



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>Phil M. Roman</i> 6 FEB 2019		GENERAL MANAGER ACTION REQ'D:		
DATE: 1/23/2019		BOARD INITIATED ITEM: No		
Originator/Prepared by: Gregory Shivy Dept. Maintenance and Engineering <i>Gregory Shivy</i> Signature/Date: 1/31/19	General Counsel <i>[Signature]</i> 2/4/19 []	Controller/Treasurer <i>[Signature]</i> 2/4/19 []	District Secretary []	BARC <i>[Signature]</i> 2.5.2019 []

To Obtain Board Authorization to Award Agreement No. 6M3421, Traffic Control Services for C55 and R65 Interlocking Projects

PURPOSE:

To obtain Board authorization for the General Manager to award Agreement No. 6M3421 to CMC Traffic Control Specialists to provide Traffic Control Services for C55 and R65 Interlocking construction projects.

DISCUSSION:

As part of Measure RR, the C55 Interlocking in Concord and R65 Interlocking in Richmond will be rebuilt starting in April of this year. This track work will require traffic control services to provide flagging and the necessary detours on the adjacent city streets in these work areas. Request for Proposals (RFP) No. 6M3421 was issued for the Traffic Control Services necessary for the duration of these projects.

On October 31, 2018, the District provided advance notice to eleven (11) prospective proposers for RFP 6M3421. On November 1, 2018, RFP 6M3421 was advertised in several Bay Area newspapers and publications, and the RFP documents were posted on the District's Procurement Portal. Seven (7) firms downloaded the RFP through the Procurement Portal. The District held a Pre-Proposal Conference and Networking Session on November 15, 2018 - five (5) firms attended. By the proposal due date, December 11, 2018, two (2) proposals were received by the District from the following firms:

1. CMC Traffic Control Specialists, Inc., San Francisco, CA. ("CMC")
2. Statewide Traffic Safety & Signs, Inc., Fairfield, CA.

The two (2) proposals were reviewed by the Selection Committee (the "Committee"), chaired by Contract Administration and consisting of three (3) representatives from Maintenance & Engineering and one (1) member from the Office of Civil Rights. The RFP method of selection used was Acceptable Technical Proposal Lowest Price (ATPLP). The Committee reviewed the technical proposals for compliance with the four (4) minimum technical requirements set forth in the RFP. The Committee requested clarifications from both Proposers by a date certain and received the clarifications from both Proposers which the Committee determined satisfied the four (4) minimum technical requirements. Subsequently, the proposals were evaluated, reference-checked, and found to both be technically acceptable.

Both Price Proposals were opened and evaluated on January 8, 2019. In accordance with the RFP, the selection is based on the lowest-priced technically acceptable proposal methodology. Price Proposals received are summarized as follows:

PROPOSER:	TOTAL PROPOSAL PRICE:
CMC Traffic Control Specialists, Inc., San Francisco, CA.	\$345,130
Statewide Traffic Safety & Signs, Inc., Fairfield, CA.	\$421,510
Engineer Estimate	\$321,076

CMC was found to have the lowest priced technically acceptable proposal. Its total Proposal Price was found to be fair and reasonable, and within the project's budget. After the review of the Proposer's business experience and financial capabilities, the Proposer was also determined to be responsible.

Pursuant to the District's Non-Federal Small Business Program, the Office of Civil Rights set a 5% Small Business Prime Preference for this Contract for Small Businesses certified by the California Department of General Services (DGS). It was determined that there were no certified Small Businesses certified by the DGS among the responsive Proposers and, therefore, the Small Business Prime Preference is not applicable.

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). CMC 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.

The Selection Committee determined that the Price Proposal submitted by CMC, was fair and reasonable and therefore recommends CMC for award.

FISCAL IMPACT:

Funding in the amount of \$345,130 for award of Agreement No. 6M3421 to CMC is included in the total project budgets for FMS# 15CQ004, Track Mainline C55 Interlocking Replacement, and 15CQ014, Track Mainline R65 Interlocking Replacement.

The two (2) tables below reflect funding assigned to the referenced projects and is included to track funding history against spending authority. Funds needed to meet this request will be expended from the following sources:

Project: 15CQ004 Track Mainline C55 Interlocking Replacement \$172,565.

Fund No.	Fund Description	Source	Amount
802A	2017 Measure RR GOB	BART	5,813,399
Total			\$5,813,399

As of January 23, 2019, \$5,813,399 is the total budget for the Track Mainline C55 Interlocking Replacement project. BART has expended \$153,439, committed \$17,641, and reserved \$17,389 to date. This action will commit \$172,565, leaving an available fund balance of \$5,452,365 in these fund sources for this project.

Project: 15CQ014 Track Mainline R65 Interlocking Replacement \$172,565.

Fund No.	Fund Description	Source	Amount
802A	2017 Measure RR GOB	BART	\$7,425,000
Total			\$7,425,000

As of January 23, 2019, \$7,425,000 is the total budget for the Track Mainline C55 Interlocking Replacement project. BART has expended \$2,803, committed \$0, and reserved \$0 to date. This action will commit \$172,565, leaving an available fund balance of \$7,249,632 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 non-programmed District reserves.

ALTERNATIVES:

The District could reject all Proposals and re-advertise the RFP. However, traffic control services are required to perform this work. There is no assurance that new Proposals would be lower than the amount of the current Proposal received.

RECOMMENDATION:

It is recommended that the Board adopt the following motion.

MOTION:

The General Manager is authorized to award Agreement No. 6M3421 to CMC Traffic Control Specialists for Traffic Control Services for C55 and R65 Interlocking construction projects, for an amount not to exceed \$345,130, pursuant to the notice to be issued by the General Manager and subject to the District's protest procedures.