



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL:		DocuSigned by: <i>Michael Jones</i> 47000790F2D7463...		GENERAL MANAGER ACTION REQ'D:	
DATE: 12/8/2022		1/4/2023		BOARD INITIATED ITEM: Yes	
Originator/Prepared by: Celia Morales Flores Dept: M&E Acquisition Support DocuSigned by: <i>Myra Francisco</i> C32B0A8A3A3D467... Signature/Date: 12/29/2022	General Counsel DocuSigned by: <i>Jana Belan</i> F8FD7B3A73E74E8... 12/29/2022 []	Controller/Treasurer DocuSigned by: <i>Chris Gan</i> EE11C8CEEEA04FD... 12/29/2022 []	District Secretary []	BARC DocuSigned by: <i>Shane Edwards</i> 8128A2EB2F014F3... 1/3/2023 []	

6M3619 and 6M3620 Systemwide Parking Lot Sweeping Services

PURPOSE:

To obtain Board authorization for the General Manager to award Agreement No. 6M3619 and 6M3620, Systemwide Parking Lot Sweeping Services to G.A. Higgins Inc. from Pleasant Hill, California and Elite Maintenance Inc. from San Jose, California, respectively.

DISCUSSION:

These Agreements provide for sweeping and cleaning services via mechanical/manual wet and/or dry sweeping and vacuuming of all trash and debris from station parking lots, station plazas, yard and shop parking lots, and yard and shop patios and plazas for a base term of three (3) years, with two (2) one-year options exercisable at the District's discretion, for a maximum term of five (5) years. The District facilities maintained under this Agreement were divided into two zones for bidding allowing the District to evaluate proposals for each zone and award one agreement per zone to the Proposer with the lowest priced, technically acceptable proposal. Zone 1 includes the C and R lines, and Zone 2 includes the A, K, L, M and W lines.

An electronic copy of the Request for Proposals ("RFP") was posted to the District's Procurement Portal on October 5, 2022 and distributed to all registered vendors and all known potential proposers. The RFP was also advertised in ten (10) local publications on October 8, 2022. The RFP was eventually downloaded by six (6) interested firms. A pre-

proposal meeting was held on October 20, 2022, with one (1) prospective firm in attendance. On November 8, 2022, the District received four (4) proposals.

A Selection Committee, consisting of representatives from Contract Administration, Maintenance and Engineering, and the Office of Civil Rights (OCR) conducted a technical evaluation and price analysis of the submitted proposals. Technical proposals were reviewed for compliance with the Minimum Technical Requirements of the Agreement, including experience, qualifications, and performance capacity.

The Technical Proposal submitted by Puma Power Wash was evaluated and deemed unacceptable due to failure to meet the minimum technical requirements of the RFP. The other three (3) Technical Proposals submitted by Elite Maintenance Inc., Bernardini Enterprises Inc., and G.A. Higgins Inc. were evaluated and deemed technically acceptable, in accordance with the RFP requirements.

Table 1-Zone 1 Proposal Price Summary

Zone 1			
Proposal Price Summary	Proposal Prices	Proposal Prices	Proposal Prices
Agreement Term/Duration	G.A. Higgins Inc.	Elite Maintenance Inc.	Bernardini Enterprises Inc.
Base Agreement (Years 1-3)	\$1,024,425.24	\$1,050,282.00	\$2,706,750.00
Option Year 1 (Year 4)	\$357,107.18	\$385,100.60	\$902,250.00
Option Year 2 (Year 5)	\$357,107.18	\$385,100.60	\$902,250.00
Total Proposal Price	\$1,738,639.60	\$1,820,483.20	\$4,511,250.00
Total Proposal Price with 5% Small Business Preference, if applicable	Not Applicable	Not Applicable	\$4,424,318.00

Total Proposal Price	\$1,738,639.60	\$1,820,483.20	\$4,424,318.00
for Evaluation for Zone 1			

Table 2 - Zone 2 Proposal Price Summary

Zone 2			
Proposal Price Summary	Proposal Prices G.A. Higgins Inc.	Proposal Prices Elite Maintenance Inc.	Proposal Prices Bernardini Enterprise Inc.
Agreement Term/Duration			
Base Agreement	\$1,966,957.14	\$1,539,008.94	\$4,754,250.00
(Years 1-3)			
Option Year 1 (Year 4)	\$640,401.68	\$564,297.54	\$1,584,750.00
Option Year 2 (Year 5)	\$640,401.68	\$564,297.54	\$1,584,750.00
Total Proposal Price	\$3,247,760.50	\$2,667,604.02	\$7,923,750.00

Total Proposal Price with 5% Small Business Preference, if applicable	Not Applicable	Not Applicable	\$7,790,370.00
Total Proposal Price for Evaluation for Zone 2	\$3,247,760.50	\$2,667,604.02	\$7,790,370.00

Based upon the Selection Committee's evaluation of the Price Proposals, G.A. Higgins Inc. had the lowest priced proposal for Zone 1 and Elite Maintenance Inc. for Zone 2. The sum of their proposed prices for both zones is not to exceed \$4,406,243.62, for the maximum term of five years.

Pursuant to the District's Non-Federal Small Business Program, the Office of Civil Rights set a 5% Small Business Preference for this Agreement for Small Businesses certified by the California Department General Services.

The lowest responsive Proposer for Zone 1, G.A. Higgins Inc., is not a certified Small Business and, therefore, is not eligible for the 5% Small Business Prime Preference. The apparent third low Proposer, Bernardini Enterprises, is a certified Small Business, making it eligible for the 5% Small Business Prime Preference for this Agreement for evaluation purposes. After review by the Office of Civil Rights, and application of the 5% Small Business Prime Preference, G.A. Higgins Inc. remains the lowest responsive Proposer for Zone 1.

The lowest responsive Proposer for Zone 2, Elite Maintenance Inc., is not a certified Small Business and, therefore, is not eligible for the 5% Small Business Prime Preference. The apparent third low Proposer, Bernardini Enterprises, is a certified Small Business, making it eligible for the 5% Small Business Prime Preference for this Agreement for evaluation purposes. After review by the Office of Civil Rights, and application of the 5% Small Business Prime Preference, Elite Maintenance Inc. remains the lowest responsive Proposer for Zone 2.

Pursuant to the District's Non-Discrimination Program for Subcontracting, the Availability Percentages for this Agreement are 5.5% for Minority Business Enterprises (MBEs) and 2.8% for Women Business Enterprises (WBEs).

The Proposer for Zone 1, G.A. Higgins Inc., committed to 0% MBE and 0% WBE participation. G.A. Higgins Inc. did not meet either the MBE or WBE Availability Percentages; therefore, G.A. Higgins Inc. was requested to provide the Office of Civil Rights with supporting documentation to determine if it had discriminated on the basis of race, national origin, color, gender or ethnicity. Based on the review of the information submitted by G.A. Higgins Inc., the Office of Civil Rights found no evidence of discrimination.

The Proposer for Zone 2, Elite Maintenance Inc., will not be subcontracting any portion of the Work and therefore, the provisions of the District's Non-Discrimination Program for Subcontracting do not apply.

FISCAL IMPACT:

Funding for this Agreement will include the following estimated expenditures:

	Zone 1	Zone 2	Grand Total
FY23 (January 1, 2023 – June 30, 2023)	\$170,737.54	\$256,501.49	\$427,239.03
FY24 (July 1, 2023 – June 30, 2024)	\$341,475.08	\$513,002.98	\$854,478.06
FY25 (July 1, 2024 – June 30, 2025)	\$341,475.08	\$513,002.98	\$854,478.06
FY26 (July 1, 2025 – June 30, 2026)	\$349,291.13	\$538,650.26	\$887,941.39
FY27 (July 1, 2026 – June 30, 2027)	\$357,107.18	\$564,297.54	\$921,404.72
FY28 (July 1, 2027 – December 31, 2027)	\$178,553.59	\$282,148.77	\$460,702.36
	\$1,738,639.60	\$2,667,604.02	\$4,406,243.62

The Agreements will be funded by the Facilities Maintenance Operating Budget (Department 0802836 – Facilities/Buildings, account 680210 – Buildings and Grounds Maintenance) in the not-to-exceed amount of \$4,406,243.62.

Funding for fiscal year 2023 in the amount of \$427,239.03 is included in the operating budget of Facilities and Buildings Department - 0802836. The budget for subsequent years will be included in the proposed annual operating budget, which is subject to Board approval. This action is not anticipated to have any fiscal impact on unprogrammed District reserves in the current Fiscal Year.

ALTERNATIVES:

Reject the Proposal and re-advertise the RFP. Failure to award this Agreement would disrupt the continuity of the parking lot sweeping program. Failure to sweep the parking lots on a regular schedule would create unacceptable conditions for our patrons and surrounding neighbors. Station appearance and general safety would be degraded.

Based on the evaluation by Staff and certification by the Controller/Treasurer that the funds are available for this purpose, it is recommended that the Board adopt the following Motion.

MOTION:

That the General Manager is authorized to award Agreement No. 6M3619 to G.A. Higgins Inc. to provide Systemwide Parking Lot Sweeping Services Zone 1 in an amount not to exceed \$1,024,425.24 and Agreement No. 6M3620 to Elite Maintenance Inc. to provide Systemwide Parking Lot Sweeping Services Zone 2 in an amount not to exceed \$1,539,008.94, each for a base term of three (3) years, pursuant to notification to be issued by the General Manager and subject to compliance with the District's Protest Procedures. The General Manager is also authorized to exercise up to two (2) one-year options for Agreement No. 6M3619 for \$357,107.18 and \$357,107.18, and up to two (2) one-year options for Agreement No. 6M3620 for \$564,297.54 and \$564,297.54 for a maximum term of five (5) years per Agreement.
