SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

MEMORANDUM

TO: Distribution **DATE:** March 15, 2016

FROM: District Secretary

SUBJECT: Contract No. 15LN-120 O&K Escalator Controller Replacement and Limited Renovation

Attached is a copy of the apparent low bid received on the subject contract. Also attached is the summary sheet of bids received.

Kenneth A. Duron

Attachment

Distribution:

Carl Ashburn

~~Leo Berry-Law~~horn, Contract Administrator ✓ Colleen
Gordon Wong, Project Manager
Emilaine Estiva, Operating Budgets
Alma Basurto, Office of Civil Rights
Legal Department

Engineer's Estimate
For 15LN-120, O&K Escalator Controller Replacement

ITEM NO.	SPEC. SECTION	DESCRIPTION	UNIT	EST. QTY.	UNIT PRICE	ITEM TOTAL
1	14 31 02, 3.01-3.02, 3.04-3.07	Barricades, Disassembly, Cleaning, Lubrication, Testing, and Inspection and Permits	Each	12	$21916.66	$263,000
2	01 11 00, 1.05A.1	Controller and Power Saver Replacement (District Furnished Materials)	Each	12	$6583.33	$79,000
3	01 11 00, 1.05A.2	Power Supply Replacement (District Furnished Materials)	Each	12	$2193.33	$26319.99
4	01 11 00, 1.05A.3	Main Disconnect Switch Replacement (Embarcadero Station Only)	Each	6	$2193.33	$13,160
5	01 11 00, 1.05A.4	Motor Contactor Assembly Replacement	Each	12	$6580	$78960
6	01 11 00, 1.05A.5	Reverse Phase Relay Replacement	Each	12	$1096.66	$13160
7	01 11 00, 1.05A.6	Wiring, Snap Plug, and Conduit Replacement	Each	12	$43866.66	$526,400
8	01 11 00, 1.05A.7	Key Switch Panel Replacement	Each	12	$4386.66	$52640
9	01 11 00, 1.05A.8	Fault Indicating Display Panel Installation	Each	12	$8773.33	$105280
10	01 11 00, 1.05A.9	Safety Switch Replacement	Each	12	$15353.33	$184240
11	01 11 00, 1.05A.10	New Proximity Sensor Installation	Each	12	$1096.66	$13,160
12	01 11 00, 1.05A.11	New Seismic Trigger Assembly Installation	Each	12	$3290	$39480
13	01 11 00, 1.05A.12	Drive Motor Cover Installation As Needed (District Furnished Materials)	Each	24	$548.33	$13160
14	01 11 00, 1.05A.13	Speed Sensor/Encoder Replacement	Each	12	$13160	$157920
15	01 11 00, 1.05A.14	LED Demarcation Lights Installation	Each	12	$4386.66	$52640
16	01 11 00, 1.05A.15	LED Balustrade Lighting Installation (Montgomery Station Only)	Each	2	$13,160	$26320

BID

TO THE SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

FOR O&K Escalator Controller Replacement and Limited Renovation, CONTRACT NO. 15LN-120.

Name of Bidder EXCELSIOR ELEVATOR CORPORATION

Business Address 1961 BLAIR AVENUE
SANTA ANA, CA 92705

Address where notification should be sent SAME AS ABOVE

Business office number 949 757 1688 facsimile (Fax) number 949 757 1689

Email address MATT@EXCELSIORELEVATOR.COM (where notification should be sent).

Please indicate how you found out about this contract: (check all that apply)

_____ Through newspaper advertisement

X Through BART web site

_____ Through one of the plan rooms

_____ Through advance notice to Bidders

_____ Other (_____)

The Work to be done is located in the County of San Francisco, State of California, and is to be done in accordance with the Contract Document which include the Contract Drawings and the referenced sections of BART Facilities Standards, Standard Specifications, Release R3.0.2. dated January 2015, and the Contract Book incorporating the General Conditions, Supplementary Conditions, Contract Specifications, and other documents as listed therein.

The undersigned, as Bidder, declares that the only person or parties interested in this Bid as principals are those named herein; that this Bid is made without collusion with any other person, firm or corporation; that the undersigned has carefully examined the location of the proposed Work, the annexed proposed form of Contract, and the Contract Documents therein referred to; and the undersigned proposes and agrees, if this Bid is accepted, that the undersigned will contract with the San Francisco Bay Area Rapid Transit District, in the form of the copy of the Contract annexed hereto, to provide all necessary labor, machinery, tools, apparatus, and other means of construction, and to do all the Work and provide all the materials specified in the Contract, in the manner and time therein prescribed, and according to the requirements of the Engineer as therein set forth, and that the undersigned will take in full payment therefor the following prices:

BID SCHEDULE

ITEM	SPEC.SEC	UNIT	EST. QTY.	DESCRIPTION	UNIT PRICE	ITEM TOTAL
1	14 31 02, 3.01-3.02, 3.04-3.07	Each	12	Barricades, Disassembly, Cleaning, Lubrication, Testing, and Inspection and Permits	$ 40,590	$ 487,080
2	01 11 00, 1.05A.1	Each	12	Controller and Power Saver Replacement (District Furnished Materials)	$ 30,400	$ 364,800
3	01 11 00, 1.05A.2	Each	12	Power Supply Replacement (District Furnished Materials)	$ 9,120	$ 109,440
4	01 11 00, 1.05A.3	Each	6	Main Disconnect Switch Replacement (Embarcadero Station Only)	$ 3,040	$ 18,240
5	01 11 00, 1.05A.4	Each	12	Motor Controller Assembly Replacement	$ 1,740	$ 20,880
6	01 11 00, 1.05A.5	Each	12	Reverse Phase Relay Replacement	$ 2,020	$ 24,240
7	01 11 00, 1.05A.6	Each	12	Wiring, Snap Plug, and Conduit Replacement	$ 25,320	$ 303,840
8	01 11 00, 1.05A.7	Each	12	Key Switch Panel Replacement	$ 3,375	$ 40,500
9	01 11 00, 1.05A.8	Each	12	Fault Indicating Display Panel Installation	$ 7,180	$ 86,160
10	01 11 00, 1.05A.9	Each	12	Safety Switch Replacement	$ 18,790	$ 225,480
11	01 11 00, 1.05A.10	Each	12	New Proximity Sensor Installation	$ 16,595	$ 199,140
12	01 11 00, 1.05A.11	Each	12	New Seismic Trigger Assembly Installation	$ 7,050	$ 84,600
13	01 11 00, 1.05A.12	Each	24	Drive Motor Cover Installation As Needed (District Furnished Materials)	$ 1,400	$ 33,600
14	01 11 00, 1.05A.13	Each	12	Speed Sensor/Encoder Replacement	$ 10,290	$ 123,480
15	01 11 00, 1.05A.14	Each	12	LED Demarcation Lights Installation	$ 6,880	$ 82,560
16	01 11 00, 1.05A.15	Each	2	LED Balustrade Lighting Installation (Montgomery Station Only)	$ 2,135	$ 4,270

ITEM	SPEC.SEC	UNIT	EST. QTY.	DESCRIPTION	UNIT PRICE	ITEM TOTAL
17	01 11 00, 1.05A.16	Each	56	Brake Arm Replacement As Needed (District Furnished Materials)	$ 760	$ 42,560
18	01 11 00, 1.05A.17	Each	12	Lubricator Electrical Power Installation and Pit Receptacle Replacement	$ 760	$ 9,120
19	01 11 00, 1.05A.18	Each	24	Carriage Shift Bearing Replacement As Needed	$ 1,520	$ 36,480
20	01 11 00, 1.05A.19	Each	8	Step Chain Replacement As Needed (District Furnished Materials)	$ 6,080	$ 48,640
21	01 11 00, 1.05A.20	Each	24	Comb Plate Assembly Replacement As Needed	$ 505	$ 12,120
22	01 11 00, 1.05A.21	Each	9	Step Track Adjustment As Needed	$ 12,160	$ 109,440
23	01 11 00, 1.05A.22	Each	12	Remote I/O Module Installation	$ 13,010	$ 156,120
24	14 31 02, 1.02A.4	Allow ance	1	Chargeable Repairs	XXXXXXX	$300,000
				TOTAL BID PRICE (ITEMS 1 THROUGH 24 INCLUSIVE)		$ 2,922,790.00

TWO MILLION NINE HUNDRED TWENTY TWO THOUSAND SEVEN HUNDRED NINETY AND 00/100

The above item totals for all Bid Items (**1 THROUGH 24**) are submitted by the Bidder for the convenience of the District. In the event of a discrepancy between the Bid unit price and the amount entered in the item total column, the Bid unit price shall govern. The District will calculate the total Bid Price based on the unit prices or lump sum prices bid, as applicable. In the event of a discrepancy between the District's calculations and the item totals for all Bid Items as submitted by the Bidder, the District's calculations shall govern.

The District reserves the right, in its sole discretion, to make no Award, or to make an Award to the lowest responsible Bidder as determined by adjusting the Bid Price for Bidders that are eligible for the Small Business Program preference as described in the Instructions to Bidders Paragraph 14.B.1.

FOR A BID TO BE CONSIDERED, ALL ITEMS MUST BE BID.

THE DISTRICT RESERVES THE RIGHT TO REJECT ANY AND ALL BIDS.

If this Bid shall be accepted and the undersigned shall fail to contract as aforesaid and to give the two bonds in the sums to be determined as specified, with surety satisfactory to the District, "or to provide specified Certificates of Insurance" within ten (10) Days after the Bidder has received notice from the District that the Contract has been awarded, unless the District, in its discretion, allows additional time in writing for such submissions, the District may, at its option, determine that the Bidder has abandoned the Contract; thereupon this Bid and the acceptance thereof shall be null and void, and the forfeiture of such security accompanying this Bid shall occur and the same shall be the property of the District.

Accompanying this Bid is (1) BID BOND in an amount equal to at least ten percent (10%) of the total Bid Price.

Receipt of the following attached Addenda is hereby acknowledged:

Addenda numbers Ø

The Bidder, LINA PORUGH, EXCELSIOR ELEVATOR
(name),

hereby certifies that:

(A) Bidder is aware of the provisions of Supplementary Conditions Article SC7.1 regarding the District's Non-Discrimination Program for Subcontracting for the Contract and the requirements for submission therefor; and

(B) Bidder has read the Contract Book, understands its requirements, including those for keeping records, and has asked for explanations of anything it did not understand.

(2) Bidder holds California Contractor's license No. 733576, Classification C-11. The license expiration date is 3/31/17. Bidder's current DIR Contractor's Registration Number is 1000008460. If the Bidder is a joint venture, list the California Contractor's license numbers, classifications and expiration dates and Contractor's DIR Registration Numbers for each joint venturer as follows:

(3)

	Name of Joint Venturer	Contractor's License	Classification	Expiration Date	DIR Contractor's Registration
A.	NONE				
B.					
C.					

Failure to provide any joint venturer's information as required above may render the Bid non-responsive.

As described in Instructions to Bidders Paragraph 7.H., if Bidder or any Subcontractor is a certified qualified conveyance company as described in California Labor Code Section 7311.1.(a), such company shall execute the Certification of Status as Qualified Conveyance Company included in this Bid Form.

Bidder declares under penalty of perjury that the foregoing is true and correct.

EXCELSIOR ELEVATOR
(4) Name of Bidder

Lina Rough
(4) Signature of Bidder
(5)
(6) LINA ROUGH, PRESIDENT
Print Name and Title of Person Signing

Dated 3/14, 2016.

NOTES:

(1) Insert the words "cash," "cashier's check," "certified check," or "Bidder's Bond," as the case may be.
(2) If the Bidder is joint venture the Bidder may submit its valid State Contractor's license number, classification and expiration date with the Bid, but shall submit such information no later than 2:00 p.m. on Friday of the week following the date of Bid opening to the Contract Administrator at the address indicated in the Instructions to Bidders
(3) If the joint venture consists of more than three joint ventures, add additional lines as needed.
(4) If the Bidder is a joint venture, the name of the Bidder and the signature shall match the name of the joint venture and the signature as provided in the joint venture agreement and conform with the requirements in the Instructions to Bidders.
(5) If the Bidder in its Bid furnished anything not called for by these Contract Documents (a cover letter, Bidder's own form, or a notation on the Bid Form not called for by this form, for example), the Bidder is cautioned that it runs the risk that it has submitted a Bid which does not conform to the District's Contract Documents, and therefore must be rejected.
(6) Bids shall be presented under sealed cover as provided in the Instructions to Bidders.

STOP

WARNING!!! ALL SMALL BUSINESS BIDDERS THAT SEEK TO BE ELIGIBLE FOR THE SMALL BUSINESS PREFERENCE AS DESCRIBED IN PARAGRAPH 7.I OF THE INSTRUCTIONS TO BIDDERS SHALL COMPLETE THE FOLLOWING DECLARATION:

DECLARATION OF ELIGIBILITY FOR SMALL BUSINESS PREFERENCE

IN ORDER FOR BIDDER TO BE ELIGIBLE FOR THE SMALL BUSINESS PREFERENCE, BIDDER, EXCELSIOR ELEVATOR, HEREBY CERTIFIES THAT IT IS
[Enter Name of Proposer]

CURRENTLY CERTIFIED AS A SMALL BUSINESS BY THE CALIFORNIA DEPARTMENT OF GENERAL SERVICES (DGS), CERTIFICATION NO. 15244.

BY SUBMISSION OF ITS BID, THE ABOVE-REFERENCED SMALL BUSINESS BIDDER HEREBY CONFIRMS THAT IT MEETS ALL OF THE DGS ELIGIBILITY REQUIREMENTS TO QUALIFY AS A SMALL BUSINESS.

DESIGNATION OF SUBCONTRACTORS AND M/WBE PARTICIPATION FORM

To comply with the requirements of the California Subletting and Subcontracting Fair Practices Act (California Public Contract Code Section 4100 et seq.), Bidder shall list in Part I of this form the name and address of each Subcontractor to whom Bidder proposes to subcontract more than ½ of 1% of the Work, description of portion of work or services subcontracted, total dollar amount of the portions of the work or services subcontracted, whether the Subcontractor is an MBE or WBE or both, and the California Contractor license number of the Subcontractor. An inadvertent error in listing a Subcontractor's California contractor license number may be corrected by Bidder within twenty four (24) hours after the Bid opening provided the corrected contractor's license corresponds to the submitted name and location for that Subcontractor. The above list of information shall be submitted with the Bid. Other information required in Part I herein may be submitted up to 24 hours after the designated time to submit the Bid. Bidder's attention is directed to Article GC5.7.1 of the General Conditions.

In addition, in Part II of this form list all MBEs and WBEs not subject to the requirements of General Conditions Article GC5.7.1.

Pursuant to Sections 1725.5 and 1771.1 of the State Labor Code, all Contractors and Subcontractors must be registered with the California Department of Industrial Relations (DIR) in order to be qualified to bid on this Contract or to be listed as a Subcontractor. An inadvertent error in listing a Subcontractor who is not registered pursuant to Section 1725.5 in a Bid, may be corrected by the Bidder within twenty four (24) hours after the Bid opening if the Subcontractor registers and pays the penalty registration fee described in Section 1725.5 of the State Labor Code. Alternatively, the Subcontractor may be replaced with a registered Subcontractor pursuant to Section 4107 of the Public Contract Code.

If a firm is owned and controlled by a Minority Woman or Minority Women, then the firm may be counted towards meeting both the MBE and WBE Availability Percentages. Accordingly, both MBE and WBE boxes should be checked.

Attach additional copies of this form if more space is needed and paginate the forms (i.e., Page __ of ___)

Name and Address	MBE (Check if MBE)	WBE (Check if WBE)	Description of Portion of Work or Services Subcontracted	Total Dollar Amount of Subcontracted Work or Services
I. All Subcontractors (MBEs, WBEs and Non-MBEs and Non-WBEs) subject to the requirements of General Conditions Article GC5.7.1				
Name: NONE Address: California Contractor License No. _____ DIR Contractor Registration No. _____ Phone Number: Age of Firm: Annual Gross Receipts as of last Tax Year: $				

Name and Address	MBE (Check if MBE)	WBE (Check if WBE)	Description of Portion of Work or Services Subcontracted	Total Dollar Amount of Subcontracted Work or Services
II. All MBEs and WBEs not subject to the requirements of General Conditions Article GC5.7.1				
Name: NONE Address: DIR Contractor Registration No. Phone Number: Age of Firm: Annual Gross Receipts as of last Tax Year: $				
Name: NONE Address: DIR Contractor Registration No. Phone Number: Age of Firm: Annual Gross Receipts as of last Tax Year: $				
Name: NONE Address: DIR Contractor Registration No. Phone Number: Age of Firm: Annual Gross Receipts as of last Tax Year: $				

NONCOLLUSION DECLARATION

(To be executed by Bidder and submitted with Bid)

LINA ROUGH, declares that he or she is PRESIDENT of EXCELSIOR ELEVATOR
(Bidder's Name) (Title) (Company's Name)

the party making the foregoing Bid, that the Bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation; that the Bid is genuine and not collusive or sham; that the Bidder has not directly or indirectly colluded, conspired, connived, or agreed with any Bidder or anyone else to put in a sham Bid, or that anyone shall refrain from bidding; that the Bidder has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix to the Bid Price of the Bidder or any other bidder, or to fix any overhead, profit, or cost element of the Bid Price, or of that of any other bidder, or to secure any advantage against the public body awarding the Contract of anyone interested in the proposed Contract; that all statements contained in the Bid are true; and, further, that the Bidder has not, directly or indirectly, submitted its Bid Price or any breakdown thereof, or paid, and will not pay, any fee to any corporation, partnership, company association, organization, bid depository, or to any member or agent thereof to effectuate a collusive or sham Bid.

I certify (or declare) under penalty or perjury under the laws of the State of California that the foregoing is true and correct.

Date: 3/14/16

LINA ROUGH
Name of Bidder

Lina Rough
Signature of Bidder

(Attention is directed to General Conditions Article GC7.1.2
Fair Employment Practices, State Fair Employment and Housing Act.)

FAIR EMPLOYMENT PRACTICES CERTIFICATION

TO THE SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

The undersigned in submitting a Bid for performing the following work by contract, hereby certifies that it has or will meet the standards of affirmative compliance with the Fair Employment Practices Requirements of the Contract.

CONTRACT NO. 15LN-120

O&K Escalator Controller Replacement and Limited Renovation

EXCELSIOR ELEVATOR
Name of Bidder

By: Lina Rough
Signature of Bidder

LINA ROUGH, PRESIDENT
Print Name and Title of Person Signing

1961 BLAIR AVE, SANTA ANA, CA 92705
Business Address

15081 SONNY CIRCLE, IRVINE, CA 92604
Place of Residence

SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

CERTIFICATION REGARDING FINANCIAL CONTRIBUTIONS

(Submit with Bid)

Certification to be executed by Bidder and each proposed first-tier Subcontractor or subsupplier whose Subcontract exceeds $100,000. Make additional copies of the Certification as necessary.

Bidder must use its best efforts to collect the Certification from each first-tier Subcontractor or subsupplier whose Subcontract exceeds $100,000 and to submit such Certifications along with its own to the District on the Bid date.

Bidder is advised that all Certifications must be submitted on the Bid date unless there is reasonable cause for delay; however, Bidder is cautioned that unless all Certifications are submitted within five (5) Days after the date Bids are due, the Bid may be considered non-responsive. See Instructions to Bidders for submitting Certifications after the Bid due date.

The undersigned certifies that:

1. It will not make any monetary or in-kind contribution (including loans) to any BART Director, or any candidate for Director, in excess of $1,000 from the date Bids are opened by the District until the Award of the Contract.

2. It understands that the term "contribution" shall have the same meaning as defined in California Government Code Section 82015 and implementing regulations adopted by the Fair Political Practices Commission.

EXCELSIOR ELEVATOR
Name of Firm

Lina Rouch 3/14/16
Signature Date

LINA ROUCH
Print Name and Title

(Attention is directed to Instructions to Bidders Paragraph 7.H., Certification of Status as Certified Qualified Conveyance Company)

CERTIFICATION OF STATUS AS CERTIFIED QUALIFIED CONVEYANCE COMPANY

If the Bidder or any Subcontractor hereunder is a certified qualified conveyance company as described in California Labor Code Section 7311.1.(a), such company hereby certifies, in accordance with the provisions of California Labor Code Section 7311.1.(e) and prior to submitting a Bid, its status as a certified qualified conveyance company. Appended to this Certification is a copy of State of California, Division of Occupational Safety and Health Certification No. CC-03-012712

EXCELSIOR ELEVATOR
Name of Firm

Lina Rough
Signature Date

LINA ROUGH, PRESIDENT
Print Name and Title

SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

CONTRACT

THIS CONTRACT, for the **O&K Escalator Controller Replacement and Limited Renovation**, Contract No. **15LN-120** is made and entered into this _____ day of _____, 20___, between the San Francisco Bay Area Rapid Transit District (District) and EXCELSIOR ELEVATOR Contractor).

ARTICLE I

In consideration of the payments and agreements hereinafter set forth to be made and performed by District and Contractor, and under the conditions expressed in the bond(s) of even date herewith and attached hereto, Contractor agrees with District to do all the work and furnish all the materials (except those expressly stated in the Contract Documents to be furnished by the District) (Work) necessary for the completion of the Work in a good, workmanlike and substantial manner and to the satisfaction of the District, for the O&K Escalator Controller Replacement and Limited Renovation, Contract No. 15LN-120, in accordance with the Contract Documents attached hereto. The Contract Documents are by this reference expressly incorporated here and made a part hereof.

All capitalized terms used but not defined in this Contract shall have the meanings ascribed to them in the Contract Documents.

ARTICLE II

Contractor agrees to accept the prices set forth in Contractor's Bid to District for the above-described construction and furnishing of materials as full compensation for doing all portions of the Work contemplated and embraced in this Contract, as well as for all loss or damage arising out of the nature of the Work aforesaid, or from the action of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the Work under this Contract until final Acceptance of the Work by District, and for all risks of every description connected with this Contract, and for all expenses incurred by or in consequence of the suspension or discontinuance of the Work.

ARTICLE III

Contractor hereby promises and agrees with District to do the Work according to the terms and conditions herein contained and referred to, for the prices aforesaid, and District contracts to pay for the same at the time, in the manner and upon the conditions as above set forth; and the said parties for themselves, their heirs, executors, administrators, successors and assigns do hereby agree to the full performance of all of the covenants and conditions herein contained.

ARTICLE IV

The Statement of Prevailing Wages referenced in the attached Invitation to Bid and the Designation of Subcontractors and M/WBE Participation Form provided by Contractor and submitted together with Contractor's Bid are hereby specifically referred to and by this reference expressly incorporated herein and made a part hereof. Contractor and District expressly agree that should there be any conflict between the terms of this Contract and Contractor's Bid, then the terms of this Contract shall control, and nothing herein shall be considered as an acceptance of any terms of the Bid conflicting herewith.

ARTICLE V

By executing this Contract, Contractor certifies that it is aware of the provisions of Section 3700 of the California Labor Code which require every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the provisions of that Code, and Contractor covenants and agrees to comply with such provisions prior to commencing the performance of the Work of this Contract.

ARTICLE VI

Contractor acknowledges that all contractors in California are required by State law to be licensed, and are regulated by the Contractors' State License Board, which has jurisdiction to investigate complaints against contractors if a complaint is filed within three (3) years of the date of the alleged violation. Any questions concerning a contractor may be referred to the Registrar, Contractors' State License Board, 9821 Business Park Drive, Sacramento, CA 95827-1703, mailing address P. O. Box 26000, Sacramento, CA 95826-0026.

IN WITNESS WHEREOF, the parties have hereunto executed this Contract as of the date first above written.

DISTRICT:

SAN FRANCISCO BAY AREA
RAPID TRANSIT DISTRICT

By: _____
President

By: _____
District Secretary

CONTRACTOR:

EXCELSIOR ELEVATOR
Name of Contractor

By: Lina Lopez
Title: PRESIDENT

By: _____
Title:

733576 3/31/17
Contractor's License Number and Expiration Date

1000008460
Contractor's DIR Registration Number