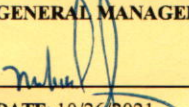
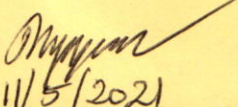
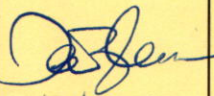
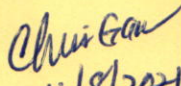
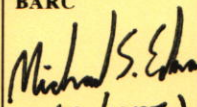




## EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL:  11/19/21		GENERAL MANAGER ACTION REQ'D: Yes		
DATE: 10/26/2021		BOARD INITIATED ITEM: No		
Originator/Prepared by: DN Nguyen Dept: Integration Engineering  Signature/Date:  11/5/2021	General Counsel  11/5/2021 [ ]	Controller/Treasurer  11/8/2021 [ ]	District Secretary [ ]	BARC  11/9/2021 [ ]

### Award of IFB 9110-A for the Procurement of Mobile Generators and Equipment

#### PURPOSE:

To request Board authorization for the General Manager to award Invitation for Bid (IFB) No. 9110-A for the purchase of one (1) 100kW Mobile Generator and one (1) 275kW Mobile Generator, associated equipment, testing, and training to Cummins Inc., San Leandro, CA, for the bid price of \$346,093.75 (includes 10.25% sales tax).

#### DISCUSSION:

This procurement of portable generators is critical to support specific outage-vulnerable electrical circuits that are serving critical loads within the BART system. Potential outages include PG&E's Public Safety Power Shutoff, incidental outages, and planned-work outages. These mobile generators will be deployed to various BART passenger stations and facilities to provide backup power in an event of power outage.

A notice requesting bids was published on September 16, 2021, and correspondence was sent to four (4) prospective bidders inviting them to view the solicitation on the BART Procurement Portal. A total of seven (7) prospective bidders downloaded the solicitation. Subsequently, the bids [two (2) bids received] were opened on October 5, 2021. A tabulation of the bids, including the Engineer's Estimate, is indicated below:

Bidder	Location	Total Bid Price (Includes Tax)
Cummins Inc.	San Leandro, CA.	\$346,093.75
CD & Power	Martinez, CA.	\$349,906.75



Engineer's Estimate	N/A	\$298,398.15
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Pursuant to the District's Non-Federal Small Business Program, the Office of Civil Rights set a 5% Small Business Prime Preference for this Contract for Small Businesses certified by the California Department of General Services. The lowest responsive Bidder Cummins, Inc. is not a certified Small Business and, therefore, is not eligible for the 5% Small Business Prime Preference. The second lowest bidder, CD & Power, is a certified Small Business and is eligible for the 5% Small Business Prime Preference. However, CD & Power was deemed non-responsive for failure to meet the Technical Specifications. Therefore, Cummins Inc. remains the lowest responsive Bidder.

Pursuant to the District's Non-Discrimination Program for Subcontracting, the Availability Percentages for this Agreement are 2.2% for Minority Business Enterprises (MBEs) and 1.1% for Women Business Enterprises (WBEs). The Bidder Cummins, Inc. will not be subcontracting any portion of the Work and therefore, the provisions of the District's Non-Discrimination Program for Subcontracting do not apply.

#### **FISCAL IMPACT:**

Funding in the amount of \$346,094 for award of IFB 9110-A is included in the total project budget for the Procurement of Mobile Generators for Emergency Power Enhancement Project. 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:

#### **Project 15EK750:**

<b>Fund</b>	<b>Description</b>	<b>Source</b>	<b>Amount</b>
8534	FY2020 Operating Capital Allocation	INTERNAL	\$1,000,000
5910	CAL OES FY21 PSPS	STATE	\$300,000
8535	FY 2021 Operating Capital Allocation	INTERNAL	\$22,000
8529	FY 2015 Operating Capital Allocation	INTERNAL	\$40,452
8532	FY2018 Operating Capital Allocation	INTERNAL	\$70,000
8533	FY2019 Operating Capital Allocation	LOCAL	\$153,456
3025	FTA 5307 & 5337 CA-2021-163-00	FEDERAL	\$600,000
<b>Total</b>			<b>\$2,185,908</b>

As of October 26, 2021, \$2,185,908 is the total budget for this project. BART has expended



\$1,113,069, committed \$0, and reserved \$271,865 to date.

This action will commit \$346,094 leaving an available fund balance of \$454,880 in this fund source 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.

No FTA funds will be used for this purchase.

**ALTERNATIVES:**

The alternative would be to not award this IFB. This would result in some BART facilities not having backup power during power outages, which would potentially impact operations.

**RECOMMENDATION:**

It is recommended that the Board adopt the following motion.

**MOTION:**

The General Manager is authorized to award Invitation for Bid No 9110-A to Cummins Inc. of San Leandro, CA, for the purchase of one (1) 100kW Mobile Generator and one (1) 275kW Mobile Generator, associated equipment, testing, and training for the bid price of \$346,093.75, pursuant to notification to be issued by the General Manager, and subject to compliance with the District's protest procedures.