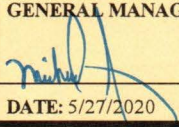
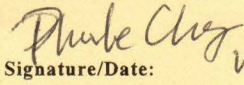
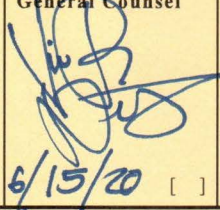
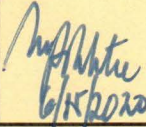




EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL:  6/18/2020		GENERAL MANAGER ACTION REQ'D:		
DATE: 5/27/2020		BOARD INITIATED ITEM: Yes		
Originator/Prepared by: Christopher Wasilewski Dept: Strategic Engineering  for Chris Wasilewski Signature/Date: 6/15/2020	General Counsel  6/15/20 []	Controller/Treasurer  6/15/2020 []	District Secretary []	BARC []
Status: Approved		Date Created: 5/27/2020		

Award of IFB 9086 for Backhoes, Excavators, Telehandlers, and Trailers

PURPOSE:

To request Board authorization for the General Manager to award IFB 9086 to Sonsray Machinery, San Leandro, CA, to provide backhoes, excavators, telehandlers, and trailers for an amount of \$1,118,219.98.

DISCUSSION:

The District needs to replace existing backhoes, excavators, telehandlers, and trailers, that are nearing or at the end of their useful life. This equipment is becoming less reliable due to normal deterioration and age, creating increased maintenance costs and an increased maintenance burden. Procuring new construction equipment is essential to providing support for the District's Track, Ground and Structures forces to maintain the system in a state of good repair.

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 April 28, 2020. On the same day, this solicitation was uploaded onto the BART Vendor Portal. Correspondence was sent to four (4) prospective bidders inviting them to view the solicitation on the Vendor Portal. Bids were opened on May 19, 2020 and three (3) bids were received.

Bidder	Lot Price	Grand Total Including 9.25% Sales Tax
Sonsray Machinery San Leandro, CA	\$1,023,542.32	\$1,118,219.98
Pape Machinery* Newark, CA	\$1,007,473.33	\$1,100,664.61
RCE Equipment *	\$1,201,700.00	\$1,312,857.25
Engineer's Estimate	--	\$941,735.00

*Note: Denotes Non-Responsive Bidder

District staff determined that Pape Machinery, the apparent low bidder, was nonresponsive due to material defects in its bid. As a result, Sonsray Machinery was determined to be the lowest responsive bidder. Sonsray's total bid price of \$1,118,219.98 was found to be fair and reasonable based upon the independent cost estimate and a market survey of qualified suppliers.

The winning Bid from Sonsray which consist of 11 vehicles (4 different types), is above the Engineer's Estimate by 18.7%. The Engineer's Estimate was based on historical pricing, price escalation and evaluation of the cost of these various vehicles across multiple makes/models that would meet the technical specifications. Post-bid analysis shows significant price difference of the same equipment between bidders, suggesting equipment that meet the terms of the technical specifications have varying levels of quality and capabilities, depending on the model and the brand, and thus the difference in price point.

The funds shown below in the Capital Fiscal impact statement are allocated for various vehicle or equipment procurements. This funding will be used to support the replacement of the equipment nearing the end of its useful life. The FTA funds are from FY 2015 Capital Improvements, and the 20% match is from FY 2014 Operating Allocation to Capital and the local/regional funds such as MTC programs such as Bridge Toll.

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 \$1,118,220 for Bid # 9086 is included in the total Project budget

for FMS #15TD000 – Wayside Equipment.

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
BART Operating Allocation to Capital	12,166,676
Federal Fund Sources	55,172,348
Local Fund Sources	3,291,572
Total	70,630,596

As of 06/15/2020, \$70,630,596 is the total budget for this project. BART has expended \$46,822,433, committed \$16,692,872, and reserved \$3,064,073 to date. This action will commit \$1,118,220 leaving an available fund balance of \$2,932,998 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 could not award IFB 9086. However, by not awarding this contract the District will be unable to fully support critical operating and infrastructure initiatives which will increase the burden on Maintenance in maintaining the system in a good state of repair and will likely result in higher maintenance cost and increased downtime of current equipment.

RECOMMENDATION:

On the basis of analysis by staff certification by the Controller-Treasurer that the funds are available for this purpose, it is recommended that the Board adopt the following motion.

MOTION:

The General Manager is authorized to award IFB 9086 for backhoes, excavators, telehandlers, and trailers to Sonsray Machinery in San Leandro, CA for an amount of \$1,118,219.98, pursuant to notification to be issued by the General Manager, and subject to

compliance with the District's protest procedures, and FTA's requirements related to protest procedures.