



## Legislation Details (With Text)

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**On agenda:** 10/18/2018    **Final action:**  
**Title:** Reject the bid for the Bus Stop Solar Lighting Requirements Contract - Bid File No. 9442  
**Sponsors:** Department of Transportation  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. Bid Evaluation - Signed Reject.pdf

Date	Ver.	Action By	Action	Result
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## REPORT TO THE CITY COUNCIL

**October 18, 2018**

**FROM:** GREGORY A. BARFIELD, Interim Director  
Public Works Department]

**BY:** BRIAN BARR, Assistant Director  
Department of Transportation

KRISTOPHER GREY, Capital Development Specialist  
Department of Transportation

## SUBJECT

Reject the bid for the Bus Stop Solar Lighting Requirements Contract - Bid File No. 9442

## RECOMMENDATION

Staff recommends Council reject the bid for the Bus Stop Solar Lighting Requirements Contract submitted by PV Guru, Inc., in the amount of \$412,700 and direct staff to rebid the contract.

## EXECUTIVE SUMMARY

FAX seeks to establish a requirements contract to provide solar powered lighting at bus stops to increase the safety and security of the customers. This is a part of FAX's efforts to improve service to its customers. The only bid submitted for the requirements contract was from PV Guru, Inc. The bid was determined to be nonresponsive because of noncompliance with the Federal Transit

Administration (FTA) Buy America requirements.

## **BACKGROUND**

FAX seeks to increase security and safety at bus stops throughout the City and County of Fresno by adding a limited number of solar powered lights to stops that do not currently have lighting. This will help deter crime and promote safety at bus stops in the evening and early morning hours. The addition of solar powered lighting will also reduce the number of driver pass-byes that occur from riders not being easily visible to bus drivers.

FAX conducted post-bid outreach to understand the reason for the low number of bid responses. It was discovered that several potential lighting vendors had difficulty finding local area installers for their products. Furthermore, another potential bidder intended to submit a bid, but an internal miscommunication at the firm prevented them from submitting. Based upon this outreach FAX will rebid the project as a materials only requirements contract. FAX believes that this will also invite greater competition into the bidding process as the need for labor and installation to be provided in the contract has been removed.

The Notice Inviting Bids was posted in the Fresno Business Journal on July 20, 2018, and in Mass Transit Magazine on July 19, 2018. The Notice Inviting Bids was distributed to nine (9) prospective bidders and reached eleven (11) building exchanges. Only one (1) sealed bid proposal was received and opened in a public bid opening on August 14, 2018. Awarding the contract to the sole bidder is not possible because the sole bid was determined to be nonresponsive as a result of noncompliance with the FTA's Buy America requirements.

## **ENVIRONMENTAL FINDING**

By the definition provided in the California Environmental Quality Act (CEQA) Guidelines, Section 15378, the rejection of all bids does not qualify as a project as defined by CEQA]

## **LOCAL PREFERENCE**

Local preference was not implemented because the sole bid was determined to be nonresponsive.

## **FISCAL IMPACT**

A rejection of the bid will result in additional staff costs in order to reevaluate the specifications, contract method, and to put the project back out to bid. FAX has sufficient funding to cover the additional staff costs in order to rebid the project. This project will be funded by State Prop 1B funding. No General Fund dollars shall be used for the rebid or resulting material purchase.

Attachment:

Bid Evaluation