



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>Robert M. Poma</i> 15 May 2019		GENERAL MANAGER ACTION REQ'D: Approve and Forward to the Board		
DATE: 5/1/2019		BOARD INITIATED ITEM: No		
Originator/Prepared by: Balvir Thind Dept: Maintenance and Engineering <i>Balvir Thind</i> Signature/Date: 5-10-2019	General Counsel <i>[Signature]</i> 5/10/19 []	Controller/Treasurer <i>[Signature]</i> 5/10/19 []	District Secretary []	BARC <i>[Signature]</i> 5.13.2019 []

REJECT ALL BIDS ON CONTRACT NO. 15II-120 STATION EMERGENCY LIGHTING

PURPOSE:

To obtain Board authorization for General Manager to Reject all bids on Contract No. 15II-120, Station Emergency Lighting.

DISCUSSION:

This is the second of seven phases to replace Station Emergency Lighting systems across the District. The purpose of this phase, Contract No. 15II-120, is to upgrade the emergency lighting systems at eleven (11) stations Contra Costa and Alameda counties: San Leandro (A40); Bay Fair (A50); Hayward (A60); Rockridge (C10); 12th Street (K10); MacArthur (K30); Downtown Berkeley (R20); North Berkeley (R30); El Cerrito Plaza (R40); Richmond (R60); and Lake Merritt (A10).

The emergency lighting system switches on automatically in the event of a power outage. The system provides at least ninety minutes of lighting on station egress passageways and allows patrons to safely exit the station. The existing emergency lighting systems have been in operation for over twenty years. These systems are generally obsolete, difficult to maintain and are at or near the end of their useful life.

The scope of work requires the Contractor to provide all labor, equipment, material, and services required for installation, testing, commissioning, and connections of station emergency lighting and ensure full compliance with the National Fire Protection Association (NFPA) 101 regulatory requirement in the event of a power failure.

The District provided an Advance Notice to Bidders for 247 prospective bidders on August

3rd, 2018 and Contract Documents were sent to 24 plan rooms. The Contract was advertised on August 9, 2018. A Pre-Bid Meeting was conducted on August 29, 2018 with thirteen (13) prospective bidders. There were two site tours.

A total of two (2) bids were received and publicly opened on October 9, 2018. Tabulation of the Bids, including the Engineer's Estimate is indicated in the Table 1 as follows:

Table 1: Station Emergency Lighting Phase-2 Bid Prices

SilMan Venture Corporation (SilMan Construction)	San Leandro, CA	\$13,789,020.00
Blocka Construction, Inc.	Fremont, CA	\$31,260,200.00
Engineer's Estimate		\$13,700,000.00

SilMan Construction was the lowest, responsive bidder. The Contract was awarded December 06, 2018. Notice of Award (NOA) was sent on December 18, 2018 for request on Bonding, Insurance and Contract Signing Requirements. The District's Insurance department worked diligently with SilMan Construction to assist it in obtaining the required bonds; however, SilMan Construction could not provide the required payment and performance bonds and declined the Contract on January 24, 2019.

District Staff determined that the 2nd bid from Blocka Construction of \$31,260,200 is not consistent with the Engineer's Estimate, exceeding 228%. Awarding the contract is not financially feasible.

Staff analysis on bids shows that District could receive bids at the more reasonable price in line with the available budget if rebid. A re-advertised Contract specification book would be revised to include the feedback from the prospect bidders.

Staff recommends that the Board Rejects all bids and permit Staff to re-advertise the Contract.

FISCAL IMPACT: There is no Fiscal Impact resulting from Rejection of all bids.

ALTERNATIVES:

The alternative would be to attempt to extend time of award to 2nd bidder to award this Contract to Blocka Construction at a cost of \$31,260,200. However awarding this Contract is not financially feasible at this time.

RECOMMENDATION:

Adopt the following motion.

MOTION:

The General Manager is authorized to Reject all bids for Contract No. 15II-120 Station Emergency Lighting and authorized to re advertise the work of this contract.