

**SAN FRANCISCO BAY AREA
RAPID TRANSIT DISTRICT
INVITATION TO BID FOR
BART EARTHQUAKE SAFETY
SYSTEMWIDE EQUIPMENT RETROFIT**

CONTRACT NO. 15PN-110

NOTICE IS HEREBY GIVEN that sealed Bids will be received until the hour of 2:00 p.m., Tuesday, March 30, 2010, at the District Secretary's Office, 23rd Floor, 300 Lakeside Drive, Oakland, California 94612 (mailing address: P.O. Box 12688, Oakland, California, 94604-2688) for BART Earthquake Safety Program Systemwide Equipment Retrofit, Contract No. 15PN-110. Such Bids will be opened publicly and announced at the said hour and date in the 23rd Floor Conference Room No. 2382T, Kaiser Center Building, 300 Lakeside Drive, Oakland, California. Bids will thereafter be accepted or rejected by the District. The Bidders are responsible to ensure their Bids are received at the time and location specified.

The time for receipt of Bids may be extended by the District's General Manager, or authorized representative, from the above-stated Bid Opening date. Notice of such extension will be published at least once in a newspaper of general circulation in the District, which publication will be at least ten (10) days before Bids are formally received and opened.

The Work includes construction of anchorage modifications to the existing systemwide equipment to provide adequate resistance to forces of a major seismic event. The Contract limits include District stations, electrical and control rooms, warehouses, yards/shops, offices, storage spaces and aerial structures, abutments, piers, bents, girders and bridges within the BART alignment as identified in Contract Sheet No. G010. The Work includes the removal of existing supports and restraints and the fabrication and installation of new seismic supports and restraints. The summary work descriptions are arranged by drawing type (electrical/mechanical/structural) and by work areas as delineated in Contract Sheets E010 through E015, M010 and S010 through S012. A database of the individual work items along with BART Station and Yard Floor Plans are provided as reference documents. BART has five (5) work areas within the scope of Work as follows:

Contract Work Area 1: Embarcadero Station to Daly City Yard (M Line).

Contract Work Area 2: East of the Oakland Transition Structure to East side of Berkeley Hill Tunnel to the West tunnel side of Lake Merritt Station, to just outside of 52nd Street in Oakland going toward Ashby Station (C, M and K Lines).

Contract Work Area 3: East side of the Berkeley Hill Tunnel to Concord Station (C Line).

Contract Work Area 4: Lake Merritt Station to

Fremont Station (A Line).

Contract Work Area 5: From the 52nd Street in Oakland to Richmond Yard (R Line).

The estimated value of this Contract is \$10,500,000 to \$16,500,000.

A pre-Bid meeting and site tour will be held on February 25 and 26, 2010. The pre-Bid meeting will convene on February 25, 2010, beginning at 10:00 a.m. to 3:00 p.m., at the Joseph P. Bort MetroCenter, First Floor Auditorium, located at 101 8th Street, Oakland, California 94607. A conducted site tour of the Jobsites will begin on Friday, February 26, 2010, at 8:30 a.m. until 4:00 p.m. BART will provide transportation for the site visit to the various BART sites. Interested prospective Bidders are requested to confirm their intention to attend: 1) pre-Bid meeting February 25th, and 2) Inspection Tour February 26th,

by notifying the District's Senior Contract Administrator, Ms. Irene G. Gray, telephone (510) 464-6390 prior to the date of the scheduled pre-Bid meeting and site tour to assure sufficient room is available.

Immediately following the pre-Bid meeting, the District is inviting primes and Subcontractors to a networking and relationship building meeting. Subcontractors interested in performing work on the Contract will be afforded the opportunity to meet with primes to discuss subcontracting opportunities. Subcontractors with the following contractor licenses are encouraged to attend: C-8, C-10, C-27, C-31,

C-33, C-36, C-43, C-50, and C-60. For questions regarding the outreach, please contact Ron Granada at rgranad@bart.gov or at (510) 464-6103.

Bids shall be submitted in accordance with, and subject to, the conditions contained in the Instructions to Bidders contained in the Contract Book to which prospective Bidders are referred.

Bid Documents may be examined at certain public and private plan rooms. The location of these plan rooms may be obtained by calling the District's Senior Contract Administrator, at the telephone number set forth above.

Bid Documents may be obtained from the District Secretary's office, San Francisco Bay Area Rapid Transit District, in person on the 23rd Floor at 300 Lakeside Drive, Oakland, California 94612, or by mail at P.O. Box 12688, Oakland, California 94604-2688. Documents requested by mail will be packaged and sent postage paid. Requests must be accompanied by either cash, check, or postal money order drawn in favor of the San Francisco Bay Area Rapid Transit District in the following amount, which includes any applicable sales tax, and is not refundable:

Contract Book and Contract Drawings (Includes forms for submittal of Bids) \$100.00
BART Facilities Standards, Standard Specifications, Release R1.2, dated August 2004 (BFS):

BFS Compact Disc (CD) \$20.00

Full Size Drawings, per sheet. \$2.50

Copies of BART Facilities Standards, Standard Specifications, Release R1.2, dated August 2004 may be purchased as described above or may be downloaded from the District website: www.bart.gov.

Bidders are informed that all of these documents will be required in the preparation of Bids. Each Bid shall be on a prescribed Bid Form and shall be for the entire Contract including all Bid Items.

The District may reject any and all Bids.

At the time of Contract Award, the Bidder must have a valid California State Contractor's license, Classification A, and be in good standing with the Contractors State License Board. If the Bidder is a joint venture, each of the joint venturers must have a current, active license in good standing to act separately in the capacity of a Contractor within the State, in accordance with Section 7029 and 7029.1 of the State Business and Professions Code or the Bid may be rejected. Also, if the Bidder is a Joint Venture, the Bidder may submit its valid State Contractors license number, classification, and expiration date with the Bid but shall submit such information no later than 2 PM on Friday of the week following the date of Bid opening to the Senior Contract Administrator at the address indicated in the Instructions to Bidders. Any Bid submitted by a specialty Contractor must be in compliance with Section 7059 of the State Business and Professions Code.

All work shall be performed in accordance with the Laws of the State of California.

Special attention is directed to Division 2, Part 7, Chapter 1, Article 2 of the State Labor Code concerning wages. Contractor and each Subcontractor shall pay to all workers employed on the Work not less than the prevailing rate of wages as determined by the Director of the State Department of Industrial Relations or set out in the wage determination of the U.S. Secretary of Labor, whichever is higher. Pursuant to Section 1773 of the State Labor Code, the District has obtained from the Director of the State Department of Industrial Relations the general prevailing rate of per diem wages and the general prevailing rate for holiday and overtime work in the locality in which the Work is to be performed and has copies available upon request from BART Procurement Department, 300 Lakeside Drive, 17th Floor, Oakland California

94612. The wage determination of the U.S. Secretary of Labor is attached hereto following Supplementary Conditions Article SC10. For a craft or classification not shown on the general prevailing wage determinations, Contractor may be required to pay the wage rate of the most closely related craft or classification shown in such determinations for Contract Work or request a wage determination from the State Department of Industrial Relations for the craft or classification.

This Contract is partially funded under a grant from the Federal Emergency Management Agency (FEMA) under the Department of

Homeland Security (DHS), hereinafter DHS/ FEMA. Attention is directed to the Bid Form where all Bidders and certain proposed Subcontractors and subsuppliers will be required to certify that they and any such proposed Subcontractors and subsuppliers have not been debarred, suspended or declared ineligible to participate in U.S. Government contracting activity. Contractor will be required to comply with all applicable Equal Employment Opportunity Laws and Regulations.

Attention is directed to the Bid Form where all Bidders and any proposed Subcontractors or subsuppliers of any tier receiving an amount in excess of \$100,000 under this Contract will be required to execute the "Certification Regarding Lobbying". The Bidder is responsible for forwarding all such Certifications to the District within the time frame specified in the Instructions to Bidders. Special attention is directed to General Conditions Article GC7.1.2 outlining Contractor's responsibilities for affirmative action relating to Fair Employment Practices.

This Contract is subject to the Counties Affirmative Action Requirements, Equal Employment Opportunity Area Plans of San Francisco, Alameda, and Contra Costa Counties.

The District hereby notifies all Bidders that it will affirmatively ensure that in regard to any Contract entered into pursuant to this Invitation to Bid, Small and minority firms, womens business enterprise, and labor surplus area firms will be afforded full opportunity to submit Bids in response to this invitation and will not be discriminated against on the basis of race, color, sex, or national origin in consideration for an award.

The San Francisco Bay Area Rapid Transit District, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 USC 2000d to 2000d-4 hereby notifies all Bidders that it will affirmatively ensure that in any Contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit Bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.

Bidders attention is directed to the Instruction to Bidders Article 6.J entitled Financial Contribution Limitations. This Section details Bidders responsibility for complying with BART Board of Directors Resolution No. 4681 in regard to financial contribution limitations.

Bidders attention is directed to General Conditions Article GC9.7.1.1 which permits the substitution of securities by Contractor for any monies retained by the District to insure performance under this Contract.

Each Bid shall be accompanied by a Bidder's Security equal to at least ten (10%) percent of the total Bid Price which shall remain in full force and effect for the period of time stated in the Instructions to Bidders, Paragraph 13.C,

Time of Award. The Bidders Security must be in the form of cash, a cashiers check, a certified check, a Bidders Bond, or a combination thereof. The Bidder to whom the Contract is awarded shall comply with the Districts insurance requirements. Such Bidder shall furnish a Performance Bond and a Labor and Materials Bond (Payment Bond), each in an amount not less than 100 percent of the Contract Price. Bonds shall be on forms provided by the District and shall be executed as surety by a corporation or corporations authorized to issue surety bonds in the State of California, as an admitted surety insurer and acceptable to the District.

Dated at Oakland, California, this 1st day of February, 2010.

/s/ Kenneth A. Duron
Kenneth A. Duron,
District Secretary
San Francisco Bay Area
Rapid Transit District

2/5/10
CNS-1790054#
DAILY CONSTRUCTION SERVICE

DCS: February 5, 2010

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