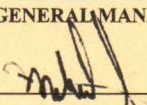
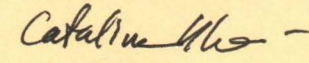
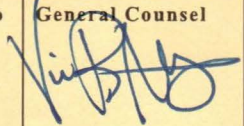
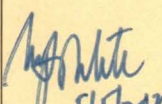
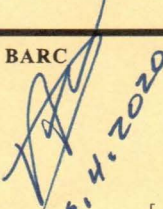




EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL:  5/6/2020		GENERAL MANAGER ACTION REQ'D: Notify the Board as recommended herein.		
DATE: 3/23/2020		BOARD INITIATED ITEM: No		
Originator/Prepared by: Catalina Espino Dept: Maintenance and Engineering  Signature/Date: 4/28/2020	General Counsel  5/4/20 []	Controller/Treasurer  5/5/2020 []	District Secretary []	BARC  5.4.2020 []
Status: Routed		Date Created: 3/23/2020		

Authorize the General Manager to Execute Change Order No. 33 to Contract No. 09AF-111A, TBT Cross Passage Doors Replacement

PURPOSE:

To authorize the General Manager to execute Change Order No. 33 to Contract No. 09AF-111A, TBT Cross Passage Doors Replacement Project, in the amount of \$1,200,000.00 for Door Replacement Re-Sequencing and to compensate the Contractor for District caused delays.

DISCUSSION:

On June 14, 2018, the Board of Directors authorized the General Manager to award Contract No. 09AF-111A, TBT Cross Passage Doors Replacement Project, to DMZ Builders of Concord, CA, for \$6,388,000. The work of this Contract is to provide all labor, equipment, materials and services necessary to remove and replace one hundred eighteen (118) cross passage doors in the Transbay Tube (TBT) and the associated transition structures at each end and to furnish two (2) cross passage doors and hardware for installation by others. The Contract also includes two Options for the retrofit and improvement of the cross-passage doors' remote monitoring system from Central Control. Option A requires the Contractor to provide all labor, material and equipment for this work, while Option B requires the Contractor to only deliver the material and equipment to the District for installation by others. The District has exercised Option A.

Change Order No.33 for \$1,200,000.00 is required to compensate the Contractor for District caused delays. The construction timeline and work area of multiple Contracts coincided in the narrow and confined spaces of the TBT. DMZ and the BART construction management team have made diligent efforts to mitigate accessibility conflicts in the work area with, among others, the TBT Seismic Retrofit construction management team and its Contractor. The District created a number of daily access limitations for DMZ which resulted in sporadic and unplanned direct work stoppages causing delays to DMZ's work.

The forecast amount of the Change Order No. 33 is \$1,200,000.00:

Total Base Bid Amount:	\$6,388,000
Other Contingency:	\$626,024
Change Order No. 33:	\$1,200,000
Revised Contract Amount:	\$1,826,024

Pursuant to Board Rule 5-2.3, Change Orders involving expenditures greater than \$200,000 require Board approval. The Procurement Department will review this Change Order prior to execution for compliance with procurement guidelines. The Office of General Counsel will approve the Change Order as form prior to execution.

FISCAL IMPACT:

The total amount of \$1,200,000 for Change Order No.33 is included in the total project budget for 09AF002, TBT CROSS PASSAGE DOOR 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 sources:

Proposed Funding	
802A - 2017A Measure RR GOB #1	\$ 6,883,110
802B - 2019B Measure RR GOB #2	\$ 5,560,106
TOTAL	\$ 12,443,216

As of March 18, 2020, \$12,443,216 is the total budget for this Project. BART has expended \$9,343,747 committed \$828,452 and reserved \$212,871 to date. This action will commit \$1,200,000 leaving an available fund balance of \$858,146 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 un-programmed District reserves.

ALTERNATIVES:

The Board may elect not to authorize the General Manager to execute Change Order No.33 Door Replacement Re-Sequencing. Failure to issue this Change Order will likely lead to claims from DMZ, and increasing the final cost to the District.

RECOMMENDATION:

Recommend that the Board approve the following motion:

MOTION:

The General Manager is authorized to execute Change Order No.33 Door Replacement Re-Sequencing for Contract No. 09AF-111A, TBT Cross Passage Doors Replacement Project, in the amount of \$1,200,000.00.