



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>Th M. P...</i> 3 April 2019		GENERAL MANAGER ACTION REQ'D: Approve and forward to Board of Directors		
DATE: 3/11/2019		BOARD INITIATED ITEM: No		
Originator/Prepared by: Samuel Hoffman Dept: M&E, Mechanical Engineering	General Counsel <i>[Signature]</i> 4/1/19 []	Controller/Treasurer <i>Chris Gan</i> 4/2/19 []	District Secretary []	BART <i>[Signature]</i> 4.1.2019 []
Signature/Date: <i>Samuel Hoffman</i> 4/1/19				

Procurement of FRP Access Ladders, IFB 9057

PURPOSE:

To request Board Authorization to Award Invitation for Bid #9057 to Fibergrate Composite Structures, inc., in the amount of \$165,752.13 (including all taxes) for the purchase of Fiber Reinforced Plastic Access Ladders.

DISCUSSION: The Fiber Reinforced Plastic (FRP) access ladders will be used in the District Yards, where means of boarding cars is not available by ramp, stairs or platform. Installed near primary car doors, along the sides of the trains, and at several locations along the storage and transfer track lengths, the ladders will facilitate access to the vehicles by emergency response, train operator and maintenance personnel, for both the existing and future fleets.

This is a twelve (12) month estimated quantity contract. Pursuant to the terms of the District's standard estimated quantity contract, during the term of the Contract the District is required to purchase from the supplier a minimum amount of 50% of the contract bid price. Upon Board approval of this contract, the General Manager will also have the authority to purchase up to 150% of the contract bid price, subject to availability of funding.

A notice requesting bids was published on January 28, 2019, and this solicitation was uploaded onto the BART Vendor Portal on the same day. Correspondence was sent to four (4) prospective bidders inviting them to view the solicitation on the Vendor Portal. Bids were opened on March 5, 2019 and two (2) bids were received:

Bidder (including 9.75% Sales Tax)	Lot Price	Grand Total
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Fibergrate Composite Structures, Inc.	\$151,027.00	\$165,752.13
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Dallas, TX

Aims International, Inc.	\$175,000.00	\$192,062.50
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Houston, TX

Both bids were determined responsive by the Engineer, and both bidders determined responsible.

Independent cost estimate by BART staff: \$200,000.00

CAPITAL FISCAL IMPACT:

Funding in the amount of \$165,752 to award Invitation for Bid #9057 is included in the total project budget for FMS# 54RR002 – M&E Bond Projects - Wet Fire Protection Upgrades

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 source:

Proposed Funding	
F/G 802A – 2017 Measure RR	\$ 6,519,770
TOTAL	6,519,770

As of March 14, 2019, \$6,519,770 is the total budget for this project. BART has expended \$1,013,265, committed \$26,018, and reserved \$2,437,739 to date. This action will commit \$165,752, leaving an available fund balance of \$2,876,996 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.

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

Pursuant to the District's Non-Federal Small Business Program, the Office of Civil Rights set a 5% Local Small Business Prime Preference for this IFB 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. Aims International is not a verified Local Small Business. The lowest responsive Bidder, Fibergrate Composite Structures, is not a verified Local Small Business and, therefore, is not eligible for the 5% Local Small Business Prime Preference, but is still the lowest responsive Bidder.

ALTERNATIVES: To reject all bids and invite new bids for IFB #9057; however, if all bids were to be rejected, it is not expected that the rebid process would produce a different outcome.

RECOMMENDATION: On the basis of analysis by staff certification by the Controller-Treasurer that the funds are available for this purpose, it is recommended that the Board adopt the motion. Further, it is recommended to award the low bid.

MOTION: The General Manager is authorized to award IFB #9057 to Fibergrate Composite Structures, Inc. for an estimated quantity contract for the purchase of fifty (50) FIBER REINFORCED PLASTIC ACCESS LADDERS in the amount of \$165,752.13 including taxes, subject to compliance with the District's protest procedures.