

REGIONAL TRANSIT ISSUE PAPER

Agenda Item No.	Board Meeting Date	Open/Closed Session	Information/Action Item	Issue Date
2	08/13/12	Open	Action	07/23/12

Subject: Awarding a Contract to Quality Sprayers, Inc. for Weed Abatement Services

ISSUE

Whether or not to award a Contract to Quality Sprayers, Inc. for Weed Abatement Services.

RECOMMENDED ACTION

Adopt Resolution No. 12-08- _____, Awarding a Contract to Quality Sprayers, Inc. for Weed Abatement Services.

FISCAL IMPACT

Budgeted:	Yes	FY 13:	\$	59,200
Budget Source:	Operating	FY 14:	\$	59,200
Funding Source:		FY 15:	\$	59,200
Cost Cntr/GL Acct(s) or Capital Project #:	GL: 630050 CC: 37	Total Amount:	\$	177,600
Total Budget:	\$ 177,600			

DISCUSSION

On May 14, 2012, the Board authorized the release of bids for Weed Abatement Services. This procurement is for a three-year chemical weed abatement and removal services Contract. The three major areas to be abated are RT's current operating light rail system right-of-way along the I-80 corridor from Watt/I-10 to Alkali Flat Station, the Highway 50 corridor from approximately 13th and R Streets to Historic Folsom Station, and the South Line corridor, south of 16th Street Station to Meadowview Station. The bids were publicly advertised and mailed to 28 qualified providers.

On July 9, 2012, Staff received 3 bids as follows:

	<u>3-Year Total</u>
1. DeAngelo Brothers	\$173,276.64
2. Quality Sprayers	\$177,600.00
3. Pestmaster Services, Inc.	\$603,795.24

During the review of bids, staff discovered that the bid from DeAngelo Brothers, the apparent low bidder, contained an irregularity – Bid Form 6.10, Certificate of Compliance with Drug-Free Workplace Act was not included with the bid. Failure to include the Form did not affect Bidder's price, and has no effect on the quality, quantity, or delivery of the goods and services. Staff reviewed the bid irregularity with the Chief Counsel and determined that this is a minor irregularity

Approved:

Presented:

Final 7/30/12

General Manager/CEO

Director, Facilities

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that can be waived as it gives no competitive advantage to the bidder; therefore, the bid from DeAngelo Brothers, Inc. was deemed responsive.

Upon further review of the bids, staff determined that the bid from Pestmaster Services, Inc. for the subject project contained an error on Bid Form 6.3, Bid Bond. The ITB states that each Bid must be accompanied by bid security in the amount of at least 10% of the Total Bid Price. The Bid Form provided by Pestmaster Services, Inc. referenced the following statement: "Not to Exceed \$21,450.00," which comes to about 3.55% of their total bid price of \$603,795.24. Procurement staff reviewed the bid irregularity with the Chief Counsel and determined that this is a material irregularity that cannot be waived since it failed to comply with RT's bid security requirement of at least 10% of the Total Bid Price as set out on the Bid Pricing Form.

The Invitation to Bid provided certified Small Business Enterprises (SBEs) the maximum opportunity to participate in the performance of this Contract by providing a 5% price preference to all certified SBEs and to Non-Small Business prime bidders that subcontract at least 25% of its Net Bid Price to one or more Small Businesses.

DeAngelo Brothers, Inc. identified their SBE status as: Not SBE. They also did not list any subcontractors on their bid; therefore, DeAngelo Brothers, Inc. is not entitled to a 5% price preference in the evaluation of bids for this Contract. Quality Sprayers, Inc. identified their SBE status as: SBE. Staff verified Quality's SBE status with the California Department of General Services as SBE certified. Therefore, staff determined that Quality Sprayers has met the 25% SBE participation goal set for this Contract and is entitled to a 5% price preference in the evaluation of bids for award. The price preference was computed and applied as follows:

1. The lowest, responsive and responsible Bid will be multiplied by 5%. The result of this calculation is the preference amount (Lowest Bid x .05 = Preference Amount).
2. The preference amount is subtracted from the Bid amount of any Small Business and any Non-Small Business that has committed to meet the 25% Small Business subcontracting requirement.
3. The price preference amount on any single bid will not be greater than \$250,000.
4. The Bids are re-ranked after applying the preference and the new lowest responsive and responsible bidder is determined.

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<u>Bidder</u>	<u>Total Bid Price</u>	<u>Price Preference</u>	<u>Price Preference Subtracted</u>	<u>SBE Preference Bid Price</u>
1) DeAngelo Brothers	\$173,276.64 X 5%	= \$8,663.83		
2) Quality Sprayers	\$177,600.00		-\$8,663.83	= \$168,936.17
3) Pestmaster Srvcs.	\$603,795.24			

Re-rank of bids after applying the 5% SBE Preference Amount for award determination:

<u>Bidder</u>	<u>SBE Preference Bid Price</u>
1) Quality Sprayers	\$168,936.17
2) DeAngelo Brothers	\$173,276.64
3) Pestmaster Services	\$603,795.24

Staff, using the price-based SBE Preference Amount for award, recommends award of a Contract to Quality Sprayers, Inc. in its total bid price of \$177,600.00.

RESOLUTION NO. 12-08-_____

Adopted by the Board of Directors of the Sacramento Regional Transit District on this date:

August 13, 2012

**AWARDING A CONTRACT TO QUALITY SPRAYERS, INC. FOR WEED
ABATEMENT SERVICES**

BE IT HEREBY RESOLVED BY THE BOARD OF DIRECTORS OF THE
SACRAMENTO REGIONAL TRANSIT DISTRICT AS FOLLOWS:

THAT, the Contract between Sacramento Regional Transit District, therein referred to as "RT," and Quality Sprayers, Inc., therein referred to as "Contractor," whereby Contractor agrees to provide weed abatement services for three years for an amount not to exceed \$177,600.00, is hereby approved.

THAT, the Chair and General Manager/CEO are hereby authorized and directed to execute said Contract.

BONNIE PANNELL, Chair

A T T E S T:

MICHAEL R. WILEY, Secretary

By: _____
Cindy Brooks, Assistant Secretary