



## EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>5 Sept 2018</i> <i>Robert M. Paven</i>		GENERAL MANAGER ACTION REQ'D: (N/A)		
DATE: 8/16/2018		BOARD INITIATED ITEM: No		
Originator/Prepared by: James Soncuya Dept: Office of Civil Rights <i>[Signature]</i> Signature/Date: 8/31/18	General Counsel <i>[Signature]</i> 8/31/18 [ ]	Controller/Treasurer <i>[Signature]</i> 8/31/18 [ ]	District Secretary [ ]	BARC <i>[Signature]</i> 7.14.2018 [ ]

**TO OBTAIN BOARD AUTHORIZATION TO AWARD AGREEMENT NO. 6M5125, PRE-AWARD SMALL BUSINESS SUPPORTIVE SERVICES AND AGREEMENT NO. 6M5134, POST-AWARD SMALL BUSINESS SUPPORTIVE SERVICES FOR BART DISTRICTWIDE**

### PURPOSE:

To obtain Board authorization for the General Manager to award both Agreement No. 6M5125 to provide Pre-Award Small Business Supportive Services Districtwide (Pre-Award SBSS) and Agreement No. 6M5134 to provide Post-Award Small Business Supportive Services Districtwide (Post-Award SBSS) to The Allen Group, LLC.

### DISCUSSION:

The Pre-Award SBSS will provide ongoing support to small businesses seeking to bid on District contracts by providing training workshops and one-on-one technical assistance on topics including bid preparation, submittals, bonding, insurance, and construction cost estimating. The Post-Award SBSS will provide ongoing support to small businesses who have been awarded District contracts by providing training workshops and one-on-one technical assistance on topics including work scheduling, invoicing, payroll, quality control, contractual requirements, change order preparation and stop notices. The assignments under these Agreements will be on-call, defined by work plans, and subject to funding availability. Each work plan will have its own scope of work, schedule and budget.

The District issued Request for Proposals (RFP) No. 6M5125 on February 9, 2018 to engage one consulting firm or joint venture to provide Pre-Award SBSS in an amount not to

exceed \$3,900,000 over a five-year term and one consulting firm or joint venture to provide Post-Award SBSS in an amount not to exceed \$4,600,000 over a five-year term. The actual cost may be less based on the District's actual need for on-call services.

On February 9, 2018, the Advance Notice to Proposers was sent out to 25 prospective proposers. The RFP was advertised on February 9, 2018 in eleven (11) publications. A total of sixty-six (66) firms downloaded the RFP documents from the District's Procurement Portal. A Pre-Proposal Meeting was held on March 7, 2018 with twenty-one (21) people in attendance.

The proposals were due on April 24, 2018, and on this date proposals for the Pre-Award SBSS and the Post-Award SBSS were received from the following firms (in alphabetical order):

Pre-Award Proposers

<u>Firm</u>	<u>Location</u>
1. Bay Area Business Supportive Services & GCAP Services, Joint Venture	Costa Mesa, CA
2. Butler Enterprises Group, LLC	San Francisco, CA
3. Point Management Group	Suffolk, VA
4. The Allen Group, LLC	San Francisco, CA

Post-Award Proposers

<u>Firm</u>	<u>Location</u>
1. A Squared Ventures, Inc.	Oakland, CA
2. Bay Area Business Supportive Services & GCAP Services, Joint Venture	Costa Mesa, CA
3. Point Management Group	Suffolk, VA
4. The Allen Group, LLC	San Francisco, CA

On May 1, 2018, one proposal was received from Utility Products Company.

A Selection Committee chaired by Contract Administration with representatives from the

Office of Civil Rights, Planning, Development and Construction, Maintenance and Engineering and the Office of the Chief Information Officer ("Committee") reviewed the submittals. The Committee evaluated the proposals utilizing a best value methodology. The submittals were first reviewed for responsiveness to the RFP. The proposal received from Utility Products Company was determined to be non-responsive to the requirements of the RFP because it was not submitted by the proposal due date. The Pre-Award SBSS and Post-Award SBSS proposals from Bay Area Business Supportive Services & GCAP Services and Point Management Group were determined to be non-responsive because of the omission of required information.

Subsequently, the remaining proposals were evaluated and scored on the basis of the criteria contained in the RFP. Based on this evaluation, the Committee determined that all of the remaining proposers were in the competitive range and all were invited to participate in oral interviews on June 27, 2018. The oral interview participants were as follows:

Pre-Award SBSS Oral Interview Participants:

1. Butler Enterprises Group, LLC
2. The Allen Group, LLC

Post-Award SBSS Oral Interview Participants:

1. A Squared Ventures, Inc.
2. The Allen Group, LLC

After the oral presentations, the Committee conducted an evaluation based on the best value methodology and determined that The Allen Group, LLC offered the best overall value to the District for both the Pre-Award SBSS and the Post Award-SBSS.

The Agreements were advertised pursuant to the District's Disadvantaged Business Enterprise ("DBE") Program requirements. The Office of Civil Rights reviewed the scope of work for this Agreement and determined that there were DBE subconsulting opportunities; therefore, a DBE participation goal of 12% was set for each of the Agreements. The Allen Group, LLC committed to subconsulting 12% to DBEs for the Pre-Award SBSS and 12% to DBEs for the Post-Award SBSS. The Office of Civil Rights has determined that The Allen Group has met the DBE participation goal set for the Agreements.

Accordingly, staff recommends award of RFP No. 6M5125 and RFP No. 6M5134 to The Allen Group, LLC.

The Office of General Counsel will approve the Agreement as to form.

### **FISCAL IMPACT:**

Agreement No. 6M5125 has a not-to-exceed limit of \$3,900,000 over a five-year term and Agreement No. 6M5134 has a not-to-exceed limit of \$4,600,000 over a five-year term. District obligations will be subject to a series of work plans. Each work plan will have a defined scope of services, and separate schedule and budget. Any work plan assigned for funding under a State or Federal grant will include State or Federal requirements. The Controller/Treasurer issues fund codes based on grant awards for allocation to capital projects. Capital Budget and Funds Management will certify the eligibility of identified funding sources prior to incurring project costs against these Agreements and the execution of each work plan. These Agreements will not incur costs against the Operating Budget. The Office of the Controller/Treasurer will certify that funds are available to meet this obligation prior the execution of each work plan. This action is not anticipated to have any Fiscal Impact on unprogrammed District reserves.

### **ALTERNATIVES:**

The District could reject all proposals and solicit new proposals. However, re-issuing the RFP would delay and adversely affect the implementation of the Pre-Award Small Business Supportive Services and Post-Award Small Business Supportive Services Districtwide.

### **RECOMMENDATION:**

It is recommended that the Board adopt the following motion:

### **MOTION:**

The General Manager is authorized to award Agreement No. 6M5125 to provide Pre-Award Small Business Supportive Services in the amount not to exceed \$3,900,000 and Agreement No. 6M5134 to provide Post-Award Small Business Supportive Services in the amount not to exceed \$4,600,000 to The Allen Group, LLC, subject to the District's protest procedures and the FTA requirements related to protests.