

REGIONAL TRANSIT ISSUE PAPER

Agenda Item No.	Board Meeting Date	Open/Closed Session	Information/Action Item	Issue Date
4	05/10/10	Open	Action	04/01/10

Subject: Authorize the General Manager/CEO or His Designee to Release a Request for Qualifications for Design and Build a Bus Maintenance Facility Compressed Natural Gas Fueling System.

ISSUE

Whether or not to release a Request for Qualifications for Design and Build a Bus Maintenance Facility Compressed Natural Gas Fueling System.

RECOMMENDED ACTION

Adopt Resolution No. 10-05-____, Authorizing Release of a Request for Qualifications for Design and Build a Bus Maintenance Facility Compressed Natural Gas Fueling System.

FISCAL IMPACT

None as a result of this action.

DISCUSSION

In October 2008, RT began work on requirements for the new Bus Maintenance Facility 2 (BMF2) Compressed Natural Gas (CNG) fueling yard to be located at 3701 Dudley Avenue, in McClellan Business Park. The purpose of the BMF2 CNG fueling yard is to supply fuel for up to 250 CNG buses in an 8-hour time period. Upon completion, the BMF2 CNG fueling yard will serve as an emergency back-up fueling facility, supplementing the existing 29th Street facility until full operational build out of BMF2 is achieved. In addition, the BMF2 CNG fueling yard would provide fueling, through contract, to nearby public entities.

A total of \$6.6 million in funding is available for the BMF2 CNG fueling yard. Sources of this funding include Federal funding from Congestion Mitigation and Air Quality (CMAQ) as well as State funding from State Proposition 1B.

On October 5, 2009, Resolution 09-10-0165 was adopted, releasing the Invitation to Bid for the CNG equipment and the construction of the fueling facility. Since that time, Staff has determined that a Design-Build process may be more beneficial than a Design-Bid-Build process.

Due to the technical nature associated with the equipment and installation specified in the BMF2 CNG fueling yard, Staff believes a Design-Build process will be more suitable. A Design-Build could provide a more competitive bid process by allowing contractors to make use of any vendor deemed fit as compared to a system designed by RT, which might, by virtue of the design, limit the products that could be used to build the system. This will result in a higher-quality final product for RT, as a system designed and furnished by a single entity has a better system of integrated components. Furthermore, a Design-Build would remove the need for RT to complete a full design

Approved:

Presented:

FINAL 5/3/10

General Manager/CEO

Chief of FBSS

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of the system, which would expedite the progress of this project, resulting in a shorter time period for completion.

State law authorizes RT to apply the Design-Build process to this project. Public Contract Code Section 20209.5 et seq. authorizes transit operators to employ the Design-Build process for capital-enhancing, non-rail, projects exceeding \$2,500,000 in cost; based upon current estimates, the BMF2 CNG fueling yard satisfies this requirement. The statute also establishes several conditions that must be met in order to apply the Design-Build process:

- (1) RT must establish a procedure for pre-qualifying Design-Build entities using a standard questionnaire developed by the Department of Industrial Relations (DIR);
- (2) Before entering into a Design-Build contract, RT must, in a public meeting, compare and evaluate the Design-Bid-Build Process versus the Design-Build process and make written findings that use of the Design-Build process for the project under consideration will reduce project costs, expedite the project's completion, or provide design features not achievable through Design-Bid-Build;
- (3) RT must prepare an RFP setting forth the scope of the project and any performance specifications or plans contained therein must be prepared by a design professional licensed or registered in California. The RFP must identify all factors that will be used to evaluate proposals, the methodology and rating system that will be used, and the relative weight of any factors, particularly whether cost is more, less, or equally important as the other factors combined; and
- (4) RT must either establish and enforce a labor compliance program meeting the requirements of Labor Code Section 1771.5 or contract with a third party to operate such a program for the Design-Build project.

In order to evaluate the viability of Design-Build for the BMF2 CNG fueling yard consistent with the statutory conditions set out above, RT must issue an RFQ containing the required questions to obtain information necessary to prequalify prospective Design-Build entities. Based on the responses to the RFQ, RT will then issue an RFP to award the Contract on either a lowest bidder or best value basis. This is allowable according to Public Contract Code Section 20209.7.f.2, which states,

For non-rail transit projects that exceed two million five hundred thousand dollars (\$2,500,000), the transit operator may award the project to the lowest responsible bidder or by using the best value method.

Once the decision has been made by RT, the Board will subsequently be asked to make the

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statutorily required findings before issuing the Design-Build RFP. The results of the procurement will be presented in a public meeting, as required by RT's Procurement Ordinance.

It is anticipated that issuance of the RFQ by the end of May 2010 will allow completion of the RFQ evaluation to be concluded by July 2010. The award for the BMF2 CNG fueling yard is expected in September 2010, with design completion in April 2011. The final installation and testing of the BMF2 CNG fueling yard is projected for February 2012.

RESOLUTION NO. 10-05-_____

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

May 10, 2010

**AUTHORIZING RELEASE OF A REQUEST FOR QUALIFICATIONS FOR DESIGN
AND BUILD A BUS MAINTENANCE FACILITY COMPRESSED NATURAL GAS
FUELING SYSTEM.**

WHEREAS, the Design-Build process provides a method to construct RT improvements in an expeditious manner, allowing earlier service to RT; and

WHEREAS, the Public Contract Code confers Design-Build contracting authority on RT and sets out the process for such contracts, including issuance of a Request for Qualifications (RFQ) to assess the interest of potentially qualified proposers.

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

THAT, the General Manager/CEO is authorized to release the RFQ for Design and Build a Bus Maintenance Facility Compressed Natural Gas Fueling System; and

THAT, upon release, the RFQ be advertised pursuant to the provisions of the RT Procurement Ordinance.

STEVE MILLER, Chair

A T T E S T:

MICHAEL R. WILEY, Secretary

By: _____
Cindy Brooks, Assistant Secretary