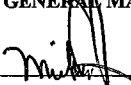

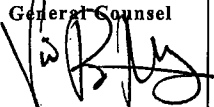
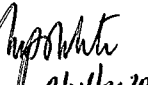
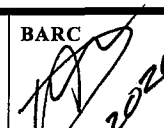




## EXECUTIVE DECISION DOCUMENT

<b>GENERAL MANAGER APPROVAL:</b>  2/19/2020 <b>DATE:</b> 1/23/2020		<b>GENERAL MANAGER ACTION REQ'D:</b> Approve and Send to Board		
<b>Originator/Prepared by:</b> Linda Lee <b>Dept:</b> Maintenance and Engineering  <b>Signature/Date:</b> 2/14/2020		<b>General Counsel</b>  2/14/2020	<b>Controller/Treasurer</b>  2/14/2020	<b>District Secretary</b> [ ]
			<b>BARC</b>  2.18.2020	[ ]

### To Request for Board Authorization to Award Bid #9074-A Assisted Lift Retractable Bollards

**PURPOSE:** To obtain Board authorization for the General Manager to award Invitation for Bid Number 9074-A, Procurement of Assisted Lift Retractable Bollards, to Delta Scientific Corporation., of Palmdale, CA for the Bid Price of \$423,248.90.

**DISCUSSION:** This Contract is for procurement of assisted lift retractable bollards to be installed as part of the Installation of Safety Barriers and Right of Way Fencing Systemwide, Phase III Project. These bollards will increase safety and security by deterring vehicle intrusion into the BART operating envelope.

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 November 12, 2019. On the same day, this solicitation was uploaded onto the BART Vendor Portal. Correspondence was sent to six (6) prospective bidders inviting them to view the solicitation on the Vendor Portal. Bids were opened on December 17, 2019 and one (1) bid was received.

<b>BIDDER</b>	<b>LOCATION</b>	<b>GRAND TOTAL PLUS 9.75% TAX</b>
Delta Scientific Corp.	Palmdale, CA	\$423,248.90
Engineer's Estimate		\$457,000.00

After review by District staff, the Bid submitted by Delta Scientific Corp. was deemed responsive to the solicitation. Furthermore, a review of Delta Scientific Corp.'s license, business experience, and financial capabilities has resulted in a determination that Delta Scientific Corp. is responsible. Staff has also determined that Delta Scientific Corp.'s total Bid price of \$423,248.90 is fair and reasonable.

This Invitation for Bid (IFB) was advertised pursuant to the District's Disadvantaged Business Enterprise ("DBE") Program requirements. The Office of Civil Rights reviewed the scope of work for this IFB and determined that there were no DBE or SBE subcontracting opportunities; therefore, no DBE or SBE participation goal was set for this IFB.

**FISCAL IMPACT:**

Funding in the amount of \$423,248.90 for IFB#9074-A is included in the total project budget for FMS# 15QN000 – Safety Barriers Phase 3.

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:

<b>Proposed Funding</b>	
F/G 3602 - FY13 CA-54-0007	189,902.01
F/G 802A - 2017 Measure RR GOB	343,437.27
F/G 802B - 2019 Measure RR GOB	2,656,562.73
F/G 851W - FY07-11 Capital Allocation	47,473.50
F/G 8532 - FY 2018 Operating Cap Allocation	200,000.00
<b>TOTAL</b>	<b>3,437,375.51</b>

As of January 21, 2020, \$3,437,375.51 is the total budget for this project. BART has expended \$820,527.67, committed \$1,424,385.17, and reserved \$101,562.33 to date. This

To obtain Board authorization for the General Manager to award Bid No. 9074-A

action will commit \$423,248.90, leaving an available fund balance of \$667,651.44 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.

**ALTERNATIVE:** The Board may elect to reject the Bid and re-advertise the work of this Contract. There is no assurance that re-bid would increase the number of bidders or result in any lower bids. Failure to proceed with the Contract would delay the bollard installation work, which will leave maintenance of ways at risk to vehicle intrusion.

**RECOMMENDATION:** It is recommended that the Board adopt the following motion:

**MOTION:** The General Manager is authorized to award IFB No. 9074-A, Procurement of Assisted Lift Retractable Bollards, to Delta Scientific Corporation., for the Bid price of \$423,248.90 pursuant to notification to be issued by the General Manager and subject to compliance with the District's Protest Procedures.