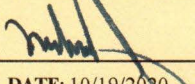
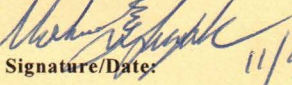

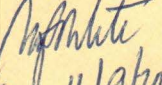
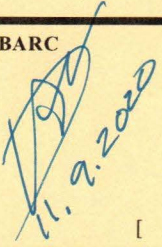




## EXECUTIVE DECISION DOCUMENT

<b>GENERAL MANAGER APPROVAL:</b>  11/10/2020		<b>GENERAL MANAGER ACTION REQ'D:</b> Authorization to Award of Contract 20LZ-130A Train Control Room Battery Replacement, Phase 3 to Rosendin Electric, Inc.		
<b>DATE:</b> 10/19/2020		<b>BOARD INITIATED ITEM:</b> No		
<b>Originator/Prepared by:</b> Mohamad Fararjeh <b>Dept:</b> Strategic Engineering  <b>Signature/Date:</b> 11/9/2020	<b>General Counsel</b>  11/9/20	<b>Controller/Treasurer</b>  11/9/2020 [ ]	<b>District Secretary</b> [ ]	<b>BARC</b>  11.9.2020 [ ]

### To Obtain Authorization to Award Contract No. 20LZ-130A Train Control Room Battery Replacement, Phase 3

#### PURPOSE:

To obtain Board Authorization for the General Manager to award Contract No. 20LZ-130A for the Train Control Room Battery Replacement, Phase 3, to Rosendin Electric, Inc. of San Jose, CA for the Bid amount of \$4,642,814.94.

#### DISCUSSION:

The District's train control room battery systems provide emergency power to essential train control and communications systems for reliable revenue service. The batteries are a major component of an uninterruptible power supply (UPS) which provides continuous and uninterruptible power to essential loads in the event of utility power loss. The batteries are beyond their designed life and are no longer able to hold a charge for a significant length of time. A utility power disruption could result in a loss of train control computer operations.

This Contract is for the upgrade of existing Train Control Room Battery Systems in twenty (20) locations throughout the system. This is the third and final phase of the train control battery system replacements systemwide. The Contract scope requires the Contractor to provide and install an all-new battery system consisting of batteries, battery rack, remote monitoring system, hydrogen sensor alarm, cabinets, disconnect switches, and associated accessories. This includes the replacement of associated



conduits and conductors as well as the removal and disposal of the existing battery systems.

The Contract was publicly advertised on August 13-14, 2020 in three publications. Notice to Bidders for this Contract was emailed on August 20, 2020 to thirteen prospective bidders. The Office of Civil Rights (OCR) notified approximately 460 firms in performance of their outreach for the procurement of this Contract. A Pre-Bid meeting was conducted on September 9, 2020 with representatives from approximately six firms in attendance.

Five Bids were received on October 6, 2020. The Bid prices and the Engineer's Estimate are listed below.

	<b>Bidder Name</b>	<b>Total Bid Price</b>
1	Rosendin Electric, Inc. (San Jose, CA)	\$4,642,814.94*
2	Icenogle Construction Management, Inc. (San Francisco, CA)	\$5,275,633.00*
3	Blocka Construction, Inc. (Pleasanton, CA)	\$5,788,000.00
4	Rubecon Builders, Inc. (San Francisco, CA)	\$6,121,350.00
5	Cupertino Electric, Inc. (San Jose, CA)	\$6,400,304.00
	Engineer's Estimate	\$5,065,821.00

\* Price corrected due to minor miscalculation(s) by Bidder

Bid price evaluation for the procurement of this Contract is based on Total Bid Price. District staff has determined that Rosendin Electric, Inc. ("Rosendin") is the lowest Bidder. Further review of Rosendin's contractor's license, business experience, and financial capabilities has resulted in a determination that Rosendin is a responsive and responsible Bidder.

The Total Bid Price, as submitted by Rosendin, of \$4,642,814.94 is approximately 8.4% below the Engineer's Estimate of \$5,065,821.00.

This Contract 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 Contract and determined that there were DBE subcontracting opportunities; therefore, a DBE participation goal of 16% was set for this Contract.



The low Bidder, Rosendin Electric, Inc. committed to subcontracting 16.4% to DBEs. The Office of Civil Rights has determined that Rosendin Electric Inc. has met the DBE participation goal set for this Contract.

**FISCAL IMPACT:**

Funding in the amount of \$4,642,815 for Contract No. for 20LZ-130A, Train Control Room Battery Systems Replacement, Phase 3 is included in the total project budget for 20LZ100, Train Control Room Battery Systems 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:

<b>Proposed Funding</b>	
F/G 3015,353K,353M – FTA Award Sources	5,431,674
F/G 6017 – MTC Bridge Toll Sources	25,466
F/G 8530, 8531, 8532–FY16, 17 & 18 Operating to Cap Alloc	6,619,090
<b>TOTAL</b>	<b>12,076,230</b>

As of October 14, 2020, \$12,076,230 is the total budget for this project. BART has expended \$3,684,341, committed \$65,480, and reserved \$0 to date for other actions. This action will commit \$4,642,815, leaving an available fund balance of \$3,683,594 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.

**ALTERNATIVES:**

The alternative is not to replace the remaining train control room battery systems at this time. This would leave the BART Train Control System vulnerable to power failures and possible shutdowns impacting revenue service.



**RECOMMENDATION:**

Adopt the following motion.

**MOTION:**

The General Manager is authorized to award Contract No. 20LZ-130A for Train Control Room Battery Replacement to Rosendin Electric, Inc. for an amount of \$4,642,815, pursuant to a notification to be issued by the General Manager, subject to compliance with the District's Protest Procedure and FTA's requirements related to protests.