

**THIS PRINT COVERS CALENDAR ITEM NO. : 10.3**

**SAN FRANCISCO  
MUNICIPAL TRANSPORTATION AGENCY**

**DIVISION:** Transit Services

**BRIEF DESCRIPTION:**

Authorizing the Director of Transportation to execute Amendment Four to Contract No. SFMTA 2009/10-22 with Turnstone Consulting for additional environmental services for the Transit Effectiveness Project, increasing the contract amount by \$235,000, for a total contract amount not to exceed \$2,996,913 with no change to the term of the contract.

**SUMMARY:**

- On September 6, 2011, the Municipal Transportation Agency Board of Directors awarded Contract No. SFMTA 2009/10-22, Environmental Impact Analysis and Transportation Impact Study for the Transit Effectiveness Project, to Turnstone Consulting in the amount of \$2,000,000.
- The work being performed includes providing consulting services and support related to the environmental review process for the Transit Effectiveness Project (TEP).
- The TEP is an ongoing systemwide program that aims to improve service reliability, reduce travel time on transit, and improve customer experiences and service efficiency, and successful implementation is dependent upon adequate environmental review.
- Modification No. 4 is necessary to address additional environmental review requirements related to a recent appeal of the certified TEP Environmental Impact Report (EIR), and to provide support for obtaining federal environmental clearance under the National Environmental Policy Act (NEPA)
- This extra work will increase the contract amount by \$235,000, for a total contract amount not to exceed \$2,996,913, with no change to the term of the contract.

**ENCLOSURES:**

1. SFMTAB Resolution
2. Amendment Four

**APPROVALS:**

**DATE**

DIRECTOR \_\_\_\_\_

May 27, 2014

SECRETARY \_\_\_\_\_

May 27, 2014

**ASSIGNED SFMTAB CALENDAR DATE:** June 3, 2014

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### **PURPOSE**

Authorizing the Director of Transportation to execute Amendment Four to Contract No. SFMTA 2009/10-22 with Turnstone Consulting for additional environmental services for the Transit Effectiveness Project, increasing the contract amount by \$235,000, for a total contract amount not to exceed \$2,996,913 with no change to the term of the contract.

### **GOAL**

The environmental review consulting services provided by Turnstone Consulting will specifically address the following SFMTA Strategic Plan goals and objectives:

- Goal 1: Create a safer transportation experience for everyone;  
Objective: 1.3 Improve the safety of the transportation system.
- Goal 2: Make transit, walking, bicycling, taxi, ridesharing and carsharing the preferred means of travel;  
Objective 2.2 Improve transit performance.  
Objective 2.3 Increase use of all non-private auto modes.
- Goal 3: Improve environment and quality of life in San Francisco;  
Objective 3.2 Increase the transportation system's positive impact to the economy.  
Objective 3.3 Allocate capital resources effectively.  
Objective 3.4: Deliver services efficiently.
- Goal 4: Create a workplace that delivers outstanding service;  
Objective 4.4 Improve relationships and partnerships with our stakeholders.

### **DESCRIPTION**

#### Background

The TEP was initiated as a comprehensive review of the Muni transit system, and included rigorous technical analysis, extensive stakeholder input, and research of best practices from other transit agencies. The TEP is a joint effort of the SFMTA and the City Services Auditor (CSA) from the Controller's Office and aims to strengthen Muni's ability to respond to current travel needs, provide a blueprint for future service, apply best practices to service delivery, and promote the system's long-term financial stability.

The goals of the TEP are

- 1) improve service reliability,
- 2) reduce travel time,
- 3) improve customer experience; and
- 4) improve service effectiveness and efficiency.

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These goals will:

- 1) improve conditions for current customers,
- 2) increase transit ridership by attracting new customers,
- 3) develop positive relationships with communities, customers, and employees, and
- 4) deliver cost-effective service to optimize existing resources.

On September 6, 2011, the Municipal Transportation Agency Board of Directors adopted Resolution No. 11-118, which awarded Contract No. SFMTA 2009/10-22, Environmental Impact Analysis and Transportation Impact Study for the Transit Effectiveness Project, to Turnstone Consulting in the amount of \$2,000,000.

The contract divided the work into two phases: (1) required steps for completing an Environmental Impact Report (EIR) under the California Environmental Quality Act (CEQA), and (2) tasks that support the environmental review approval process or may arise as needed.

Turnstone Consulting, working collaboratively with staff from the City Planning Department, SFMTA, and other relevant entities, completed the TEP EIR , including review of new service policies, network updates, travel time reduction proposals and associated capital improvements.

In November 2012, the Director of Transportation approved Amendment One in the amount of \$184,000. This amendment modified the scope of the contract to add additional analysis and level of effort associated with needed tasks that were not originally anticipated for the Environmental and Transportation Impact Study.

In August 2013, the Director of Transportation approved Amendment Two in the amount of \$216,649, for a total contract amount of \$2,761,913. This amendment included scope of work changes in relation to tasks associated with the Air Quality Impact Report and the Draft EIR. These two amendments did not require SFMTA Board approval since they were within the Director of Transportation's delegated authority.

In November 2013, the SFMTA Board approved the Third Amendment in the amount of \$361,264, for a total contract amount not to exceed \$2,761,913. This modification increased the amount of funding for various environmental review tasks related to the greater-than-expected number of project-related public comments that were received, as well as to the need for analysis of several newly added project elements. Since this exceeded the Director of Transportation's authority to approve, staff received SFMTA Board approval.

Amendment Four increases the contract amount by \$235,000 for support for an appeal of the TEP EIR, which was submitted after the San Francisco Planning Commission's certification of the EIR on March 27, 2014, and for assistance with obtaining federal environmental clearance under NEPA for projects that may receive federal funding, for a total contract amount not to exceed \$2,996,913. Amendment Four does not affect the term of the contract. Since the Director of Transportation's authority to approve contract amendments has been exceeded, staff is requesting SFMTA Board approval.

There is a 15% LBE goal set for this contract. This goal has been met, as the contract's current LBE percentage is over 16%.

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The City Attorney's Office has reviewed this calendar item.

**ALTERNATIVES CONSIDERED**

The possibility of adequately fulfilling all TEP environmental review requirements without modifying the existing contract was considered. Based on a number of factors, including the newly introduced needs related to both addressing an EIR appeal and obtaining federal NEPA environmental clearance for projects that have recently been identified for prospective federal funding, staff determined that the existing contract budget was insufficient to complete the required environmental review process. Not approving the proposed contract amendment could result in an inadequate environmental review process.

**FUNDING IMPACT**

Funding for the contract will be provided from SFMTA operating funds.

**OTHER APPROVALS RECEIVED OR STILL REQUIRED**

None.

**RECOMMENDATION**

Staff recommends that this Board authorize the Director of Transportation to execute Amendment Four to Contract No. SFMTA 2009/10-22 with Turnstone Consulting for additional environmental services for the Transit Effectiveness Project, increasing the contract amount by \$235,000, for a total contract amount not to exceed \$2,996,913 with no change to the term of the contract.

SAN FRANCISCO  
MUNICIPAL TRANSPORTATION AGENCY  
BOARD OF DIRECTORS

RESOLUTION No. \_\_\_\_\_

WHEREAS, On September 6, 2011, the Municipal Transportation Agency Board of Directors awarded Contract No. SFMTA 2009/10-22, Environmental Impact Analysis and Transportation Impact Study for the Transit Effectiveness Project (TEP), to Turnstone Consulting in the amount of \$2,000,000; and,

WHEREAS, In November 2012, the Director of Transportation approved, under his delegated authority, Amendment One to the Contract in the amount of \$184,000, which modified the scope of the contract to add additional analysis and level of effort associated with needed tasks that were not originally anticipated for the Environmental and Transportation Impact Study; and,

WHEREAS, In August 2013, the Director of Transportation approved, under his delegated authority, Amendment No. 2 to make scope of work changes in relation to tasks associated with the Air Quality Impact Report and the Draft Environmental Impact Report (DEIR) and increased the contract amount in the amount of \$216,649; and,

WHEREAS, In November 2013, the SFMTA Board approved the Third Amendment in the amount of \$361,264 to increase various environmental review tasks to address the greater-than-expected number of public comments that were received in response to the DEIR and the need for analysis of several newly added project elements; and,

WHEREAS, Amendment Four increases the cost of the Contract in the amount of \$235,000 for support for responding to an appeal of the TEP EIR, and for assistance with obtaining federal environmental clearance under the National Environmental Policy Act, for projects that may receive federal funding, for a total contract amount not to exceed \$2,996,913; now, therefore, be it

RESOLVED, That SFMTA Board of Directors authorizes the Director of Transportation to execute Amendment Four to Contract No. SFMTA 2009/10-22 with Turnstone Consulting for additional environmental services for the Transit Effectiveness Project, increasing the contract amount by \$235,000, for a total contract amount not to exceed \$2,996,913 with no change to the term of the contract.

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of May 20, 2014.

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Secretary to the Board of Directors  
San Francisco Municipal Transportation Agency

**City and County of San Francisco  
Municipal Transportation Agency  
One South Van Ness, 7<sup>th</sup> Floor  
San Francisco, California 94103**

**Amendment Four to Agreement between  
the City and County of San Francisco and  
Turnstone Consulting**

**Contract No. SFMTA 2009/10-22**

THIS AMENDMENT (this “Amendment”) is made as of \_\_\_\_\_, 2014, in the City and County of San Francisco, State of California, by and between Turnstone Consulting (“Contractor”), and the City and County of San Francisco, a municipal corporation (“City”), acting by and through its San Francisco Municipal Transportation Agency (“SFMTA”).

**Recitals**

- A. City and Contractor have entered into the Agreement (as defined below).
- B. City and Contractor desire to modify the Agreement on the terms and conditions set forth herein to increase the contract amount for the purpose of providing support related to the recently-submitted appeal of the certified Transit Effectiveness Project (TEP) Environmental Impact Report (EIR), and to the accommodation of newly introduced supportive and engineering needs associated with obtaining federal environmental clearance, as directed by the National Environmental Policy Act (NEPA), for projects that will be funded in part by federal sources.

NOW, THEREFORE, Contractor and the City agree as follows:

**1. Definitions.** The following definitions shall apply to this Amendment:

**1a. Agreement.** The term “Agreement” shall mean the Agreement dated September 20, 2011 between Contractor and the City, as amended by the:

First Amendment, dated November 29, 2012,  
Second Amendment, dated August 13, 2013, and  
Third Amendment, dated December 18, 2013.

**1b. Other Terms.** Terms used and not defined in this Amendment shall have the meanings assigned to such terms in the Agreement.

**2. Modifications to the Agreement.** The Agreement is modified as follows:

**2a. Section 5(a).** Section 5(a) (Compensation) of the Agreement currently reads as follows:

**Amount.** Compensation under this Agreement shall be based on a fixed amount for Tasks 1-11 not to exceed (Two Million, Fifteen Thousand, Ten Dollars (\$2,015,010), and, for

As-Needed Tasks 12-18, either a negotiated lump sum price per Task, or actual direct costs plus a negotiated fixed profit per Task, for a total amount for Tasks 12-18 not to exceed Seven Hundred Forty-Six Thousand, Nine Hundred Three Dollars (\$746,903). In no event shall the total amount of this Agreement exceed Two Million, Four Hundred Thousand, Six Hundred Forty-Nine Dollars (\$2,761,913).

Such section is amended in its entirety to read as follows:

**Amount.** Compensation under this Agreement shall be based on a fixed amount for Tasks 1-11 not to exceed Two Million, Fifteen Thousand, Ten Dollars (\$2,015,010), and, for As-Needed Tasks 12-18, either a negotiated lump sum price per Task, or actual direct costs plus a negotiated fixed profit per Task, for a total amount for Tasks 12-18 not to exceed Nine Hundred Eighty-One Thousand, Nine Hundred Three Dollars (\$981,903). In no event shall the total amount of this Agreement exceed Two Million, Nine Hundred Ninety-Six Thousand, Nine Hundred Thirteen Dollars (\$2,996,913).

**2b. Appendix B.** Section “Appendix B - Calculation of Charges” is replaced in its entirety with a new Appendix B attached to this Amendment.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day first mentioned above.

CITY

CONTRACTOR

Municipal Transportation Agency

Turnstone

\_\_\_\_\_  
Edward D Reiskin  
Director of Transportation

\_\_\_\_\_  
Barbara W. Sahn  
Principal  
330 Townsend Street, Suite 216  
San Francisco, CA 94107

Approved as to Form:

City vendor number: 5853

Dennis J. Herrera  
City Attorney

By \_\_\_\_\_  
Robin M. Reitzes  
Deputy City Attorney

AUTHORIZED BY:

MUNICIPAL TRANSPORTATION AGENCY BOARD OF DIRECTORS

Resolution No: \_\_\_\_\_

Adopted: \_\_\_\_\_

Attest: \_\_\_\_\_  
Roberta Boomer, Secretary  
SFMTA Board of Directors

**Appendix B  
Calculation of Charges**

In accordance with this Agreement, the Contractor’s total compensation under this Agreement is detailed below, inclusive of all costs required to complete all work specified in Appendix A. In no event shall the total costs under this Agreement exceed the amount provided in Section 5 of this Agreement. All or a portion of the funds assigned to the As-Needed Tasks may be moved to other As-needed Tasks at the discretion of the SFMTA, and by letter signed by the TEP Project Manager (without formal amendment to the Agreement), provided that such reassignments of funds do not affect the overall subtotal amount of the As-Needed Tasks.

**TABLE 1. CALCULATION OF CHARGES**

Task	Phase	Task Description	Task Cost
Task 1	1	Project Kick-off Meetings, Information Review and Project Work Plan	\$26,037
Task 2	1	Public Project Scoping Meeting and NOP	\$63,959
Task 3	1	Initial Study	\$233,191
Task 4	2	Transportation Impact Study	\$367,880
Task 5	3	Air Quality Impact Study	\$104,240
Task 6	3	Alternatives Development and Analysis	\$42,733
Task 7	3	Draft EIR	\$425,271*
Task 8	4	Response to Comments	\$458,838
Task 9	4	Preparation for and Participation in Hearing of Final EIR	\$28,657
Task 10	4	Final EIR Document	\$53,520
Task 11	4	Administration	\$210,684
<b>Subtotal Tasks 1-11</b>			<b>\$2,015,010</b>
Task 12	As Needed	<i>As-Needed EIR Appeal</i>	\$175,000
Task 13	As Needed	<i>As-Needed TTRP Microsimulation</i>	\$0 (unassigned)
Task 14	As Needed	<i>As-Needed Pilot Project Evaluation</i>	\$35,970
Task 15	As Needed	<i>As-Needed Additional Technical Studies</i>	\$0 (unassigned)
Task 16	As Needed	<i>As-Needed Additional DEIR Alternative</i>	\$0 (unassigned)
Task 17	As Needed	<i>As-Needed Compliance with NEPA</i>	\$150,000
Task 18	As Needed	<i>As-Needed Outreach, Engineering and Environmental Support</i>	\$620,933
<b>Subtotal Tasks 12-18</b>			<b>\$981,903</b>
<b>Total Tasks 1-18</b>			<b>\$2,996,913</b>

\*\$69,000 of this amount is reserved for time and materials-based billing of Draft EIR and NOA printing charges.