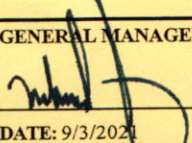
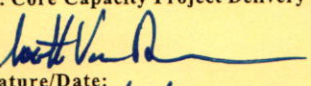

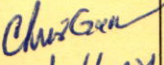
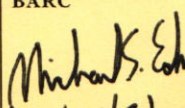




EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL:  9/15/21		GENERAL MANAGER ACTION REQ'D: N/A		
DATE: 9/3/2021		BOARD INITIATED ITEM: Yes		
Originator/Prepared by: Scott Van Dussen Dept: Core Capacity Project Delivery  Signature/Date: 9/13/2021	General Counsel  9/13/2021 []	Controller/Treasurer  9/14/2021 []	District Secretary []	BARC  9/14/21 []

Reject All Bids for Contract No. 49GH-130, Train Control System Modernization Program Enabling Works

PURPOSE:

To obtain Board authorization for the General Manager to reject all bids for Contract No. 49GH-130, Train Control System Modernization Program Enabling Works Contract.

DISCUSSION:

Contract No. 49GH-130 provides for the replacement of the 50- year-old power cable running between train control rooms throughout the District to station PG&E panels, as well as the replacement of power and communication cable between train control rooms and switch machines along wayside interlockings throughout legacy train control areas between Daily City, Richmond, Concord, and Fremont. This Contract is part of the BART Train Control Modernization Program under the Core Capacity Program to enable the installation of a new Communications Based Train Control (CBTC) system throughout the District.

The District provided advanced notice on March 19, 2021 to 111 prospective A or C-10 licensed contractors. One (1) plan holder purchased plans for this Contract. A Pre-Bid Meeting and Site Tour with 43 contractors in attendance was conducted on March 30, 2021 with eight (8) potential Bidders in attendance. Four (4) Addenda to the Contract were issued.

A total of two (2) Bids were received and publicly opened on May 18, 2021. Listed below is a tabulation of the Bids. The Bids were submitted by DMZ Builders and Clark Cupertino A-Joint Venture (C3M).

Tabulation of the Bids, including the Engineer's Estimate, is as follows:

BIDDER	LOCATION		TOTAL BID PRICE
DMZ	Concord, CA		\$71,543,853
C3M	Bethesda. MD		\$76,554,812
Engineer's Estimate			\$51,626,886

While DMZ submitted the lowest apparent Bid, it was subsequently determined to be non-responsive. Staff then reviewed the Bid of C3M and determined that it was responsive to the solicitation. In addition, C3M's business experience and financial capabilities resulted in the determination that C3M is a responsible Bidder.

The bid submitted by C3M Clark Cupertino, of \$76,554,812 is 48% higher the Engineer's Estimate of \$51,626,886. The Bid prices received varied significantly from the Engineer's Estimate and are well over the project prices. Staff recommends the Board reject all Bids.

FISCAL IMPACT:

There is no fiscal impact resulting from rejecting the bids for Contract 49GH-130.

ALTERNATIVES:

The Board can award the contract to Clark Cupertino A-Joint Venture (C3M), which will involve District expenditures beyond the project budget.

RECOMMENDATION:

It is recommended that the Board adopt the following motion:

MOTION:

The General Manager is authorized to reject all Bids for Contract No. 49GH-130, Train Control System Modernization Program Enabling Works Contract.