SUMMARY STATEMENT

ITEM NO.    SUBJECT: Request for Bid: 09-0011
PATCO Fencing Improvement Project

COMMITTEE:     Operations and Maintenance

COMMITTEE MEETING DATE:   July 15, 2009

BOARD ACTION DATE:    August 19, 2009

PROPOSAL:   That the Board authorizes staff to negotiate a construction contract with
the firm of M.L. Ruberton Construction Company to install new fencing
at various locations along the PATCO Right-of-Way. A grant from the
Federal Transit Administration will fund 80% of the project cost.

Amount: $1,387,000.00

Contractor:  M.L. Ruberton Construction Company
1512 Mays Landing Road
Folsom, NJ 08037

Other Bidders: Highway Safety Systems $1,469,742.00
Carjen Fence $1,487,780.00
Slavco Construction $1,580,000.00
Nationwide Construction $1,965,652.00
Long Fence $2,056,000.00
Puenta Const. Enterprises $2,414,592.69
Consolidated Stl. & Alum. $2,497,267.00
Abel Fence LLC (non-responsive)

Engineer’s Estimate: $2,400,000.00

PURPOSE: To replace deteriorated sections of fencing that are in poor condition
along the PATCO Right-of-Way. Existing fencing was installed
during original construction of the PATCO system in the late 1960’s,
can no longer be repaired and is at the end of its useful life.

BACKGROUND: The existing Right-of-Way fencing was installed during the original
construction of the PATCO system in the late 1960’s. This work includes
the replacement of deteriorated sections of fencing that are in poor
condition, can no longer be repaired and are at the end of their useful
life at various locations. In addition, the new fencing will address
security concerns, protect equipment and trains from vandalism, and
address areas where there is a significant amount of graffiti. New
Homeland Security standards and protocols require new fencing to be installed at 8 foot heights with smaller mesh.

The work also includes the replacement of the existing fence mesh and barbed wire surrounding PATCO’s electrical substations, and various access gates.

The project was publicly advertised and bid documents were offered to the public beginning on May 21, 2009 with a bid opening date of June 22, 2009. Thirty-six (36) sets of contract documents were issued. A total of nine (9) bids were received. The low responsive bid was submitted by M.L. Ruberton Construction Company in the amount of $1,387,000.00.

Staff has completed the evaluation of bids and recommends that the contract be awarded to M.L. Ruberton Construction Company in the amount of $1,387,000 as the lowest responsive bidder to perform the contract work.

**SUMMARY:**

- **Amount:** $1,387,000.00
- **Source of Funds:** General Fund/Subject to Reimbursement by Future Bond Proceeds (20%)
- **Capital Project #:** PF0910
- **Operating Budget:** N/A
- **Master Plan Status:** 1996
- **Other Fund Sources:** 80% FTA Funds
- **Estimated Duration of Contract:** 150 Days
- **Other Parties Involved:** Federal Transit Administration
RESOLUTION

RESOLVED: That the Board of Commissioners of the Delaware River Port Authority accepts the bid of M.L. Ruberton Construction Company to install new fencing at various locations along the PATCO Right-of-Way, and that the proper officers of the Authority be and hereby are authorized to negotiate a contract with M.L. Ruberton Construction Company for the required work in an amount not to exceed $1,387,000.00, as per the attached Summary Statement; and be it further

RESOLVED: The Chairman, Vice Chairman and the Chief Executive Officer must approve and are hereby authorized to approve and execute all necessary agreements, contracts, or other documents on behalf of the DRPA. If such agreements, contracts, or other documents have been approved by the Chairman, Vice Chairman and Chief Executive Officer and if thereafter either the Chairman or Vice Chairman is absent or unavailable, the remaining Officer may execute the said document(s) on behalf of DRPA along with the Chief Executive Officer. If both the Chairman and Vice Chairman are absent or unavailable, and if it is necessary to execute the said document(s) while they are absent or unavailable, then the Chief Executive Officer shall execute such documents on behalf of DRPA.

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