

# ALAMEDA-CONTRA COSTA TRANSIT DISTRICT



## STAFF REPORT

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**MEETING DATE:** 10/9/2019

**Staff Report No.** 18-313b

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**TO:** AC Transit Board of Directors  
**FROM:** Denise C. Standridge, General Counsel  
**SUBJECT:** Contract Award Rescission

### ACTION ITEM

#### **RECOMMENDED ACTION(S):**

Consider rescinding the contract award for Procurement 2019-1487 for Tempo Bus Rapid Transit livery production and installation.

#### **STRATEGIC IMPORTANCE:**

This report has no relevance to the Strategic Plan.

#### **BUDGETARY/FISCAL IMPACT:**

There is no fiscal impact to rescinding the contract award. The District may incur costs associated with issuing a new procurement using a different procurement method (IFB). These costs include additional staff time and a minor posting fee of \$200.00.

#### **BACKGROUND/RATIONALE:**

The District initiated a Request For Proposals (RFP) process for the Tempo bus livery, resulting in proposals that did not provide the preferred technological specificity. The District initially awarded the contract to a bidder that scored half of the total points for technical ability. By rescinding the contract award and employing an Invitation For Bid procurement method that includes the bus livery artwork, the District will be better able to assess a vendor's technological ability to deliver quality Tempo bus livery in a cost-effective and efficient manner.

#### **ADVANTAGES/DISADVANTAGES:**

The advantage to rescinding the contract award is that it permits the District to employ a better suited procurement method that will provide the District with more technologically detailed bids from which to assess the vendor's ability to provide a quality product in an efficient and cost-effective manner.

The disadvantage to rescinding the contract award is that it will delay the commencement of work on the Tempo livery. The extent of the delay is unknown, but staff is exploring various options for expediting the IFB procurement process.

#### **ALTERNATIVES ANALYSIS:**

The alternative to rescinding the contract award is to move forward with the successful bidder whose technical capability was not fully fleshed out in the RFP process. This alternative would further require the District to consider and address a protest filed by an unsuccessful bidder.

**PRIOR RELEVANT BOARD ACTION/POLICIES:**

Staff Report 18-313a: Contract award to InPrintz, Inc. for Tempo Bus Rapid Transit livery production and installation.

Staff Report 18-313: Issue Request for Proposals for BRT livery production and installation.

**ATTACHMENTS:**

None.

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