ADDENDA TO AGENDA

5.X  RECESS TO CLOSED SESSION

A.  Conference with Real Property Negotiators
    [Government Code Section 54956.8]

    Property:  Full take acquisition of real property located at
               517 Parkmoor Avenue, San Jose, CA

    Agency Negotiator:  Bijal Patel, Deputy Director, Property Development &
                         Management

    Negotiating Parties:  Brian A. McBerr

    Under Negotiation:  Price and terms of payment

B.  Conference with Real Property Negotiators
    [Government Code Section 54956.8]

    Property:  Full take acquisition of real property located at
               501 Parkmoor Avenue, San Jose, CA

    Agency Negotiator:  Bijal Patel, Deputy Director, Property Development &
                         Management

    Negotiating Parties:  Anthea M. Worley, Co-Trustee

    Under Negotiation:  Price and terms of payment
C. Anticipated Litigation - Conference with Legal Counsel
   [Government Code Section 54956.9(c)]

   Initiation of litigation pursuant to subdivision (c) of Section 54956.9: One case
   concerning the removal of encroachments on VTA-owned property near Hostetter
   Road.

   RECONVENE TO OPEN SESSION

5.X.X CLOSED SESSION REPORT

23.X Authorize the General Manager to execute a contract with Republic ITS, the lowest
   responsive and responsible bidder, in the amount of $277,195 for the procurement and
   installation of Closed Circuit Television at Race and Winchester Light Rail Stations.
BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
    Board of Directors

THROUGH: General Manager, Michael T. Burns

FROM: Chief Engineering & Construction Officer, Mark S. Robinson

SUBJECT: Closed Circuit Television at Race and Winchester Light Rail Stations Contract

Policy-Related Action: No

Government Code Section 84308 Applies: No

ACTION ITEM

RECOMMENDATION:

Authorize the General Manager to execute a contract with Republic ITS, the lowest responsive
and responsible bidder, in the amount of $277,195 for the procurement and installation of Closed
Circuit Television at Race and Winchester Light Rail Stations.

BACKGROUND:

In order to enhance the safety and security of the VTA light rail system, VTA has been working
for the past several years to install Closed Circuit Television (CCTV) at critical facilities and
light rail stations. VTA now has CCTV at 22 of the total 62 light rail stations.

As a result of significant bid savings on several recent Transit Security Grant funded projects,
most notably past Closed Circuit Television contracts and the Chaboya Division Perimeter
Security Access Control Improvements contract, grant funds remain available to VTA if eligible
contracts can be awarded and work can be accomplished by the grant funding deadline of April
2012. In order to utilize all of the grant funds available, VTA is expediting the advertisement
and award of the contract for CCTV at Race and Winchester Light Rail Stations.

This contract will enhance and expand the CCTV video-on-demand program by adding CCTV at
the Race and Winchester Light Rail Stations (Attachments A and B respectively). The CCTV
video-on-demand system directs live video stream via network connection from the light rail
stations to the VTA Light Rail Operations Protective Services Department located at the River
Oaks Administration facility. The video improvements allow continuous monitoring as well as
retrieval by date and time query.
DISCUSSION:

Staff was unable to determine if there would be sufficient funding for this project until bids for the other security-grant funded projects were opened and after opening those bids in August, staff determined that sufficient grant funding remained available for this project. Staff then accelerated the design and advertised the project in order to meet the April 2012 completion date required by the grant. In order to meet that deadline, the Board would need to award the contract in January 2012, or forfeit those funds, and thus forego the project.

The CCTV at Race and Winchester Light Rail Stations construction contract was advertised on November 14, 2011. Bids were opened on December 5, 2011 with the following results:

<table>
<thead>
<tr>
<th>Bidders’ Name</th>
<th>Bid Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cal Coast Telecom</td>
<td>$229,380</td>
</tr>
<tr>
<td>NEMA Construction</td>
<td>$260,882</td>
</tr>
<tr>
<td>Republic ITS</td>
<td>$277,195</td>
</tr>
<tr>
<td>CF Contracting</td>
<td>$279,450</td>
</tr>
<tr>
<td>Tennyson Electric</td>
<td>$477,325</td>
</tr>
<tr>
<td>Engineer's Estimate</td>
<td>$288,000</td>
</tr>
</tbody>
</table>

Because the apparent low bid at the time of the December 15, 2011, Transportation, Planning and Operations (TP&O) Standing Committee meeting was in an amount that was within the General Manager's authority to award, this item was not brought before the Committee. However, subsequent to the TP&O meeting, VTA staff completed the bid analysis for this contract and concluded that the two lowest bidders failed to meet the Disadvantaged Business Enterprise established contract goal of 6% and were not successful in establishing a good faith effort to meet the goal. Therefore, the two lowest bidders are non-responsive and have been disqualified.

Based on bid analysis, VTA staff has determined that Republic ITS is the lowest responsive and responsible bidder. While the bid amount for the third-lowest bid exceeds the General Manager's authority, it is 3.5% under the Engineer's Estimate and VTA staff has determined that the bid is fair and reasonable. Therefore, VTA staff recommends award of this contract to Republic ITS. This contractor has achieved a 25% DBE goal and has recently completed another electrical construction project successfully for VTA.

NEMA Construction submitted a request for an Administrative Reconsideration of the Good Faith Efforts determination. The initial determination resulted in their disqualification as non-responsive. The Administrative Reconsideration Hearing was held December 28, with the final determination upholding the Good Faith Efforts Review committee’s findings and rejecting the bid as non-responsive.

Construction is scheduled to begin in January 2012 with completion in April 2012.
**ALTERNATIVES:**
If the award of this contract is delayed, it will jeopardize the ability of VTA to complete the construction by April 2012, as required by the state grant, and VTA will forfeit the funding for this project.

**FISCAL IMPACT:**
This action will authorize $277,195 for procurement and installation of CCTV at Race and Winchester Light Rail Stations. Appropriation for this project is included in the FY2012 Adopted VTA Transit Fund Capital Budget. The contract is 100% funded by the Federal Department of Homeland Security Transit Security Grant and Prop 1B California Transit Security Grant Programs.

**DISADVANTAGED BUSINESS ENTERPRISE (DBE) PARTICIPATION:**
Based on identifiable subcontracting opportunities, a Disadvantaged Business Enterprise (DBE) goal of 6% has been established for this contract. Contractor has met the goal and has committed to a 25% DBE participation on this contract.

Prepared by: Ken Ronsse, Deputy Director
Memo No. 3284