



## 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> 1/4/2023		1/18/2023		<b>BOARD INITIATED ITEM:</b> No	
<b>Originator/Prepared by:</b> Khush Cheema <b>Dept:</b> Strategic Engineering	<b>General Counsel</b>	<b>Controller/Treasurer</b>	<b>District Secretary</b>	<b>BARC</b>	
DocuSigned by: <i>Khush Cheema</i> 7FE5D71E3FD04CB...	DocuSigned by: <i>Jana Belan</i> F8FD7B3A73E74E8...	DocuSigned by: <i>Chris Gan</i> EE11C8CEEEA04FD...		DocuSigned by: <i>Shane Edwards</i> 8128A2EB2F014F3...	
<b>Signature/Date:</b> 1/17/2023	1/17/2023 [ ]	1/17/2023 [ ]	[ ]	[ ]	1/18/2023 [ ]

### Procurement of Crew Truck with Stake Bed & Hi-Rail System (IFB-9125)

#### PURPOSE:

To obtain Board authorization for the General Manager to award Invitation For Bid (IFB) 9125 to Custom Truck One Source, Kansas City, MO for the not-to-exceed amount of \$225,146.96 (including all taxes) for the purchase of one (1) Crew Truck with Stake bed and a Hi-Rail system.

#### DISCUSSION:

This contract is for the procurement of one Crew Truck with a Stake bed for the District's E-Line. This truck will utilize a standard gauge Hi-Rail system and will be used to facilitate maintenance work required to keep the system in a state of good repair. The truck will be used for cleaning vegetation and the sprayer mounted on the truck will be used for weed abatement along the sides of tracks.

A notice requesting bids was published on October 14, 2022. On the same day, the solicitation was uploaded onto the BART Vendor Portal. Correspondence was sent to three (3) prospective bidders inviting them to view the solicitation on the Vendor Portal. A total of seven (7) prospective bidders downloaded the solicitation. Two (2) bids were received which were opened on December 6, 2022. Tabulation of the bids, including the Engineer's Estimate is shown in the Table below:

<b>BIDDER</b>	<b>Bid Price</b>	<b>Total with 10.25% Sales Tax</b>
Doc Bailey Construction Equipment	\$252,462.50	\$278,339.91

Custom Truck One Source*	\$204,214.93	\$225,146.96
<b>ENGINEER'S ESTIMATE</b>	<b>\$275,000.00</b>	<b>\$303,000.00</b>

\*Note: Denotes Lowest Responsive Bidder

Staff has concluded that the apparent low bidder, Custom Truck One Source, submitted a responsive bid. Staff has also determined that the Bid pricing is fair and reasonable based on the Engineer's Estimate, market surveys, and bid competition.

This IFB was advertised pursuant to the District's Disadvantaged Business Enterprise ("DBE") Program requirements. The Office of Civil Rights reviewed the scope of work for this IFB and determined there were DBE Subcontracting opportunities; therefore, a DBE participation goal of 1% was set. No Small Business Entity ("SBE") goal was set. The apparent low Bidder, Custom Truck One Source, committed to subcontracting 10.8% to DBEs. The Office of Civil Rights has determined that Custom Truck One Source has met the DBE participation goal set for this IFB.

#### **FISCAL IMPACT:**

Funding of \$225,147 to award of Invitation for Bid No. 9125 to Custom Truck One Source, for the purchase of a Crew Truck with Stake bed and a Hi-Rail System 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
	<b>TOTAL</b>	<b>\$10,733,365</b>

As of December 28, 2022, \$10,733,365 is the total budget for the Project FMS #15TD005. BART has expended \$827,827, committed \$134,127, and reserved \$621,000 to date. This

action will commit \$225,147, leaving an available fund balance of \$8,925,264 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:**

Reject the Bids and re-advertise the Contract. However, re-advertising the Contract is not likely to result in increased competition or lower prices. Choosing not to proceed with the current award may result in construction delays as well as reduced and untimely maintenance, which may affect the reliability of the system and cause train delays impacting revenue service.

**RECOMMENDATION:**

The Board adopt the following motion.

**MOTION:**

The General Manager is authorized to award IFB 9125 for one (1) Crew Truck with a Stake bed and a Hi-Rail system, to Custom Truck One Source for an amount not-to-exceed \$225,146.96 (including 10.25% sales tax), 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 protests.