



# STAFF REPORT

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**DATE:** October 26, 2020

**TO:** Sacramento Regional Transit Board of Directors

**FROM:** Laura Ham, VP, Planning and Engineering

**SUBJ:** DELEGATING AUTHORITY TO AWARD CONTRACT FOR COMPLETION OF MORRISON CREEK LIGHT RAIL STATION TO SWIERSTOK ENTERPRISE, INC.

## RECOMMENDATION

Adopt the Attached Resolution.

## RESULT OF RECOMMENDED ACTION

Delegating authority to the General Manager/CEO to award a Contract for Completion of Morrison Creek Light Rail Station.

## FISCAL IMPACT

The bid amount for Contract for Completion of Morrison Creek Light Rail Station is \$1,488,000. The Contract is being funded with capital sources available on the South Sacramento Corridor Phase 2 (SSCP2) Project.

## DISCUSSION

On August 27, 2020, SacRT advertised the bid opportunity for Completion of Morrison Creek Light Rail Station, in accordance with SacRT’s Procurement Ordinance.

As a part of the original SSCP2 civil, track, systems, structures and station construction, the Morrison Creek Station light rail station platform and park and ride lot were constructed, but the amenities and utility services were deferred due to the lack of development surrounding the light rail station. While the adjacent land remains undeveloped, the Federal Transit Administration (FTA) has set a deadline for SacRT to complete the station so that the New Starts grant for the SSCP2 project can be closed out. The scope of work included in the Contract for Completion of Morrison Creek Station includes installing shelters, site furniture, utility services, walk on access and landscape and irrigation.

While a number of contractors participated in the mandatory pre-bid meeting, on October 8, 2020, a single bid was received:

<u>Bidder</u>	<u>Bid Amount</u>
Swierstok Enterprise, Inc. doing business as Pro Builders	\$1,488,000

The amount bid by Swierstok Enterprise, Inc. is less than the Engineer's Estimate was \$1,595,952.

When only a single bid or proposal is received in response to a solicitation, SacRT is required by the FTA to conduct an analysis of whether there was adequate competition, specifically whether the receipt of a single bid was due to factors within SacRT's control that limited competition. Staff contacted several registered plan holders. Two intended to bid but delayed completing and uploading the forms on SacRT's PlanetBids portal until just before the bid deadline and were unsuccessful in completing their bids; a third declined to bid due to other competing construction opportunities in the area. As a result, Staff has determined that the competition was adequate.

The IFB included a 13% DBE participation goal. Swierstok Enterprise, Inc. did not meet the DBE participation goal. Staff has requested information from Swierstok Enterprise, Inc. to document that Good Faith Efforts were made to satisfy the DBE participation goal. Until that documentation is received, Staff cannot make the determination that Swierstok Enterprise, Inc., is the lowest responsive and responsible bidder. Due to the tight timeframe to complete the construction, Staff recommends that the Board delegate authority to the General Manager/CEO award of the Contract for Completion of Morrison Creek Light Rail Station to Swierstok Enterprise, Inc. for an amount not to exceed \$1,488,000 conditioned on a determination that the DBE requirements have been met.

RESOLUTION NO. 20-10-0110

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

October 26, 2020

**DELEGATING AUTHORITY TO AWARD A CONTRACT FOR COMPLETION OF MORRISON CREEK LIGHT RAIL STATION TO SWIERSTOK ENTERPRISE, INC. DBA PRO BUILDERS**

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

THAT, authority is hereby delegated to the General Manager/CEO to award and execute the Contract for Completion of Morrison Creek Light Rail Station by and between the Sacramento Regional Transit District, therein referred to as "SacRT," and Swierstok Enterprise Inc. doing business as Pro Builders, therein referred to as "Contractor," whereby Contractor agrees to complete the Morrison Creek Light Rail Station, as further specified therein, for an amount not to exceed \$1,488,000, conditioned on a determination that the DBE requirements have been satisfied.

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STEVE HANSEN, Chair

A T T E S T:

HENRY LI, Secretary

By: \_\_\_\_\_  
Cindy Brooks, Assistant Secretary