

MUNICIPAL TRANSPORTATION AGENCY
BOARD OF DIRECTORS
CITY AND COUNTY OF SAN FRANCISCO

RESOLUTION No. 15-120

WHEREAS, On April 17, 2012, following a several years-long planning, RFP and contract negotiation process, the SFMTA Board of Directors adopted Resolution No. 12-054 which authorized the Director of Transportation to execute SFMTA Contract No. 1240, Design Build Services for the Radio System Replacement Project with Harris Corporation for a Contract term of 1200 calendar days and in an amount (Contract Sum) not to exceed \$86,648,058 for base services and \$22,572,461 for optional services; and

WHEREAS, Unforeseen site conditions, design changes to meet field conditions, SFMTA requests for additional work, changes from deleted work, difficulties interfacing with legacy systems, and necessary changes to specifications have delayed the timely completion the new radio system design, which has delayed installation and deployment of the system; and

WHEREAS, The Director of Transportation approved Contract Modification Nos. 1 through 11, which added \$5,052,584.21 for a total Contract Sum of \$91,700,642.21, of which \$5,024,467.21 was compensation for optional services provided in the original Contract, and \$28,117 was for additional work requested by SFMTA; and

WHEREAS, Contract Modification No. 12, as of its effective date, would provide a final resolution of all claims between the parties for additional compensation, contract time and credits, which include but are not limited to Harris' claims for additional compensation and additional time for additional work, Harris' claims for incurred costs arising from alleged unexpected site conditions, Harris' claims concerning deficiencies in Contract specifications, and the SFMTA's claims for credit for deleted work; and

WHEREAS, Contract Modification No. 12 would extend the contract time 538 calendar days for a total contract term of 1738 calendar days, with no change to the Contract Sum; and

WHEREAS, On December 15, 2011, the San Francisco Planning Department determined that the proposed SFMTA Radio System Replacement Project is categorically exempt from environmental review [Case No. 2011.1383E] under the California Environmental Quality Act as a Class 1 exemption (minor alterations to existing facilities) pursuant to Title 14 of the California Code of Regulations, Section 15301; and

WHEREAS, On April 2, 2014, SFMTA environmental review staff, with the concurrence of the San Francisco Planning Department determined that an addendum to the proposed SFMTA Radio System Replacement Project is categorically exempt from environmental review [Case No. 2014.0593E] under the California Environmental Quality Act as a Class 1 exemption (minor alterations to existing facilities) pursuant to Title 14 of the California Code of Regulations, Section 15301; and

WHEREAS, These CEQA-related documents, are on file with the Secretary of the SFMTA Board of Directors, and may also be found in the files of the Planning Department, as the custodian of records, at 1650 Mission Street in San Francisco, and are incorporated herein by reference; and

WHEREAS, It is in the public's interest to obtain a replacement radio system as soon as possible to maintain safe and efficient public transit services at a reasonable cost, and Contract Modification No. 12 will facilitate the SFMTA's meeting that objective; now therefore be it

RESOLVED, That the SFMTA Board of Directors authorizes the Director of Transportation to execute Contract Modification No. 12 to SFMTA Contract No. 1240, Design Build Services to the Radio System Replacement Project, with Harris Corporation, to extend the term of the contract by 538 days, clarify specifications, and resolve claims, with no increase in cost.

I certify that the foregoing resolution was adopted by the Municipal Transportation Agency Board of Directors at its meeting of September 1, 2015.

Secretary to the Board of Directors
San Francisco Municipal Transportation Agency