



Bay Area Infrastructure Financing Authority  
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## ***Memorandum***

TO: Bay Area Infrastructure Financing Authority

DATE: November 7, 2016

FR: Executive Director

W. I. 6842

RE: Contract – Backhaul Fiber Optic Installation Within BART Facilities: Phase 3 Communications, Inc. (\$1,000,000)

This memorandum requests Authority approval for a sole source contract with Phase 3 Communications, Inc. (Phase 3), in an amount not to exceed \$1,000,000 for the installation of fiber optic cables within Bay Area Rapid Transit (BART) facilities. BAIFA agreed to complete the fiber optic installation as part of a 2015 telecommunications reciprocal use agreement with BART, in which BART also agreed to provide BAIFA with the use of fiber optic strands within its fiber network in the East Bay and San Francisco. BART competitively procured Phase 3 to maintain BART's commercial fiber optic and wireless network in 2014.

### **Background**

Starting in 2014, BAIFA and BART staff entered into discussions on reciprocal use of fiber optic infrastructure installed and maintained by both parties. BAIFA requested the use of unallocated fiber within BART's network to connect its planned express lanes on I-680 and I-880 to datacenters in Martinez, Oakland, and San Francisco. In exchange, BAIFA would provide BART the use of fiber within the I-680 and I-880 express lanes corridors and also fund the installation of two segments of BART fiber. The two segments are from Orinda to Walnut Creek BART stations and Bayfair to West Dublin BART stations. Staff worked with BART and its maintenance contractor to estimate the installation costs, with BART supplying the fiber optic cable, to be \$400,000 per segment. Staff received Authority approval to enter into the agreement with BART in July 2015 and a reciprocal use agreement was executed in December 2015.

BART issued an Invitation to Bid (IFB) in March 31, 2014, for the emergency restoration, preventative maintenance, and non-emergency repair and seismic relocation work of the commercial fiber optic and wireless network (BART Contract No. 6M7220). Phase 3 was awarded the contract in August 2014 and received a two year extension for maintenance in July 2015. Phase 3 is the sole provider of this service for BART and has completed the necessary certification for staff to work within BART facilities, including BART stations and within the railway.

Following the execution of the reciprocal use agreement, BART procured the fiber optic cables required for the two segments to be installed. BAIFA staff has also received updated quotes from Phase 3 for the installation costs and recommends that BAIFA enter into a contract with Phase 3 for the fiber installation at a cost not to exceed \$1,000,000. Phase 3 has entered into

similar contracts with private sector telecommunications providers for installation of fiber within BART's commercial fiber optic network.

Attachment A includes a summary of Phase 3's small business and disadvantaged business enterprise status.

**Recommendation**

Staff recommends that the Authority authorize the Executive Director or his designated representative to negotiate and enter into a sole source contract with Phase 3 Communications, Inc., in an amount not to exceed \$1,000,000 for the installation of fiber optic cables within BART facilities.



Steve Heminger

SH:md  
Attachment

**Attachment A**

			DBE* Firm			SBE** Firm		
			Yes	If Yes, List #	No	Yes	If Yes, List #	No
Prime Contractor	Firm Name	Role on Project						
	Phase 3 Communications, Inc.	General Contractor	X	034535				X

\*Denotes certification by the California Unified Certification Program (CUCP).

\*\*Denotes certification by the State of California.

## REQUEST FOR AUTHORITY APPROVAL

### Summary of Proposed Contract

Work Item No.: 6842

Contractor: Phase 3 Communications, Inc.

Work Project Title: Fiber optic installation within BART facilities

Purpose of Project: Installation of fiber optic cables within BART facilities as per agreement with BART

Brief Scope of Work: Labor and miscellaneous materials for the installation of fiber optic cables within BART facilities from Orinda to Walnut Creek stations and from Bayfair to West Dublin stations

Project Cost Not to Exceed: \$1,000,000

Funding Source: BATA Express Lanes Capital Project Budget

Fiscal Impact: Funding in the amount of \$1,000,000 is included in the Express Lanes Capital Project Budget, as adopted in the FY 2016-17 Toll Bridge Program Operating and Capital Budget (BATA Resolution No. 118, Revised).

Motion by Authority: That the Executive Director or his designee is authorized to enter into a sole source contract with Phase 3 Communications, Inc., in an amount not to exceed \$1,000,000 for the installation of fiber optic cables within Bay Area Rapid Transit (BART) facilities as described above and in the Executive Director's memorandum dated November 7, 2016, and the Chief Financial Officer is directed to set aside funds in the amount of \$1,000,000 for such contract.

BAIFA:

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Dave Cortese, Chair

Approved: Date: November 16, 2016