
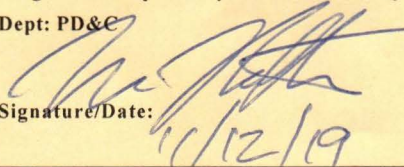
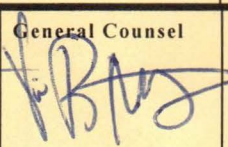
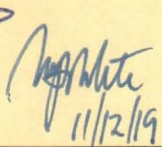
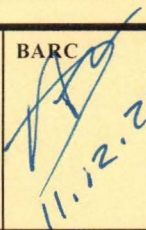




EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL:  11/12/19		GENERAL MANAGER ACTION REQ'D:		
DATE: 10/31/2019		BOARD INITIATED ITEM: No		
Originator/Prepared by: Maurice Rattray Dept: PD&C Signature/Date:  11/12/19	General Counsel  11/12/19 []	Controller/Treasurer  11/12/19 []	District Secretary []	BARC  11.12.2019 []

Award Contract No. 04SF-190, for Antioch Station Expansion Parking Project and Miscellaneous Site Improvements

PURPOSE:

To obtain Board authorization for the General Manager to Award Contract No. 04SF-190, for Antioch Station Expansion Parking Project and Miscellaneous Site Improvements to O.C. Jones & Sons, Inc. of Berkeley, CA and to exercise Option 1 for the Slatten Ranch Rd Interchange Striping Modification and Multi Use Improvements.

DISCUSSION:

BART to Antioch, also referred to as the eBART Project, is an eastward extension of BART service within the median of SR 4 from the existing Pittsburg/Bay Point Station to two new stations in Pittsburg and Antioch. The initial 10-mile segment of the eBART system has been completed to the new terminus station at Antioch and the system began operation in May 2018.

On December 6, 2018, the BART Board of Directors approved the Fourth Addendum to the Final Environmental Impact Report for the eBART project (certified April 2009) pursuant to the California Environmental Quality Act (CEQA) and approved the Revised eBART Project to provide additional parking at the Antioch Station.

Contract No. 04SF-190 provides for the construction of approximately 850 parking spaces at the Antioch Station on a BART-owned parcel, located between the current station parking lot and the Maintenance Facility. It also enhances the existing parking lot and access at the Antioch Station, and will install motorized gates for emergency vehicle access from the

BART Maintenance of Way (MOW) to the Transfer Platform.

This Contract also contains an Option (Option 1) for the relocation of the on-street bike lane within Slatten Ranch Road to an off-street multi-use access path within the Caltrans Right-of-Way (ROW) and includes striping and signals modification within City of Antioch ROW and Caltrans ROW. The City has approved the plans and obtained a Categorical Exemption under CEQA section 15301 (c) – Existing Facilities – because the project involves the repair and maintenance of an existing roadway.

The Contract was advertised on August 8-9, 2019 in various publications. An advance Notice to Bidders for Contract No. 04SF-190 was emailed on August 12, 2019 to nine prospective bidders. The Office of Civil Rights (OCR) notified approximately 223 firms in performing outreach. The Contract was publicly posted on the BART Procurement Portal on August 12, 2019. A total of 50 firms downloaded the Contract Documents. The pre-Bid meeting was held on September 3, 2019 with representatives from approximately 14 firms in attendance. In addition, the Office of Civil Rights conducted a Pre-Bid Matchmaking Session on September 16, 2019 to help introduce Local Small Businesses to potential prime bidders.

Five bids were timely received on October 1, 2019. Tabulation of the Bids is included below, including the Engineer's Estimate.

Bidder Name	Total Base Bid Amount	Total Bid Price (with Options)
O.C. Jones and Sons, Inc. (Berkeley, CA)	\$9,300,000.00	\$9,935,000.00
DeSilva Gates Construction LP (Dublin, CA)	\$9,965,000.00	\$10,495,000.00
A Teichert & Son, Inc. DBA Teichert Construction (Roseville, CA)	\$10,841,768.00	\$11,493,768.00
Ghilotti Construction Company, Inc. (Santa Rosa, CA)	\$11,736,071.00	\$12,212,571.00
Granite Rock Company (San Jose, CA)	\$12,192,000.00	\$12,820,000.00
Engineer's Estimate	\$11,795,000.00	\$12,735,000.00

Review of the Bids by District staff revealed that the apparent low Bidder is O.C. Jones & Sons, Inc. (O.C. Jones). Bid Price evaluation for this Contract is based on Total Bid Price, which is inclusive of all option items. This low Bid is 22% below the Engineer's Estimate.

District staff has determined that O.C. Jones is the lowest bidder. Further review of O.C. Jones' contractor's license(s) and business experience has resulted in a determination that O.C. Jones is a responsive and responsible Bidder.

Pursuant to the District's Non-Discrimination Program for Subcontracting, the Availability Percentages for this Contract are 18.2% for Minority Business Enterprises ("MBEs") and 9.3% for Women Business Enterprises ("WBEs"). O.C. Jones & Sons, Inc. committed to 17.9% MBE and 3.8% WBE participation but did not meet either the MBE or WBE Availability Percentages; therefore, O.C. Jones & Sons, Inc. was requested to provide the Office of Civil Rights with supporting documentation to determine if it had discriminated on the basis of race, national origin, color, gender or ethnicity. Based on the review of the information submitted by O.C. Jones & Sons, Inc., the Office of Civil Rights found no evidence of discrimination.

Pursuant to the District's Non-Federal Small Business Program, the Office of Civil Rights set a 19% Local Small Business (LSB) Subcontractor Participation Goal for this Contract. Bidders who meet the LSB Subcontractor Participation Goal are eligible for an LSB Preference of 7% of the lowest responsive Bidder's Bid, up to a cap of \$150,000. The Office of Civil Rights determined that O.C. Jones & Sons, Inc. committed to subcontracting 8.4% to LSBs. Although O.C. Jones & Sons, Inc. did not meet the LSB Subcontractor Participation Goal and is not eligible for the Bid Preference, it is still the low Bidder.

FISCAL IMPACT:

Funding in the amount of \$9,935,000 for award of Contract No. 04SF-190 is included in the total Project budget for FMS #04SF190 – eBART Additional Parking Lot.

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 sources:

Fund Group	Amount
Various Local Grant Sources	\$ 8,696,582
Measure RR Funds	\$ 7,450,000
BART Operating Allocation to Capital	\$ 482,000
Total	\$ 16,628,582

As of 11/08/2019, \$16,628,582 is the total budget for this project. BART has expended \$1,147,353, committed \$1,331,800 and reserved \$0 to date. This action will commit \$9,935,000 leaving an available fund balance of \$4,214,429 in these fund sources for this project.

The Office of the 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.

ALTERNATIVES:

The Board may decline to authorize award of the Contract and reject all Bids. If this Contract is re-advertised, there is no assurance that new Bids would be lower than the amount of the current Bids received. If the Contract is not awarded, additional parking at the Antioch Station will not be constructed.

RECOMMENDATION:

It is recommended that the Board adopt the following motion:

MOTION:

The General Manager is authorized to award Contract No. 04SF-190, for Antioch Station Expansion Parking Project and Miscellaneous Site Improvements to O.C. Jones & Sons, Inc of Berkeley, CA for the amount of \$9,300,000.00, subject to the District's protest procedures, and to exercise Option 1 for the Slatten Ranch Rd Interchange Striping Modification and Multi Use Improvements for the Total Option 1 Bid Price of \$635,000.00. Total Contract amount is \$9,935,000.00.