



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>Robert M. Pomeroy</i> 6 FEB 2019		GENERAL MANAGER ACTION REQ'D:		
DATE: 1/25/2019		BOARD INITIATED ITEM: No		
Originator/Prepared by: Tera Stokes-Hankins Dept: Transportation	General Counsel <i>[Signature]</i> 2/6/19 []	Controller/Treasurer <i>[Signature]</i> 2/6/19 []	District Secretary []	BARC <i>[Signature]</i> 2.6.2019 []
Signature/Date: <i>[Signature]</i> 2/6/19				

Invitation for Bid No. 9051, Purchase of Train Operator Uniforms

PURPOSE:

To obtain Board Authorization for the General Manager to award Invitation For Bid No. 9051, for the procurement of Train Operator Uniforms to Galls, LLC.

DISCUSSION:

The District's current collective bargaining agreement with Amalgamated Transit Union Local 1555 requires that the District provide Train Operators with uniforms on a yearly basis. The uniform items requested in the Invitation For Bid reflect items chosen by the joint union/management uniform committee.

This is a three (3) year estimated quantity contract. Pursuant to the terms of the District's standard estimated quantity contract, the District is required to purchase from the supplier a minimum amount of fifty percent (50%) of the contract bid price. Upon Board approval of this contract, the General Manager will also have the authority to purchase up to one hundred fifty percent (150%) of the contract bid price, subject to funding availability.

The District's Nondiscrimination Program for Subcontracting is not applicable to Invitations for Bid. Accordingly, the Office of Civil Rights did not set Minority Business Enterprise (MBE) and Women Business Enterprise (WBE) Availability Percentages for this IFB.

A notice requesting bids was published on October 9, 2018. On the same day this solicitation was uploaded onto the BART Vendor Portal. Bids were opened on January 8, 2019 and the following two (2) bids were received:

Bidders Total Bid Price:

Grand Total including

Bidder

9.25% Sales Tax *

Galls, LLC

Lexington, KY

(with a local office in San Francisco, CA)

\$767,115.26

Banner Uniform Center

San Francisco, CA

\$843,013.42

Independent cost estimate by BART staff: \$870,621.85.

Staff has determined that the apparent low bidder, Galls, LLC, submitted a responsive bid. Staff has also determined that the bid pricing is fair and reasonable based on bid competition.

Pursuant to the District's Non-Federal Small Business Program, the Office of Civil Rights set a 5% Small Business Prime Preference for this IFB for Small Businesses certified by the California Department of General Services. The apparent low Bidder, Galls LLC, is not a certified Small Business and, therefore, is not eligible for the 5% Small Business Prime Preference. The second low Bidder, Banner Uniform Center is a certified Small Business, making it eligible for the 5% Small Business Prime Preference for this IFB for evaluation purposes. After review by the Office of Civil Rights, and application of the 5% Small Business Prime Preference, the application of the Prime Preference will not alter the award to Galls LLC.

FISCAL IMPACT:

Funding of \$767,115.26 for this three (3) year contract will be provided from the Transportation Department's operating budget. Funds will be budgeted in the Transportation operating budget (Department 0805762 - Budget & Administration, Account 502190 - Uniform Allowance). Total funding for this contract, not to exceed 150% of the contract bid price. The uniforms are to be procured over the contract's three (3) year period at the following estimated annual costs:

FY19 \$191,778.82

FY20 \$191,778.81

FY21 \$383,557.63

\$767,115.26

Funding for FY19 is provided for in the approved FY19 Transportation Department budget. Funding for subsequent years, FY20 and FY21 will be included in the proposed annual operating budget, which is subject to Board approval. This action is not anticipated to have

ALTERNATIVES:

Staff could reject all bids and re-advertise. However, staff considers it unlikely that the District would receive lower bids. This would also require additional time, which would not allow the District to meet its obligation to provide uniforms per the collective bargaining agreement.

RECOMMENDATION:

Based on the analysis by staff and certification by the Controller-Treasurer, the funds are available for this purpose, it is recommended that the Board adopt the motion.

MOTION:

The General Manager is authorized to award Invitation For Bid No. 9051 an estimated quantity contract for the procurement of Train Operator Uniforms to Galls, LLC, for the amount of \$767,115.26, including taxes, pursuant to notification to be issued by the General Manager, subject to compliance with the District's Protest Procedure.