors listed in the current Attachment I, and those Vendors added to that list thereafter.

Attachment I

Prospective Bidders Lists - RR Project Support Leases and Rentals

	Status	Date Added	SB/LSB	Vendor
1	On List	6/28/2018		Custom Truck - CTE
2	On List	7/2/2018		Danella
3	On List	7/10/2018		Golden Gate Truck Center
4	On List	6/29/2018		Herc Rentals
5	On List	6/28/2018		NESCO Specialty
6	On List	7/3/2018		RELAM
7	On List	7/31/2019		Owen Equipment
8	On List	7/23/2020		1435 Rail
9	On List	6/29/2018		Ballast Tools Equipment BTE
10	On List	7/9/2018		RCE
11	On List	7/16/2018		Geismar - Modern Track Machinery
12	On List	3/22/2019		Swingmaster
13	On List	6/29/2018		Ohio Crane / IPS
14	On List	11/26/2019		Railworks
15	On List	8/17/2018		Ahern
16	On List	7/3/2018		CRESCO
17	On List	3/27/2019		H&E Equipment Services
18	On List	12/21/2018		National Rentals (not car rental)
19	On List	9/18/2018		Right Manufacturing Systems / Mix Right
20	On List	7/10/2018		Sunbelt

21	On List	7/11/2018		Sunstate
22	On List	8/27/2018		United Rentals
23	On List	7/5/2018		Volvo Construction Equipment
24	On List	9/26/2022		All Cal Equipment Services Inc.
25	On List	11/9/2018		Bancorp
26	On List	7/16/2018		BARCO
27	On List	8/24/2018		Honda of Oakland
28	On List	8/28/2018		Mission Valley Ford
29	On List	7/10/2018		Monarch
30	On List	7/10/2018		Volkswagen of Oakland
31	On List	7/19/2018		A Tool Shed
32	On List	7/17/2018		S & S, Supplies and Solutions
33	On List	12/28/2018		Security Contractor Services
34	On List	2/12/2019		Silver and Black Enterprises
35	On List	1/7/2019		BIGGE Crane and Rigging / King Crane
36	On List	1/11/2019		Peninsula Crane
37	On List	12/20/2018		Sheedy Drayage
38	On List	4/12/2019		Design Space
39	On List	5/10/2019		WillScot
40	On List	5/21/2020		Mobile Modular
41	On List	6/23/2020		Trailers Plus
42	On List	7/14/2020		Big Tex Trailer World
43	On List	10/7/2020		Field Logistics LLC.

44	On List	11/13/2019		Western First Aid
45	On List	11/13/2019	SB	FC Safety
46	On List	6/29/2018	SB, LSB	Doc Bailey Construction
47	On List	6/29/2018	SB, LSB	CH BULL COMPANY
48	On List	10/2/2018	SB	Makai Solutions
49	On List	7/5/2018	LSB	PINTANE LLC - *pLSB
50	On List	7/2/2018	LSB	SDV SERVICES INC - *LSB
51	On List	7/12/2018	SB, LSB	CAL SAFETY INC - *pLSB
52	On List	7/13/2018	LSB	YOLANDA'S CONSTRUCTION ADMINISTRATION & TRAFFIC CC
53	On List	9/26/2022	SB	First Vanguard Rentals & Sales Inc.
54	On List	9/26/2022	SB	Watsons Equipment LLC
55	On List	9/26/2022	SB	Maely, Inc.
56	On List	9/26/2022	SB, LSB, WBE	Harris Blade Rental
57	On List	9/26/2022	SB, WBE	Titan Crane & Rigging, Inc.
58	On List	9/26/2022	SB, MBE	Dynamic Generator Service, Inc.

ATTACHMENT II

RR FUNDED SERVICES FOR LEASES AND RENTALS OF VEHICLES AND EQUIPMENT

Services for vehicle and equipment of general nature used in construction and railroad applications:

- **Road Vehicles & Equipment**
- **Construction & Material Handling Equipment**
- **Hi-Rail Vehicles & Equipment**
- **Railroad Vehicles & Equipment**
 - Trucks: Light to Heavy duty utility
 - Trucks: Fuel; crane; aerial lift
 - Truck, Personnel Crew; Mechanic; Inspection
 - Truck, Cable Reel
 - Truck, Flat Bed
 - Truck, Rotary Dump
 - Truck, Tunnel Washer
 - Vans
 - Puller Tensioner, Cable
 - Earth Moving Equipment
 - Forklifts; Telehandlers;
 - Compactors
 - Mobile Batch Plant
 - Lifts
 - Signs
 - Compressors; Fans; Air moving; Climate Control equipment
 - Chipper
 - Concrete & Masonry equipment
 - Demolition Equipment
 - Fans
 - Floor and vacuum equipment
 - Generators
 - Ground protection
 - Lighting equipment
 - Trailers
 - Cables, pumps, accessories
 - Road graders, saws, accessories
 - Small tools – air and accessories
 - Trailers
 - Welding equipment
 - Vehicle communications
 - Telematics
 - Shunting equipment
 - Low Railers
 - Switch Tampers
 - Tie Extractor/Inserters
 - Tie Handlers
 - Cranes
 - Flat cars