

**S T A F F   R E P O R T**

SUBJECT: Rutan Maintenance Floor Resurfacing Project

FROM: Toan Tran, Director of Operations and Innovation

DATE: September 14, 2020

**Action Requested**

Staff requests that the Board of Directors approve Resolution 27-2020, authorizing the award of an Agreement between LAVTA and Servicon Systems, Inc., for the resurfacing of the maintenance shop floor at the Rutan Facility.

**Background**

In 2014, LAVTA identified a necessary facility refurbishment needed in the maintenance area of the Rutan facility. At that time, an Invitation for Bids (IFB) was issued for the resurfacing of the maintenance area floor. The project was not accomplished at that time because of budget constraints. In the meantime, LAVTA was able to identify and apply for Proposition 1B Public Transportation Modernization, Improvement, and Service Enhancement Account (PTMISEA) funds to finance the project in addition to other needed improvements to the Rutan facility. Since then, LAVTA has advertised numerous opportunities to solicit competitive bids to complete the project, which have been unsuccessful for various reasons summarized below:

<b>Solicitation</b>	<b>Date Released</b>	<b>Result</b>
IFB #2014-07	March 2014	Two bids received in excess of available budget
IFB #2015-12	September 2015	Three bids received; low bid non-responsive, others in excess of available budget
IFB #2015-14	November 2015	One bid received; contract awarded January 2016 and rescinded November 2016 for vendor non-performance. Contract awarded November 2016 to Raider Painting following open-market procurement but was never executed for lack of agreement on terms.
IFB #2017-08	February 2017	No bids received
IFB #2017-12	March 2017	No bids received
IFB #2018-06	April 2018	One bid received; non-responsive

In November 2016, the Board of Directors adopted Resolution 35-2016, awarding the contract for the work to Raider Painting via an open-market solicitation, but that contract was never executed due to the inability of Raider Painting to fulfill all of the contract requirements for the

agreed upon price. LAVTA staff then attempted to procure the work via two additional formal solicitations in 2017, IFB #2017-08 and IFB #2017-12, both of which received no bids.

LAVTA's most recent effort to solicit formal bids for this project was IFB #2018-06, which was released on April 12, 2018. A pre-bid meeting was held April 24, 2018, and written questions were due May 1, 2018. Bids were due May 9, 2018, on which date one bid was received from Genard, Inc., dba Lennova totaling \$112,548. However, the submitted bid included a Request for Approved Equal that was not submitted to LAVTA prior to the May 1, 2018, deadline for written questions, including Approved Equal Requests, as required by the solicitation documents. The bid was therefore deemed by LAVTA staff and Legal Counsel as non-responsive to the requirements of the Contract Documents.

LAVTA's Procurement Policy (Resolution 19-2006) states that the Board of Directors may waive the requirements for formal competitive bidding when permissible under applicable law and when a determination is made that the best interests of LAVTA will be served. The policy provides for cases when, if no bids are received in connection with a procurement requiring formal competitive bidding, LAVTA may proceed with an open market purchase in certain circumstances if it is determined that the best interests of LAVTA will be served by such an approach.

At the June 2018 meeting, the Board of Directors adopted Resolution 17-2018, directing staff to initiate an open market procurement for the project in accordance with LAVTA's Procurement Policy.

### **Discussion**

On July 9, 2020, LAVTA released an Invitation for Bids (IFB) for the Rutan Maintenance Floor Resurfacing Project, for qualified contractors to bid on the project plans and specifications. In order to ensure the process is equitable, each contractor is afforded 30 days from the receipt of the IFB package to submit a bid/quote.

Leveraging information from previous solicitations and conducting additional market research, staff identified and contacted eight qualified contractors throughout California. They include:

<b>Company Name</b>	<b>Location</b>
Lennova	Santa Ana
DesCor Builders	Rancho Cordova
Epoxy Plus/Servicon Systems, Inc.	Danville/Culver City
West Coast Industrial Flooring, Inc.	Rancho Cordova
Roebbelen	El Dorado Hills
Southland Construction	Pleasanton
XL Construction	Milpitas
Brown Construction	Sacramento

Two bids were received by the deadline established in the IFB. The responding firms were:

<b>Company Name</b>	<b>Location</b>	<b>Grand Total Amount</b>
Lennova	Santa Ana	\$195,688
Servicon Systems, Inc.	Culver City	\$97,000

Servicon Systems, Inc. submitted the lowest bid, and was found to be responsive and responsible by staff. This project is due to be completed within 130 calendar days from LAVTA's issuance of the Notice to Proceed (NTP). Please note, Epoxy Plus (Epoxy) and Servicon Systems, Inc. (Servicon) belong to the same construction group where Epoxy is responsible for the marketing function while Servicon is responsible for the installations.

**Fiscal Impact**

A cost analysis was conducted by staff and staff has determined that the lowest responsive bid is both reasonable and fair. The project budget is \$106,700 and consists of the contract award of \$97,000 and a 10 percent contingency of \$9,700. Funding for this project is included in LAVTA's FY 2020-21 approved budget.

**Next Steps**

Upon execution of the agreement with Servicon Systems, Inc., LAVTA will issue the NTP.

**Recommendation**

Staff recommends the Board of Directors approve Resolution 27-2020: (1) awarding a contract to Servicon Systems, Inc., the lowest responsive and responsible bidder for the Rutan Maintenance Floor Resurfacing Project #2020-03, for a total contract award of \$97,000; (2) authorizing the Executive Director to sign the contract and issue an NTP to Servicon Systems, Inc.; and (3) authorizing a 10 percent contingency of \$9,700 to be used at the discretion of the Executive Director.

**Attachments**

1. Resolution 27-2020

*Approved:* \_\_\_\_\_

**RESOLUTION NO. 27-2020**

**A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE LIVERMORE AMADOR VALLEY TRANSIT AUTHORITY  
AWARDING THE CONTRACT FOR THE RUTAN MAINTENANCE FLOOR  
RESURFACING PROJECT TO SERVICON SYSTEMS, INC.**

**WHEREAS**, the Livermore Amador Valley Transit Authority (LAVTA) requires the services of a third-party contractor to perform services necessary to carry out the Rutan Maintenance Floor Resurfacing Project as described in LAVTA Invitation for Bids (IFB) #2020-03; and

**WHEREAS**, staff released IFB #2020-03 to solicit bids for the project; and

**WHEREAS**, two bids were received, and Servicon Systems, Inc., was determined to be the lowest responsive and responsible bidder based on their submitted bid in the amount of \$97,000.00; and

**WHEREAS**, staff recommends that the Board of Directors award the contract for the performance of services necessary to carry out the Rutan Maintenance Floor Resurfacing Project to Servicon Systems, Inc., in the not-to-exceed amount of \$97,000;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors hereby awards the contract for the performance of the Rutan Maintenance Floor Resurfacing Project to Servicon Systems, Inc., in the not-to-exceed amount of \$97,000; and

**BE IT FURTHER RESOLVED** that the Executive Director is authorized to execute a contract with Servicon Systems, Inc, in a form approved by LAVTA's Legal Counsel; and

**BE IT FURTHER RESOLVED** that the Board of Directors authorizes the Executive Director to expend a 10% contingency amount not to exceed \$9,700.

**PASSED AND ADOPTED** this 14<sup>th</sup> day of September 2020.

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Bob Woerner, Chair

ATTEST:

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Michael Tree, Executive Director

APPROVED AS TO FORM:

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Michael Conneran, Legal Counsel