SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT
INVITATION FOR BID (IFB)

IFB NO. 8945

BID OPENING: NOT LATER THAN 2:00 P.M., LOCAL TIME, TUESDAY, OCTOBER 28, 2014

SEALED BID RESPONSES are invited to be delivered to the District at the said hour and date for the following articles or services and under the conditions stated below. Bid response shall be submitted to either of the following addresses:

For Special Delivery or Hand Delivery:
Purchasing Division
SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT
300 Lakeside Drive, 17th Floor
Oakland, CA 94612-3534

or

By U.S. Mail
Purchasing Division
SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT
P.O. Box 12688
Oakland, CA 94604-2688

Refer questions to: Regenia Robinson, **Buyer** Tel. No.:**(510) 464-6542**
Email: rrobins@bart.gov

THIS IS NOT AN ORDER!

ADVERTISED DATE: OCTOBER 8, 2014

ITEM NO.	QUANTITY	UNIT	DESCRIPTION	BIDDERS USE THIS COLUMN FOR PRICING
			MODULAR BUILDINGS **Item Total From Page 2:** The Item total is provided by the bidder for the convenience of the District. The District will, however, recalculate the Item Total and award the Contract on the basis of the Unit Price bid. Should there be a discrepancy between the Item Total and Unit Price, Unit Price will govern.	$ 169,032.00

Submission of a bid constitutes bidder's acceptance of the General Provisions and Special Provisions contained herein.

DELIVERY: **BART AREA RAPID TRANSIT**
LOCATION: **150 Sandoval Way**
Hayward, CA 94544

F.O.B Point DESTINATION

Terms of Payment ___ % Net 30

Name (Print) ALEX SUFI

Signature [signature]

Company Design Space Modular Building

Address 2725 Fitzgerald Dr.

City Dixon

State CA Zip Code 95620

Email alex@designspacemod.com

Fax No. 707-678-6111 Tel. No 707-678-6100

Submit proposal on Bid Form.

DO NOT INCLUDE excise or sales taxes in price.

GENERAL PROVISIONS: See Pages GP-1 through GP-7

SPECIAL PROVISIONS A: **Page 1 through 12.**
SPECIAL PROVISIONS B: **Page 1 through 14.**
SPECIAL PROVISIONS C – F **Page 1 through 2.**
ATTACHMENT: BART SPECIFICATIONS No. BNVP- 001,

INVITATION FOR BID Continuation Sheet

IFB NO. 8945

SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

ITEM NO.	QUANTITY	UNIT	DESCRIPTION	BIDDERS USE THIS COLUMN FOR PRICING Unit Price	Item Total
1	1	EA.	12' x 48' Modular Building in accordance with Bay Area Rapid Transit District Specification No. BNVP-001, purchase of Modular Buildings, dated August 2014.	$51,289.00	$51,289.00

Design Space Modular Building
(Company Name)

INVITATION FOR BID Continuation Sheet

IFB NO. 8945

SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

ITEM NO.	QUANTITY	UNIT	DESCRIPTION	BIDDERS USE THIS COLUMN FOR PRICING	
				Unit Price	Item Total
1	2	EA.	12' x 60' Modular Building in accordance with Bay Area Rapid Transit District Specification No. BNVP-001, purchase of Modular Buildings, dated August 2014.	$58,871.50	$117,743.00

Design Space Modular Buildings
(Company Name)

DESIGNATION OF SUBSUPPLIERS AND DBEs

All first-tier Subsuppliers to be used must be listed on this form regardless of dollar value of each transaction.

To assist the District in evaluating DBE participation, Bidder shall list on this form the name and address of all first-tier Subsuppliers to whom Bidder proposes to subcontract. Bidder shall indicate description, and total dollar amount of the portions of the Work or services subcontracted.

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

Name and Address	DBE (Check if DBE)	Description of Portion of Work or Services Subcontracted	Total Dollar Amount of Subcontracted Work or Services
I. All first-tier Subsuppliers (DBEs and Non DBEs)			
Name Phoenix Modular Address Glendale, AZ Phone Number 623-209-3300		Building manufacturer	
Name Address Phone Number			
Name Address Phone Number			
Name Address Phone Number			
Name Address Phone Number			
Name Address Phone Number			

Name and Address	DBE (Check if DBE)	Description of Portion of Work or Services Subcontracted	Total Dollar Amount of Subcontracted Work or Services
II. Subsuppliers who are: Manufacturers (100% credit)			
Name Address			
Name Address			
III. Subsuppliers who are regular dealers: (If DBE Regular Dealers (60% credit). See Special Provisions B 1.3.D.4 for definition of Regular Dealer)			
Name Address			
Name Address			
IV. Other Subsuppliers: (If DBEs See Special Provisions B 1.3.D.5 for Available Credit)			
Name Address			
Name Address			

BIDDERS DBE QUESTIONNAIRE

Is Bidder a DBE? ___ YES X NO
(See Special Provisions
B 1.1.1 for definition of DBE)

CUCP Certified? ___ YES X NO

If YES, enter Certification Date: _____

Is Bidder a joint venture with DBE partners? [1] ___ YES X NO

If YES, are Joint Venture Forms attached? ___ YES X NO

Percentage (%) of DBE participation in joint venture: 0 %

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1 If the Bidder is a joint venture, only the portion of the total dollar value of the Contract equal to the distinct, clearly defined portion of the work that is performed solely by the DBE's own forces can be counted toward DBE participation. If the work is not clearly delineated between the DBE and the joint venture partner, only the portion of the work equal to the DBE's percentage ownership interest in the joint venture will be counted. See Special Provisions B 1.1.3D.1

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.

IFB 8945

MODULAR BUILDINGS

Design Space Modular Buildings
Name of Bidder

By: _____
Signature of Bidder

ALEX SUFI Sales Specialist
Print Name and Title of Person Signing

2725 Fitzgerald Dr., Dixon, CA 95620
Business Address

San Ramon, CA
Place of Residence

Certification requirement for procurement of steel, iron, or manufactured products

(Submit with Bid)

(Bidder's attention is directed to Special Provisions B 1.2. Certificate shall be executed by Bidder whose Bid exceeds $100,000 and submitted with the Bid. Failure to do so will make the Bid non-responsive.)

NOTE: The signature blocks below are mutually exclusive; Bidder shall sign only one.

BUY AMERICA CERTIFICATE

Certificate of Compliance With 49 USC § 5323(j)(1)

The Bidder hereby certifies that it will comply with the requirements of 49 USC § 5323(j)(1), and the applicable regulations in 49 CFR Part 661.

Date _____

Signature _____

Company Name _____

Title _____

Certificate of Non-Compliance With 49 USC § 5323(j)(1)

The Bidder hereby certifies that it cannot comply with the requirements of 49 USC § 5323(j)(1), but it may qualify for an exception to the requirements pursuant to 49 USC § 5323(j)(2)(B) or (j)(2)(D) and applicable regulations in 49 CFR Part 661.7.

Date 10-24-14

Signature [signature]

Company Name Design Space Modular Buildings

Title Sales Specialist

(Applicable to Suppliers and Subsuppliers of any tier seeking a Subcontract exceeding $100,000. Bidder's attention is directed to Special Provisions A 1.12.)

CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION - LOWER TIER COVERED TRANSACTIONS

Instructions for Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.

2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

4. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposal," and "voluntarily excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Orders 12549 and 12689. You may contact the District's Procurement Department, telephone 510-464-6542, for assistance in obtaining a copy of those regulations.

5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is disbarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

6. The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the Nonprocurement List by contacting the District's Procurement Department, telephone 510-464-6542, for assistance.

Nonprocurement List by contacting the District's Procurement Department, telephone 510-464-6542, for assistance.

8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION - LOWER TIER COVERED TRANSACTIONS

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Date: 10-24-14

Design Space Modular Buildings
Name of Proposer

By: _____
Signature of Proposer

ALEX SUFI, Sales Specialist
Print Name and Title of Person Signing

(Bidder's attention is directed to Special Provisions A 1.22 of the Contract, Certification Regarding Lobbying. The Certification shall be executed by the Bidder and by applicable Subcontractors or Subsuppliers of any tier receiving an amount in excess of $100,000 and submitted by the Bidder either with the Bid or within the time frame specified in the Instructions to Bidders or before commencement of Subcontract work, as specified in the Instructions to Bidders.)

CERTIFICATION REGARDING LOBBYING

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of a Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal Contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment or modification of any Federal contract, grant, loan or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including Subcontracts, subgrants, and contracts under grants, loans and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance is placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

Design Space Modular Buildings
Name of Firm

By: ALEX SUFI
Please print name of signator:

Title: Sales Specialist

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 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) calendar days after the date Bids are due, the Bid may be considered non-responsive.

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, 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 Government Code Section 82015 and implementing regulations adopted by the Fair Political Practices Commission.

3. If Bidder is awarded the Contract, the undersigned shall continue to comply with this prohibition for three months following the award of the Contract.

Design Space Modular Buildings
Name of Firm

Signature Date

ALEX SUFI, Sales Specialist
Print Name and Title

INDICATATION OF HOW PROSPECTIVE BIDDER FOUND OUT ABOUT THIS REQUEST FOR INVITATION FOR BID

Please indicated how you found out about this Invitation for Bid (check all that apply)

_____	**Through newspaper advertisement**
_____	**Through BART website**
X	**Through advance notice to Prospective Bidder**
_____	**Other (_____)**

Prospective Bidder:

Design Space Modular Buildings

Business Address:

2725 Fitzgerald Dr.
Dixon, CA 95620

Point of Contact:

Alex Sufi

Telephone No:

707-678-6100

ATTACHMENTS FOR INVITATION FOR BID NO.8945
INCLUDE REVISION NUMBER(S)AND DATE(S)DRAWING NUMBER(S):

Addendum 1

SPECIFICATION NUMBER(S)

BNVP-001-Purchase of Modular Bldgs.