



**ITEM ID:** 2023-152-0

**TRANSMITTAL DATE:** April 21, 2023

**MEETING DATE:** April 28, 2023

**TO:** Board of Directors

**FROM:** Arnold Hackett, Chief Financial Officer

**SUBJECT:** Contract MS320-23 - Communication and Signal Systems Installation Services - Recommendation to Award - Balfour Beatty Infrastructure, Inc.

### **Issue**

The Authority requires a contractor to provide railroad communication and signal systems installation services to support new capital, third party reimbursable, and various rehabilitation projects. This effort is to be provided through an on-call contract.

### **Recommendation**

CONTRACTS, OPERATIONS, MAINTENANCE, AND SAFETY COMMITTEE RECOMMENDED (5-0) the Board authorize the Chief Executive Officer to:

1. Award Contract No. MS320-23, Communication & Signal Systems Installation Services, subject to resolution of any protest timely filed, to the highest ranked firm, Balfour Beatty Infrastructure, Inc. (BBII); and
2. Approve a not-to exceed contract funding authorization amount of \$60,000,000 for the term for the Contract. The term of the contract shall be a three-year base term with a single two-year option that may be exercised at the sole discretion of the Authority. Work under this contract will be authorized through the Contract Task Order (CTO) process on an as needed basis.

### **Strategic Commitment**

This report aligns with the Strategic Business Plan commitment of:

- **Safety is Foundational:** We will stay on the leading edge by deploying new technologies and processes to enhance the safety and security of our riders, employees

and the communities we serve.

## **Background**

Communication and signal systems installation services are required to support the Authority's new capital, state of good repair, as well as third party re-collectable projects. This specialized work may involve the installation, modification, and in-service testing and cut-over of new and relocated wayside signal systems, highway grade crossing warning devices, wireless data radio systems, voice radio systems, microwave communication systems, fiber optic systems, PABX systems, passenger station visual messaging and audio systems, wayside hazard and monitoring devices and related minor electrical and lighting work. These installation services will typically be performed while the signal, communication and electrical systems are in service or "live" allowing for continued railroad operations. The installation services are subject to rigorous Federal Railroad Administration and California Public Utilities Commission regulations as well as the Authority's own rules, regulations, specifications, standard operating procedures, and oversight and monitoring programs.

Currently these communications and signal systems installation services are provided by Balfour Beatty Infrastructure, Inc. and Mass Electric Construction Company under on-call contract No. MS260, which was approved by the Board in June 2016 and is set to expire on June 30, 2023.

## **Discussion**

On December 2, 2022, staff issued a Request for Proposal (RFP) for Communication and Signal Systems Installation Services on an as-needed basis for a contract term of three years with a single two-year option. The solicitation was posted on the Authority's e-procurement system and advertised in publications in the five member counties. Notices were also sent directly to firms registered in the Authority's online vendor database. Seventy-five firms downloaded the solicitation. Representatives from nine interested firms attended the pre-proposal meeting conducted on December 8, 2022.

Two proposals were received on the due date of January 30, 2023, from: Balfour Beatty Infrastructure, Inc (BBII) and Mass Electric Construction Company (Mass).

An evaluation was conducted in accordance with the Board-approved Contract Administration and Procurement Policies and Procedures, Proposal Evaluation. The evaluation team consisted of staff from the Authority's Program Delivery and Operations Departments, in addition to outside representatives from two of the Authority's member agencies.

Proposals were reviewed and scored. BBII's technical score is 50.88 points out of 60 points maximum and Mass' technical score is 51.25 points out of 60 points. The lowest responsive cost proposal is BBII with a score of 30 points out of 30 points maximum. Mass' cost proposal scored 25.5 out of 30 points. The Evaluation committee members unanimously voted to omit the elective interview phase of the evaluation process, which carried a value of 10 points.

Best and Final Offers (BAFOs) were then requested and obtained from the proposers, however, staff was unable to come to an equitable pricing agreement with Mass, therefore it

was decided to award the Contract to only BBII.

BBII is one of the Authority's current Communications and Signal Systems Installation Services contractors. BBII has provided satisfactory Communication and Signal Systems Installation Services for various public transportation municipalities.

A Disadvantaged Business Enterprise (DBE) contract specific goal of 3.34% has been established for this U.S. Department of Transportation assisted contract. BBII was responsive to the DBE requirements and committed to meeting the DBE goal.

### **Budget Impact**

There is no financial commitment with respect to approving the master contract, work will be issued and authorized on a Contract Task Order basis only if funding is approved and available through the annual budget or an equivalent process.

### **Next Steps**

Upon Board approval, the contract will be executed, and staff will provide a Notice to Proceed to Balfour Beatty Infrastructure, Inc. to begin services for Communication & Signal Systems Installation Services.

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Approved by: Arnold Hackett, Chief Financial Officer