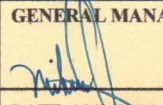
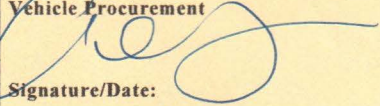
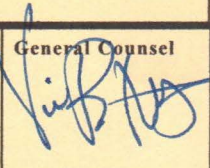
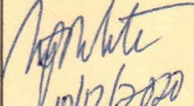
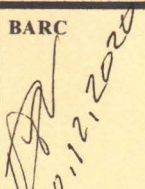




EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL:  10/14/2020		GENERAL MANAGER ACTION REQ'D: Approve and Forward to Board of Directors		
DATE: 10/2/2020		BOARD INITIATED ITEM: No		
Originator/Prepared by: Ana Maria Maxey Dept: Rolling Stocks and Shops - New Vehicle Procurement  Signature/Date: 10/8/2020	General Counsel  10/12/20 []	Controller/Treasurer  10/12/2020 []	District Secretary []	BARC  10.12.2020 []

Authorization for Change Order No.047 - Changes to the Bicycle and Luggage Area under Contract No. 40FA-110, Procurement of Transit Vehicles

PURPOSE:

To obtain Board authorization for the General Manager to execute Change Order No. 047, Change to the Bicycle and Luggage Area in the amount of \$1,366,851.78 plus applicable escalation and sales tax, to Contract No. 40FA-110, Procurement of Transit Vehicles.

DISCUSSION:

On May 10, 2012, the Board authorized award of the Contract to Bombardier Transit Corporation (Bombardier) for the Base Contract of 260 vehicles at the price of \$630,502,694, and Option 1 for 150 vehicles at a price of \$265,832,100, plus applicable tax and escalation. Staff returned to the Board on October 24, 2013 to request Board authorization for the General Manager to execute a change order to Contract No. 40FA-110, Procurement of Transit Vehicles with Bombardier, to exercise Options 2, 3 and 4 totaling 365 vehicles, for a total price of \$638,983,330, plus applicable tax and escalation.

The District conducted a survey concerning the bike space provided on the FOTF trains, 40,000 riders participated in this survey between the months of January 2018 and January 2019. Based on customer feedback and direction from BART's Board of Directors, the project has worked on a solution to replace the three-bicycle rack with a horizontal bar bike rack and add a second bicycle priority area to all FOTF cab and non-cab cars.

Modification of the Bicycle and Luggage area will include the removal of the bike rack and 4 seats, which will be replaced by 2 Bike Bars mounted on the side wall with straps to tie bicycles.

Change Order No. 047 will compensate Bombardier in the amount of \$1,366,851.78 plus escalation and sales tax.

Pursuant to Board Rule 5-2.3, any Change Order involving an expenditure greater than \$500,000 requires Board approval.

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

The Procurement Department will review this Change Order for conformance with its Procedures prior to execution.

FISCAL IMPACT:

Funding in the amount of \$1,500,120 (\$1,366,852 plus 9.75% of sales tax) for Change Order No. 47 is included in the total Project budget for FMS #40FA001 – Rail Car Procurement.

The table below lists funding assigned to the referenced project and is included to track funding history against spending authority. As of October 2, 2020, the following fund sources have been secured out of the total project budget of \$2.470 billion:

Source	Funding
BART	261,319,016
Federal	266,913,455
State	160,173,570
Regional	275,704,979
VTA	189,829,768
Total	1,153,940,788

The following is the project expenditures summary as of October 2, 2020, for the Rail Car Procurement project:

Total Project Estimate	2,469,793,374
------------------------	---------------

Change to the Bicycle and Luggage Area on FOTF Vehicles

Expenses To-Date	758,077,104
Encumbrances	1,204,137,359
Reserved	-
This Action	1,500,120
Remaining Balance	506,078,792

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:

Decline to approve the Change Order. The work will have to be performed at a later date under a separate advertised contract.

RECOMMENDATION:

It is recommended that the Board adopt the following motion.

MOTION:

The General Manager is authorized to execute Change Order No. 047 for changes to the FOTF' Bicycle and Luggage Areas under Contract No. 40FA-110, Procurement of Transit Vehicles, in the not-to-exceed amount of \$1,366,852, plus applicable escalation and sales tax.

EXECUTIVE DECISION DOCUMENT

ATTACHMENT #1

CHANGE ORDER SUMMARY

BACKGROUND

Name of Contractor: Bombardier Transportation Inc
Contract No./NTP: 40FA110
Contract Description: Procurement of 775 new transit vehicles
Percent Complete as of 10/22/2020 33%

<u>COST</u>	<u>% of Award</u>	<u>CO Totals</u>	<u>Contract Amount</u>
Original Contract Award Amount:	100%	N/A	\$1,535,318,124.00
Change Orders:	0.42%	\$6,469,056.00	\$1,541,787,180.00
Other than Board Authorized COs:	0.10%	\$1,525,756.31	\$1,543,312,936.31
Pending Change Order #47	0.09%	\$1,366,851.78	\$1,544,679,788.09
Subtotal of all Change Orders:	0.61%	\$9,361,664.09	N/A
Revised Contract Amount:	100.61%	N/A	\$1,544,679,788.09

SCHEDULE

Original Contract Duration: 10/27/2025

Time Extension to Date:0

**Time Extension Due to
Approved COs:** 0

**Revised Contract
Duration:**10/27/2025

SUMMARY REASON FOR THIS CHANGE ORDER:

Replace the Bike rack and four seats with bike bars and straps to hold bikes in place. There will be two spaces per car at opposite ends of each car.