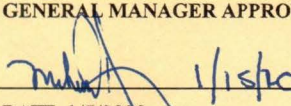
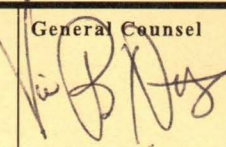
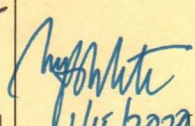
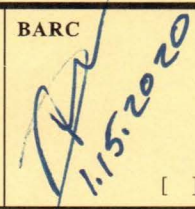




# EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL:  1/15/20		GENERAL MANAGER ACTION REQ'D: Approve and forward to Board		
DATE: 1/7/2020		BOARD INITIATED ITEM: No		
Originator/Prepared by: Patrick Quinn Dept: Extensions	General Counsel 	Controller/Treasurer 	District Secretary	BARC 
Signature/Date: Patrick Quinn 1/15/20	1/15/20 [ ]	1/15/2020 [ ]	[ ]	1.15.2020 [ ]

## Reject all Bids for Contract Number 11FE-110, Embarcadero Station Platform Elevator Capacity and Redundancy Project

### PURPOSE:

To request Board Authorization to reject all Bids received for Contract No. 11FE-110, Embarcadero Station Platform Elevator Capacity and Redundancy Project.

### DISCUSSION:

Contract No. 11FE-110, Embarcadero Station Platform Elevator Capacity and Redundancy Project, is for the procurement and installation of a new concourse to platform elevator at the North end of the Embarcadero Station and modifications to accommodate customer access to the new elevator. The existing concourse to platform elevator will be modernized along with the construction of a new elevator machine room located on the MUNI Metro platform of the station. The existing North and South end stairs will be removed and new stairs will be installed. A Bid Option is included to install one set of stairs from the concourse to the MUNI Metro platform that would be exercised upon request and funded from MUNI Metro.

Advance Notice to Bidders was mailed on September 10, 2019, to eight (8) firms. The Contract was Advertised on September 17, 2019 and Contract Books were posted to the BART Procurement Portal, where it was sent to two hundred thirty-four (234) additional prospective Bidders. A total of thirty-five (35) online plan holders downloaded the Bid Documents. A Pre-Bid Meeting was held on October 9, 2019 with a total of thirty (30) potential Bidders attending. A site tour was held following the Pre-Bid Meeting on October 2, 2019. Three (3) Addenda to the Contract were issued. Bids were opened publicly on November 19, 2019. Two (2) Bids were received.



The Bid submitted by Rodan Builders, Inc., contained arithmetical errors in the Bid Item totals and/or in the total Bid Price. Instructions to Bidders, Paragraph 16.B, Evaluation, provides that item totals are provided by the Bidder for the convenience of the District, and that the District will calculate the total Bid Price based on the unit prices or lump sum prices bid, as applicable. In the event of a discrepancy between the District's calculations and the item totals for all Bid Items as submitted by the Bidder, the District's calculations shall govern. Tabulation of the corrected Bids (including the Option Bid Item), and the Engineer's Estimate, is as follows:

<b>BIDDER/LOCATION</b>	<b>TOTAL BASE BID</b>	<b>OPTION 1</b>	<b>TOTAL BID PRICE</b>
Rodan Builders, Inc., Hayward, CA	\$14,685,350	\$800,000	\$15,285,350
Proven Management, Inc., Oakland, CA	\$16,559,413	\$1,550,000	\$18,109,413
Engineer's Estimate	\$8,847,700	\$247,300	\$9,095,000

Review of the Bids by District staff revealed that the low bidder's bid is \$6,190,350 over the Engineer's estimate and exceeds the project budget.

The following were key contributors to Bid prices far above the Engineer's Estimate:

- Less competition due to a saturated job market
- One elevator subcontractor submitted bids to both Bidders
- One steel subcontractor submitted bids to both Bidders
- Bid prices were not consistent with current steel pricing trends
- Contractors' markup of subcontractor's prices, in some cases, were as high as 130%

Staff recommends that the Board reject all Bids. Staff will be re-evaluating the Contract requirements with respect to elevator and stair construction and better understand the risks involved with the work to ensure the Bid Documents are more clearly defined and accurate. Staff will also determine if the work scope can be repackaged and re-advertised in order to attract more favorable bids for the District.

**FISCAL IMPACT:**

There is no fiscal impact as a result of rejecting all Bids.



**ALTERNATIVES:**

The Board can elect to award this Contract. However, additional funding will need to be identified to address the difference between the low Bid received and the Engineer's Estimate.

**RECOMMENDATION:**

Staff recommends that the Board approve the following Motion:

**MOTION:**

All Bids for Contract No.11FE-110, Embarcadero Station Platform Elevator Capacity and Redundancy Project, are rejected and the General Manager is authorized to re-advertise the Contract.