

AGENDA REPORT

Resolution: Authorize the Executive Director to Enter into a Contract with Oshkosh Airport Products, LLC in an Amount Not to Exceed \$1,135,896 for Procurement of Aircraft Rescue Fire Fighting Rescue 2 Vehicle Replacement and Authorize the Executive Director to Execute Contract Change Orders to the Extent Necessary in an Amount Not to Exceed \$20,104. **(Engineering/Aviation)**

MEETING DATE: 5/13/2021

AMOUNT: **\$1,156,000 FY 2022 through FY 2023**
(Part of a \$1,266,000 Total Project Budget)
Choose an item.

PARTIES INVOLVED: Oshkosh Airport Products, LLC, Wyoming, MN,
John E. Bermingham, Business Unit Director

SUBMITTED BY: Kristi McKenney, Chief Operating Officer
Bryant L. Francis C.M., Director of Aviation

APPROVED BY: Danny Wan, Executive Director

ACTION TYPE: Resolution

EXECUTIVE SUMMARY

Commercial airports are required to have a certain number of active Aircraft Rescue Fire Fighting (ARFF) vehicles to operate and these vehicles are required to be regularly maintained and periodically replaced. ARFF Rescue 2 is due for replacement and a public bidding process was used to solicit bids. A Federal Aviation Administration Airport Improvement Program grant will fund approximately 95% of costs associated with this procurement.

BACKGROUND

Aircraft Rescue Fire Fighting (ARFF) vehicles are designed to provide prompt and effective fire and rescue services during aircraft emergencies. These services include fire containment and suppression, passenger and crew rescue, airframe and cargo preservation, and maintenance of the site to aid in after-incident investigations. The vehicles serve to deliver fire fighters, specialized tools and equipment, and fire-fighting agents to the scene of an aircraft incident.

As a certified Part 139 Airport, Oakland International Airport (OAK) is required to maintain airfield rescue capacity and response times in accordance with the applicable design group for the runway. Given the distance between North Field Runways and the single ARFF

station, equipment must be pre-staged when the North Field is used for Air Carrier operations in order to meet the mandated 3-minute response time. The need for this split operation places additional equipment demands on the Airport.

ARFF vehicles have an expected service life of 15 years. ARFF Rescue 2 was built in 2001 and is functioning beyond the expected 15-year lifespan. Additionally, the vehicle is eligible to be funded using Federal Aviation Administration (FAA) Airport Improvement Program (AIP) grants. The Port was originally in discussion with the FAA to fund the replacement of ARFF Rescue 2 in federal fiscal year (FFY) 2022. Subsequently, the FAA offered that ARFF vehicle procurement could be accelerated due to funding availability in FFY 2021. Port staff worked on a shortened timeframe to capture this opportunity. Staff worked with the FAA during the preparation of the procurement manual to align it with the latest FAA requirements and design standards, as well as with the AIP grant funding timeline. The administrative process to award the AIP grant funds is underway. It is expected that funds will be available by Summer 2021, if not earlier.



[Photo credit: Sean Gascie]

Photos of OAK Aircraft Rescue and Fire Fighting (ARFF) Vehicle Rescue 2
10/2020

ANALYSIS

The bid for the Procurement of ARFF Rescue 2 Vehicle Replacement was formally advertised on March 8, 2021. On April 7, 2021, two bids were received and opened. Due to FAA grant funding eligibility requirements the basis of selecting the low bid is the Total Base Bid Price not including the cost for Additive Alternative A. Additive Alternative A includes several

preferred vehicle options and staff has included those in the total project costs even if thought they are not used to determine the winning bid. The bids are listed in Table 1 below.

Table 1
Aircraft Rescue and Fire Fighting (ARFF) Rescue 2 Vehicle Replacement Bid Summary

Bidder	Location	Total Base Bid Price	Additive Alternate A	Total Bid Price
Rosenbauer Minnesota, LLC	Wyoming, MN	\$920,563.00	\$43,900.00	\$964,463.00
Oshkosh Airport Products, LLC	Neenah, WI	\$1,067,161.00	\$68,735.00	\$1,135,896.00

Port staff reviewed both bids and discovered that the apparent low bidder (Rosenbauer) included exceptions to their bid that were not consistent with the bidding requirements. Staff contacted both bidders and requested that they confirm that their bids were all-inclusive, with no exceptions taken to the bidding requirements. Rosenbauer replied that their bid did not include taxes and they did not address other apparent conflicts in their bid. Oshkosh replied to confirm that their bid is all-inclusive with no exceptions taken to the bidding requirements. Port staff therefore concluded that Rosenbauer’s bid was non-responsive. Oshkosh’s bid demonstrates that they can perform the work as specified in the contract documents; they have submitted all required documentation; and they have submitted an unconditional offer to provide the work as specified in the contract documents. Staff therefore determined that Oshkosh is the lowest responsive and responsible bidder and recommends awarding the Procurement of ARFF Rescue 2 Vehicle Replacement project to Oshkosh in the amount of \$1,135,896.

BUDGET & STAFFING

Given that the opportunity to include the procurement for ARFF Rescue 2 Vehicle Replacement in this year’s grant application came mid-year, budget and staffing were not included in the Port’s FY 2021 budget. The project was initiated using Pre-development funding for costs associated with preparing the project manual, bid, and awarding the procurement.

Procurement of the ARFF Rescue 2 Vehicle Replacement will be included in the Port’s 5-Year CIP and Aviation Expense Budgets starting FY22. Table 2 summarizes the total project cost of \$1,266,000.

Table 2
Summary of Project Costs

Port Labor	\$110,000
Contractor bid	\$1,135,896
Change Order Contingency	\$20,104
Total	\$1,266,000

The ARFF Rescue 2 Vehicle Replacement has been programmed as part of the Port's Federal Fiscal Year (FFY) AIP grant funding. Funding disbursements were announced on April 7, 2021. An initial grant application was submitted to the FAA on March 26, 2021, and the final application will be submitted on April 21, 2021. As part of the American Rescue Plan (ARP), AIP funding in FFY2021 is expected to cover 100% of federally eligible costs, including local share. For this project, grant funds are anticipated to cover approximately 95% of total costs. Noneligible costs will be cash-funded and will be reimbursed through airline rates and charges over the life of the asset, estimated to be approximately 15 years.

The addition of the new ARFF vehicle is expected to generate an annual additional insurance cost of approximately \$2,719. Port staff will include the additional insurance cost in future Fiscal Year insurance renewal requests for the Board's approval starting in FY 2023.

There is no anticipated staffing impact.

MARITIME AVIATION PROJECT LABOR AGREEMENT (MAPLA)

The work performed under this contract is not within the scope of the Port of Oakland Maritime and Aviation Project Labor Agreement (MAPLA) and the provisions of the MAPLA do not apply to this work.

STRATEGIC PLAN

The action described herein would help the Port achieve the following goals and objectives in the Port's Strategic Business Plan (2018-2022).

<https://www.portofoakland.com/wp-content/uploads/Port-of-Oakland-Strategic-Plan.pdf>

- Goal: Modernize and Maintain Infrastructure
- Goal: Strengthen Safety and Security

LIVING WAGE

Living wage requirements, in accordance with the Port's Rules and Regulations for the Implementation and Enforcement of the Port of Oakland Living Wage Requirements, do not apply because the contract is not a covered service contract, but a contract for goods, commodities, supplies or equipment with incidental service provisions.

SUSTAINABILITY

Port staff reviewed the Port's 2000 Sustainability Policy and did not complete the Sustainability Opportunities Assessment Form. Port staff concluded that there are no sustainability opportunities associated with the purchase of ARFF vehicles because there are no electric ARFF vehicles currently for sale in the market industry.

ENVIRONMENTAL

This action was reviewed in accordance with the requirements of the California Environmental Quality Act (CEQA). Per CEQA Guidelines Section 15378, purchasing replacement ARFF vehicles does not qualify as a "Project" because it would not result in a physical change in the environment. Specifically, Section 15378(b)(2) states that "Continuing administrative or maintenance activities, such as purchases for supplies" is not considered a project. Therefore, this action is not subject to CEQA.

GENERAL PLAN

This action does not change the use of any existing facility, make alterations to an existing facility, or create a new facility; therefore, a General Plan conformity determination pursuant to Section 727 of the City of Oakland Charter is not required.

OWNER-CONTROLLED INSURANCE PROGRAM (OCIP)

This action is not subject to the Port's Owner Controlled Insurance Program (OCIP) as it is not a capital improvement construction project.

OPTIONS

The following options are for the Board's consideration:

- Approve the actions as outlined in this agenda report. Doing so will enable staff to procure the ARFF Rescue 2 vehicle replacement, in a timeline that is consistent with the current FAA grant funding deadlines. This is the recommended action.
- Do not approve the actions as outlined in this agenda report. This is not the recommended action because delaying procurement of the replacement vehicle may cause the Port to lose FAA funding in this grant cycle with no guarantee of funding in a subsequent year.

RECOMMENDATION

Staff recommends that the Board authorize the following actions for Procurement of ARFF Rescue 2 Vehicle Replacement:

1. Adopt a resolution authorizing the Executive Director to enter into a contract with Oshkosh for Procurement of ARFF Rescue 2 Vehicle Replacement in an amount not to exceed \$1,135,896 for the Total Base Bid and Additive Alternate A; and
2. Adopt a resolution authorizing the Executive Director to execute contract change orders to the extent necessary in an amount not to exceed \$20,104 (approximately 2%).