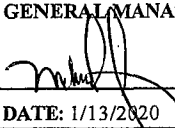

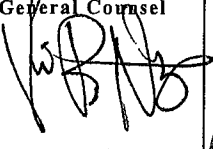
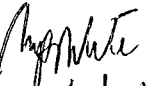
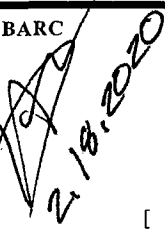




EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL:  2/14/2020		GENERAL MANAGER ACTION REQ'D:		
DATE: 1/13/2020		BOARD INITIATED ITEM: No		
Originator/Prepared by: R. Elliott Vantrease Dept: Maintenance and Engineering Signature/Date:  02/14/2020	General Counsel  2/14/20 []	Controller/Treasurer  2/14/2020 []	District Secretary []	BARC  2/18/2020 []

Authorize Contract Change Order to Contract No. 6M4549 for the Relocation Support of M&E Capital Projects

PURPOSE:

To authorize the General Manager to execute a Contract Change Order No. 4 to Contract No. 6M4549 Emergency Restoration, Preventive Maintenance, Non-Emergency Repair and Seismic Relocation Work of the Commercial Fiber Optic and Wireless Network with Phase 3 Communications, Inc. for a total amount not to exceed \$750,000.

DISCUSSION:

On April 25, 2019 the Board authorized the General Manager to award Contract No. 6M4549 to Phase 3 Communications, Inc. for the Base Bid amount of \$1,561,814. This contract provided emergency restoration services and maintenance services for the Commercial Communications Revenue Program (formerly known as the Commercial Telecommunication Revenue Program).

This change order to the Phase 3 Communications, Inc. contract for an amount not to exceed \$750,000 is required to accommodate relocation of commercial communications infrastructure. This work is necessary to accomplish certain Measure RR funded projects. No time extension is necessary to accommodate this work.

The District is replacing track interlockings and miles of 34.5kV cable segments. The District has identified vital communications infrastructure that must be relocated. Relocation of fiber infrastructure requires work by specialized technicians to ensure maintainability and reliability of the fiber cables and network infrastructure.

The Office of the General Counsel will approve the Change Order as to form.

FISCAL IMPACT:

CAPITAL FISCAL IMPACT:

Project 15CQ008:

Funding in the amount of \$100,000 for Change Order No. 4 to Contract No. 6M4549 is included in the total project budget for FMS# 15CQ008 –Track Rail and Fasteners K-Line Interlocks K23, K25,K33,C15.

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 GOB	\$542,158
F/G 802B – 2019 Measure RR GOB	112,705,348
TOTAL	\$113,247,506

As of January 10, 2020, \$113,247,506 is the total budget for this project. BART has expended \$2,320,439, committed \$7,996,796, and reserved \$0 to date. This action will commit \$100,000, leaving an available fund balance of \$102,830,271 in these fund sources for the project.

Project 15CQ011:

Funding in the amount of \$100,000 for Change Order No. 4 to Contract No. 6M4549 is included in the total project budget for FMS# 15CQ011 – A65/A75 Interlocking (Replacement).

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 GOB	135,461
F/G 802B – 2019 Measure RR GOB	33,564,539
TOTAL	33,700,000

As of January 10, 2020, \$33,700,000 is the total budget for this project. BART has expended \$224,054, committed \$426,487, and reserved \$16,883,964 to date. This action will commit \$100,000, leaving an available fund balance of \$16,065,494 in these fund sources for the project.

Project 15EJ450:

Funding in the amount of \$550,000 for Change Order No. 4 to Contract No. 6M4549 is included in the total project budget for FMS# 15EJ450 –TRACTION POWER M-Line 34.5 KV Replace Ph.II.

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 3602 - FTA CA-54-0007-00 FY13 Cap Imp	\$1,120,000
F/G 3603 - FTA 5337 CA-54-0023-00	400,000
F/G 6302 - B-Toll AB664 FY12-13, in re:13408004	80,000
F/G 851W BART FY07-11 Operating Cap Allocation	200,000
F/G 8525 BART FY2013 Operating Cap Allocation	100,000
F/G 802A – 2017 Measure RR GOB	14,839,459
F/G 802B – 2019 Measure RR GOB	102,294,541
TOTAL	\$119,034,000

As of January 10, 2020, \$119,034,000 is the total budget for this project. BART has expended \$31,976,154, committed \$60,831,157, and reserved \$0 to date. This action will commit \$550,000 leaving an available fund balance of \$25,676,688 in these fund sources for the 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.

ALTERNATIVES:

To not authorize the Contract Change Order would cause significant delays to the ongoing replacement works for 34.5kV cabling and track interlockings.

RECOMMENDATION:

Adoption of the following motion.

MOTION:

The General Manager is authorized to execute and Contract Change Order to Contract No. 6M4549 Emergency Restoration, Preventive Maintenance, Non-Emergency Repair and Seismic Relocation Work of the Commercial Fiber Optic and Wireless Network in an amount not to exceed \$750,000.