



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <div>DocuSigned by: <i>Michael Jones</i> 47000790F2D7463...</div>		GENERAL MANAGER ACTION REQ'D: Approve and Send to Board		
DATE: 4/10/2023 5/4/2023		BOARD INITIATED ITEM: No		
Originator/Prepared by: Linda Lee Dept: Strategic Engineering <div>DocuSigned by: <i>Linda Lee</i> 9FA454A5AF83469...</div> Signature/Date: 4/28/2023	General Counsel <div>DocuSigned by: <i>Jana Belan</i> F8FD7B3A73E74E8...</div> 5/1/2023 []	Controller/Treasurer <div>DocuSigned by: <i>Chris Gan</i> EE11C8CEEEA04FD...</div> 4/28/2023 []	District Secretary []	BARC <div>DocuSigned by: <i>Shane Edwards</i> 8128A2EB2F014F3...</div> 5/1/2023 []

Authorize the General Manager to Award IFB 9117 for Insulator and Coverboard Assembly Parts

PURPOSE:

To obtain Board Authorization for the General Manager to award Invitation for Bid (IFB) No. 9117 to Mance & Associates, Inc., of Santa Clara, California, in the amount of \$1,097,377 (includes all applicable taxes) for the purchase of insulator and coverboard assembly parts.

DISCUSSION:

This Contract is for the procurement of insulator and coverboard assembly parts to be installed as part of the K Line Interlocking Replacement Project (Project). The Project will remove and replace the existing insulator and coverboard assembly parts that were installed as part of the initial BART system construction in the 1960s and 1970s. The existing infrastructure is showing signs of significant wear and needs replacement. This work will help ensure the long-term safety and reliability of the system and support increasing ridership.

A notice requesting Bids was published on September 15, 2022. On the same day, this solicitation was uploaded onto the BART Vendor Portal. Correspondence was sent to four (4) prospective bidders inviting them to view the solicitation on the Vendor Portal. A total of twelve (12) prospective Bidders downloaded the solicitation. Bids were opened on February 14, 2023, and two (2) Bids were received.

BIDDER	Unit Price	GRAND TOTAL (Includes all applicable taxes)
Mance & Associates, Inc.	\$990,860	\$1,097,377
LB Foster	\$2,955,975	\$3,273,742
Engineer's Estimate	\$1,203,428	\$1,332,797

After review by District staff, the lowest Bid submitted by Mance & Associates, Inc., was deemed responsive to the solicitation. Furthermore, a review of Mance & Associates, Inc.'s license, business experience, and financial capabilities has resulted in a determination that Mance & Associates, Inc. is a responsible Bidder. Staff has also determined that Mance & Associates, Inc.'s total Bid price of \$1,097,377 is fair and reasonable based on the Engineer's Estimate.

Pursuant to the District's Non-Federal Small Business Program, the Office of Civil Rights set a 7% Local Small Business Prime Preference for this Contract for Small Businesses certified by the California Department of General Services and verified as Local (i.e., located in Alameda, Contra Costa, or San Francisco counties) by the District. The lowest responsive Bidder, Mance & Associates., is not a certified Local Small Business and, therefore, is not eligible for the 7% Small Business Prime Preference but is still the lowest responsive Bidder.

Pursuant to the District's Non-Discrimination Program for Subcontracting, the Availability Percentages for this Contract are 2.2% for Minority Business Enterprises (MBEs) and 1.1% for Women Business Enterprises (WBEs). The Bidder, Mance & Associates, 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.

CAPITAL FISCAL IMPACT:

Funding in the amount of \$1,097,377 for IFB No. 9117 is included in the total project budget for 15CQ008 – K Line Interlocking Replacement Project.

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:

Proposed Funding	
F/G 802A - 2017 Measure RR GOB	\$536,640
F/G 802B - 2019 Measure RR GOB	6,004,901
F/G 802C - 2020 Measure RR GOB	4,801,510
F/G 802D - 2020 Measure RR GOB	120,832,036
TOTAL	\$132,175,087

As of March 24, 2023, \$132,175,087 is the total budget for this project. BART has expended \$13,809,808, committed \$9,523,027, and reserved \$3,771,709 to date. This action will commit \$1,097,377, leaving an available fund balance of \$103,973,166 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.

ALTERNATIVE:

The Board may elect to reject the Bid and re-advertise the work of this Contract. There is no assurance that re-advertising will increase the number of bidders or result in any lower Bids. Failure to proceed with the Contract would delay the interlocking replacement, which may affect the reliability of the system and cause train delays.

RECOMMENDATION:

It is recommended that the Board adopt the following motion:

MOTION:

The General Manager is authorized to award IFB No. 9117 for the procurement of insulator and coverboard assembly parts to Mance & Associates, Inc., of Santa Clara, California for the amount of \$1,097,377 (includes all applicable taxes), pursuant to notification to be issued by the General Manager, subject to compliance with the District's Protest Procedures.

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