



FORTY NINERS STADIUM MANAGEMENT COMPANY

Date: July 31, 2022

To: Jim Mercurio
Executive Vice President & General Manager

From: Jenti Vandertuig
Procurement Director

Subject: Recommendation for Award RFB FY21-0026 Levi's Stadium LED Retrofit Project – Exterior Light Fixtures

Recommendation

1. Recommend approval and award of a one-time contract to Bear Electrical Solutions, Inc., in the amount of \$114,100, for replacing exterior lighting in Gold Lot 4, Gold Lot 5, Bill Walsh Way and other exterior locations around Levi's Stadium.
2. Authorize Stadium Manager to execute any and all documents associated with, and necessary for the award, completion, and acceptance of this Project; and
3. Authorize Stadium Manager to execute change orders up to \$11,410 for a total not to exceed amount of \$125,510.

Solicitation Process

Forty Niners Stadium Management Company LLC ("Stadium Manager") has a need to replace exterior lighting that is near or has reached the end of life with new energy efficient LED lighting. Replacement lighting includes light poles located in Gold Lot 4, Gold Lot 5, Bill Walsh Way and other locations around Levi's Stadium ("Stadium").

The LED Retrofit Project – Exterior Luminaire Light Fixtures – Gold Lot 4, Gold Lot 5, Bill Walsh Way and Other Exterior Poles Project ("Project") was approved as part of the FY22/23 Santa Clara Stadium Authority ("SCSA") Capital Expenditures budget.

On June 13, 2022, Stadium Manager issued a Request for Bids (RFB) FY21-0026 for the Project.

Stadium Manager published the RFB on Bonfire Interactive, Stadium Manager's eProcurement portal <https://49ers.bonfirehub.com/portal/>. In addition to inviting a list of contractors on our established supplier list, Stadium Manager also selected

contractors registered on the portal with specific commodity codes offering such services.

On June 17, 2022, Stadium Manager published the Notice Inviting Bids for the Project in the San Jose Mercury News publication. Notices were also emailed on June 13, 2022 to the Builders' Exchange of Santa Clara County and Minority Business Consortium to communicate with their respective member communities regarding the solicitation for the Project.

Stadium Manager held a non-mandatory pre-bid conference on June 22, 2022 at 3:00 p.m. (PT) to provide an overview of the Project and answer any questions from prospective bidders. The RFB provided prospective bidders the option to schedule on-site visits to the Stadium.

Electronic bid submissions were due on or before July 13, 2022 at 3:00 p.m. (PT). Six bids were received on or before the closing due date and time from the following firms:

1. St. Francis Electric, LLC - \$139,510
2. Pacific Power & Systems, Inc. - \$167,640
3. SACTOWN Contractors Corp - \$130,290
4. Ample Electric, Inc. - \$192,257.04
5. Tennyson Electric, Inc. - \$172,570.00
6. Bear Electrical Solutions, Inc. - \$115,000

Public Bid Opening

A public bid opening was held on July 13, 2022 at 4:00 p.m. (PT). The RFB provided the public bid opening webcast information including a meeting ID and password for bidders to log on via Zoom to attend. Multiple callers were in attendance. Stadium Manager announced the receipt of the six bids on or before the due date and time, announced the name of the bidders and the base bid amounts and declared Bear Electrical Solutions, Inc. the apparent low bidder.

Evaluation of Apparent Low Bidder

Stadium Manager reviewed the bid from Bear Electrical Solutions, Inc., and determined it to be the lowest responsive bid submitted by a responsible bidder.

There is a waivable/immaterial error in the bid schedule for line items 1 and 2. The error is arithmetical and arises out of a miscalculation of the extended line item costs. The error is waivable because the bid schedule indicates any discrepancy between the unit price and item cost will be resolved by the Stadium Manager relying on the unit price and estimated quantity to calculate the line item cost and to then add

up the correct item costs to calculate the total base bid. The actual line item cost for bid item 1 is \$52,500 (vs the listed \$49,000). The actual line item cost for bid item 2 is \$61,600 (vs the listed \$66,000). The actual total base bid amount is \$114,100 (vs the listed \$115,000). All required forms were submitted including the bid bond, which was verified as effective. Stadium Manager also confirmed that Bear Electrical Solutions, Inc. is authorized to do business in California, is appropriately licensed with the California Contractors State License Board, and is registered as a public works contractor with the Department of Industrial Relations.

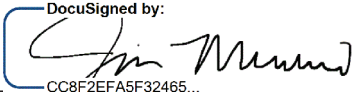
Next Steps

The LED Retrofit Project – Exterior Luminaire Light Fixtures – Gold Lot 4, Gold Lot 5, Bill Walsh Way and Other Exterior Poles Project was approved as part of the FY22/23 SCSA Capital Expenditures budget. The approved budgeted amount for this project is \$210,000.

Once Stadium Manager receives approval from the SCSA Board, a contract (included in the RFB) will be executed with Bear Electrical Solutions, Inc., and a fully executed copy of the contract will be forwarded to the Board. In addition, Stadium Manager requests authorization to issue change orders up to \$11,410 or 10% of the project cost which will allow Stadium Manager to take timely administrative action if required and not delay completion of the Project.

Supporting documentation has been provided for review and approval. The cost for advertising the RFB in the San Jose Mercury News publication for one day is \$272.19. Stadium Manager's request to publish legal notices in the San Jose Mercury News for various solicitations, including public works, was approved by the SCSA Board on July 13, 2021. This is a public works project.

Submitted By:  A4B5666F5BF147D... Date: 7/30/2022
Jenti Vandertuig, Procurement Director

Approved By:  CC8F2EFA5F32465... Date: 7/30/2022
Jim Mercurio, Executive Vice President & General Manager