



## **SPECIAL RTA BOARD AGENDA**

**\*\*\* VIA TELECONFERENCE \*\*\***

**Friday, May 22, 2020 at 10:00 AM**

The *AGENDA* is available/posted at: <http://www.slorta.org>

**President: Fred Strong**

Board Members:

John Peschong (First District – SLO County)  
Bruce Gibson (Second District – SLO County)  
Adam Hill (Third District – SLO County)  
Lynn Compton (Fourth District – SLO County)  
Debbie Arnold (Fifth District – SLO County)  
Jimmy Paulding (Arroyo Grande)

**Vice President: John Peschong**

Heather Moreno (Atascadero)  
Karen Bright (Grover Beach)  
Robert Davis (Morro Bay)  
Fred Strong (Paso Robles)  
Ed Waage (Pismo Beach)  
Andy Pease (San Luis Obispo)

Individuals wishing accessibility accommodations at this meeting under the Americans with Disabilities Act (ADA) may request such accommodations to aid hearing, visual, or mobility impairment (including Limited English Proficiency [LEP]) by contacting the RTA offices at 781-4833. Please note that 48 hours advance notice will be necessary to honor a request.

## **Important Notice Regarding COVID-19**

Due to the Coronavirus (COVID-19) and in accordance with the Governor's Executive Order N-29-20 relating to the convening of public meetings, **the RTA Board will still hold the April , 2020 meeting and will be conducted via teleconference. However, at this time, the meeting will be closed to members of the public and non-essential RTA staff. Below are instructions for the public on how to leave public comments.**

**Members of the public are encouraged to provide comments in the following ways:**

- 1. Public Comments on Agendized Items Only**– The RTA Board will still be accepting general public comments on specific items in the agenda. Public members can submit comments by:
  - **Live Verbal Telephone Comments – Call:** (866) 730-7512 and, when prompted, enter 236145 followed by # – State and spell your name, state the agenda item number you are calling about and wait to be recognized by the RTA Board President. **Verbal comments will be limited to three (3) minutes.**

- **Voicemail – Call:** (805) 781-4472. State and spell your name, state the agenda item you are calling about and leave a voicemail no later than **9:30 a.m. on Friday May 22, 2020.**
- **Email to:** [info@slorta.org](mailto:info@slorta.org) – Public comments (on any agenda item or on any item of interest not on the agenda within the jurisdiction of the RTA Board) can be submitted via email no later than **9:30 a.m. on Friday May 22, 2020. If pertinent to an agenda item, it will be shared with RTA Board members.**
- **Mail – Written Public Comments** – Public comments (on any agenda item or on any item of interest not on the agenda within the jurisdiction of the RTA Board) can be submitted by mail. **Public Comments by mail must be received by RTA no later than 9:30 a.m. on Friday May 22, 2020.**

**Mail to:**

**Clerk of the Board  
SLO RTA  
179 Cross Street  
San Luis Obispo, CA 93401**

**\*\*\*Note:** Every effort will be made to include your comments into the record, but due to time limitations, comments regarding issues not on the agenda will not be included

**CALL MEETING TO ORDER, ROLL CALL**

**A. INFORMATION AGENDA** – No information items

**B. ACTION AGENDA**

B-1 Reject Construction Bids for Project #2020-01 Bus Maintenance Facility at 253 Elks Lane & Instruct Staff to Re-Bid (Approve)

**C. CONSENT AGENDA** – No consent items

**D. CLOSED SESSION:** None

**E. BOARD MEMBER COMMENTS**

Next RTA Board meetings: June 3, 2020: Special meeting for budget amendment  
July 8, 2020: Regularly scheduled meeting

**SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY**

**May 22, 2020**

**STAFF REPORT**

**AGENDA ITEM:** B-1

**TOPIC:** Construction of New Bus Maintenance Facility

**ACTION:** Reject Bids, and Direct Staff to Rebid

**PRESENTED BY:** Geoff Straw, Executive Director

**STAFF RECOMMENDATION:** Reject Both April 21, 2020 Bids, and Direct Staff to Rebid for Construction Services

**SUMMARY:**

The new long-term Bus Maintenance Facility (BMF) project will provide administrative, operations and vehicle maintenance functions on 6.5 acres of RTA-owned land at 253 Elks Lane in San Luis Obispo. Staff has presented the BMF project to the RTA Board of Directors many times through its various phases over the past six years – land purchase, conceptual planning, environmental review, design/engineering, and procurement of commissioning and construction management. The RTA Board authorized construction bidding at its March 4, 2020 meeting.

Following a six-week bidding period, we opened two bids from local General Contractors by the April 21, 2020 deadline. The prices bid were as follows:

1. Newton Construction for \$17,280,000, and
2. Specialty Construction, Inc. for \$18,395,000.

Specialty Construction timely filed a bid protest regarding Newton Construction's bid. One component of the protest was alleged deficiencies in Newton Construction's compliance with DBE requirements. Although Newton Construction did not timely protest Specialty Construction's bid, it subsequently alleged similar deficiencies in Specialty Construction's bid. RTA staff evaluated the bid protest and subsequent correspondence and met with all interested parties. Based on this review, RTA staff recommends that the Board reject all bids in accordance with Section 8.1 [inadvertently labeled 7.1] of the RFP and authorize staff to rebid the project to allow all bidders to resolve the alleged discrepancies in their respective bids. Although delaying contract award essentially puts the project behind by roughly two months and the RTA will incur additional lease payments and bidding costs, staff believes it is in the RTA's best interests to reject both bids and rebid the project given the nature of the dispute and the need for compliance with federal DBE requirements.

If the RTA Board authorizes rebidding the project, staff would advertise the bidding documents later today. State law requires a minimum 10-day bidding period. Due to the Memorial Day holiday and other factors, staff is recommending a bid closing date of Thursday June 4, 2020 at 2:00PM. Other pertinent dates related to rebidding would be as follows:

1. Deadline for potential bidders to submit Requests for Information – Thursday May, 28, 2020 at 3:00PM. Addendum #1 would be posted by Monday June 1, 2020 at 5:00PM.
2. Deadline to submit follow-up subcontractor information – Friday June 5, 2020 at 2:00PM.
3. Deadline to submit DBE Letters of Intent – Tuesday June 9, 2020 at 2:00PM.
4. Deadline to submit a bid protest – Thursday June 11, 2020 at 5:00PM.
  - a. If a bid protest is submitted, the protested firm would be required to submit its written rebuttal to the RTA Executive Director by 2:00PM on Monday June 15, 2020.
  - b. The informal bid protest hearing would occur on Wednesday June 17, 2020 at 10:00AM. The RTA Executive Director would issue the agency's findings by 5:00PM on Friday June 19, 2020.
  - c. Affected bidders could submit a request for Administrative Reconsideration within five business days after the findings report is issued, and the Administrative Reconsideration hearing would occur on Tuesday June 30, 2020 at 10:00AM.

RTA Board would award of the construction contract and financing of the project at its July 8, 2020 meeting.

### **Staff Recommendation**

Reject both April 21, 2020 bids, and direct staff to rebid for construction services according to the timeline presented in the Staff Report.