

THIS PRINT COVERS CALENDAR ITEM NO. : 10.7

**SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY**

DIVISION: Capital Programs & Construction

BRIEF DESCRIPTION:

Authorizing the Director of Transportation to execute San Francisco Municipal Transportation Agency (SFMTA) Contract No. 1265, Curtis Green Facility Roof Rehabilitation Project, with Pioneer Contractors, Inc., located at 1485 Armstrong Avenue, San Francisco, California 94124, as the lowest responsive and responsible bidder, in the amount of \$4,301,800, and for a term of 244 calendar days.

SUMMARY:

- On September 6, 2012, the Director of Transportation notified the SFMTA Board of Directors that he had authorized a bid call for Contract No. 1265, Curtis Green Facility Roof Rehabilitation Project.
- The scope of work is to replace the roof, replace a majority of rooftop heating and ventilation (HV) equipment, and remove abandoned HV equipment on the Main Shop Building.
- Eight bids were received and publicly opened on November 15, 2012.
- Staff recommends awarding Contract No. 1265 to Pioneer Contractors, Inc. as the lowest responsive and responsible bidder, in the amount of \$4,301,800.
- This contract is funded by operating funds, and SFMTA Series 2012B & 2013A Revenue Bond funds.

ENCLOSURES:

1. SFMTAB Resolution
2. Project Budget & Financial Plan

APPROVALS:

DATE

DIRECTOR _____ 1/7/13

SECRETARY _____ 1/7/13

ASSIGNED SFMTAB CALENDAR DATE: January 15, 2013

PAGE 2.

PURPOSE

The purpose of this calendar item is to award SFMTA Contract No. 1265, Curtis Green Facility Roof Rehabilitation Project, to the lowest responsive and responsible bidder, Pioneer Contractors, Inc., in the amount of \$4,301,800, and for a term of 244 calendar days.

GOAL

Contract No. 1265 would assist in the implementation of the following goals, objectives and initiatives in the SFMTA Strategic Plan:

Goal 1: Create a safer transportation experience for everyone.

Objective 1.2 Improve workplace safety and security.

Objective 1.3 Improve the safety of the transportation system.

Goal 2: Make transit, walking, bicycling, taxi, ridesharing & carsharing the preferred means of travel.

Objective 2.2 Improve transit performance.

Goal 3: Improve the environment and quality of life in San Francisco

Objective 3.1 Reduce the Agency's and the transportation system's resource consumption, emissions, waste and noise.

Objective 3.3 Allocate capital resources effectively.

Objective 3.4 Deliver services efficiently.

DESCRIPTION

Background

The roof of the Main Shop Building is approximately 32 years old and covers an area of approximately 87,000 square feet. The roof is beyond economical repair or restoration. The Department of Public Works (DPW) Bureau of Architecture conducted a roof condition assessment study on the Main Shop Building of the Curtis E. Green Light Rail Facility (Green Facility) in 2001. The "*Roof Condition Assessment Study Report*," dated July 30, 2001, recommended that most of the HV equipment, along with the roof of the building, be removed and replaced; and various rooftop repairs (e.g., repair concrete deck, replace metal coping, repair smoke hatches) be implemented.

Scope of Work

The work involves replacing the roof, replacing the majority of roof top exhaust fans and make-up heaters, removing abandoned make-up heaters and exhaust fans, removing and disposing of asbestos-containing materials, and providing training of operations and maintenances personnel in the new equipment.

The time allotted to substantially complete construction of the project is 244 calendar days from the date of the written Notice to Proceed with the work. Liquidated damages are \$5,000 per calendar day for failure to reach substantial completion on time and \$1,000 per calendar day of delay to complete the remaining work.

Bid Opening & Bids Received

On November 15, 2012, SFMTA's Capital Programs and Construction Division received and publicly opened eight bid proposals.

Applying the bid discounts authorized under the City's Local Business Enterprise (LBE) Ordinance, the results are as follows:

	Bidders	Bid Amount	Bid Discount	Adjusted Bid Price
1	Pioneer Contractors, Inc. 1485 Armstrong Avenue San Francisco, CA 94124	\$4,301,800	10%	\$3,871,620.00
2	Galleria, Inc. dba Trico 981 Howard St. San Francisco, CA 94103	\$4,413,401	10%	\$3,972,060.90
3	Southwest Construction and Property Management 1213 San Mateo Avenue San Bruno, CA 94066	\$3,996,500	N/A	\$3,996,500.00
4	Schembri Construction Co., Inc. 1485 Bayshore Blvd. #130 San Francisco, CA 94124	\$4,463,372	10%	\$4,017,034.80
5	Angotti & Reilly Inc. 1000 Mariposa Street. San Francisco, CA 94107	\$4,078,010	N/A	\$4,078,010.00
6	NTK Construction, Inc. 501 Cesar Chavez, Suite 123 San Francisco, CA 94124	\$4,316,200	2%	\$4,229,876.00
7	Best Contracting Services, Inc. 4301 Bettencourt Way Union City, CA 94587	\$4,497,700	N/A	\$4,497,700.00
8	Transworld Construction, Inc. 1178 Folsom St. San Francisco, CA 94103	\$5,010,146	10%	\$4,509,131.40

PAGE 4.

The engineer's estimate for the work indicated in the invitation for bid was \$2,773,389. The estimate was based on information from DPW's Bureau of Architecture, who designed and estimated the project. Unfortunately, staff was unaware that DPW's estimate did not include sums for mobilization, demobilization, contractor's profit and overhead. When these sums are added in, the revised engineering estimate is \$3,739,938.

Staff reviewed the eight adjusted bid amounts and determined that Pioneer Contractors, Inc. is the lowest responsive and responsible bidder after application of the bid discounts.

SFMTA received a bid protest on November 21, 2012 from Angotti & Reilly, Inc. alleging that Pioneer Contractors, Inc. did not possess the appropriate contractor license for the contract. Addendum No. 1 to the Bid Documents issued on October 18, 2012 required the contractor to hold a California State Contractor's License Classification of "A" or "B" for this work. While Pioneer does not have an "A" license classification, it maintains a "B" license classification, which is adequate for this work. Therefore, the staff determined that the protest had no merit. An appeal was filed by Angotti & Reilly making further allegations regarding subcontractors. This appeal was reviewed by the Director of Transportation and was found to be without merit.

The Contract Compliance Office reviewed the bid proposals and confirmed that Pioneer Contractors, Inc. has made a commitment to meeting the LBE subcontracting participation goal of 12 percent established for this contract and will commit to meeting the Non-discrimination Equal Employment Requirements of the contract. Pioneer Contractors, Inc. is in compliance with Chapter 12B, the Equal Benefits Provision of the San Francisco Administrative Code.

Contract documents are not attached to this Calendar Item but are available for review at the Board Secretary's Office located at One South Van Ness Ave. Seventh Floor, San Francisco, CA 94103.

FUNDING IMPACT

Funding for the entire project comes from operating funds and SFMTA Series 2012B and 2013A Revenue Bond funds. All funding for this project has been secured.

The budget and financial plan for this project is presented in Enclosure 2 of the calendar item.

OTHER APPROVALS RECEIVED OR STILL REQUIRED

The City Attorney has reviewed this report.

No other approvals from any other agency are required for the execution of this contract.

RECOMMENDATION

Staff recommends that the SFMTA Board of Directors authorize the Director of Transportation to execute SFMTA Contract No. 1265, Curtis Green Facility Roof Rehabilitation Project, to Pioneer Contractors, Inc., as the lowest responsive and responsible bidder, for a contract amount of \$4,301,800 and for a term of 244 calendar days.

SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY
BOARD OF DIRECTORS

RESOLUTION No. _____

WHEREAS, San Francisco Municipal Transportation Agency (SFMTA) Contract No. 1265, Curtis Green Facility Roof Rehabilitation Project, is identified in the latest SFMTA Short Range Transit Plan under Infrastructure - Rehabilitation of the Capital Investment Program; and,

WHEREAS, The work to be performed under this project will replace the roof, replace the majority of the rooftop heating and ventilation (HV) equipment, and remove all abandoned HV equipment on the Main Shop Building; and,

WHEREAS, On September 6, 2012, the Director of Transportation notified the SFMTA Board of Directors that he had authorized a bid call for Contract No. 1265, Curtis Green Facility Roof Rehabilitation Project; and,

WHEREAS, On November 15, 2012, the SFMTA received and publicly opened eight bid proposals in response to its invitation for bids; and,

WHEREAS, The SFMTA determined that Pioneer Contractors, Inc., located at 1485 Armstrong Avenue, San Francisco, California 94124, is the lowest responsive and responsible bidder; and,

WHEREAS, The SFMTA received a bid protest alleging that the low bidder had failed to possess the appropriate Contractor's license for the work; and

WHEREAS, The SFMTA reviewed the protest and found it to be without merit; and

WHEREAS, The SFMTA Contract Compliance Office reviewed the bid proposals and confirmed that Pioneer Contractors, Inc. has committed to meeting the revised Local Business Enterprise subcontracting participation goal of 12 percent established for this contract and will commit to meeting the Non-discrimination Equal Employment Requirements of the contract; and

WHEREAS, The project is funded by SFMTA Series 2012B and 2013A Revenue Bonds and by operating funds; now, therefore, be it

RESOLVED, That the SFMTA Board of Directors authorizes the Director of Transportation to execute SFMTA Contract No. 1265, Curtis Green Facility Roof Rehabilitation Project, to Pioneer Contractors, Inc., to replace the roof and a majority of rooftop heating and ventilation equipment, as the lowest responsive and responsible bidder, in the amount of \$4,301,800, and for a term of 244 calendar days.

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of January 15, 2013.

Secretary to the Board of Directors
San Francisco Municipal Transportation Agency

ENCLOSURE 2

**Contract No. 1265
Curtis Green Roof Rehabilitation
Project Budget and Financial Plan**

PROJECT BUDGET

Category	Budget
Conceptual Engineering Phase Staff Support (SFMTA and Other Dept. Services)	\$300,000
Detail Design Phase Staff Support (SFMTA and Other Dept. Services)	\$508,000
Construction Phase Construction Contract, Contingency and Staff Support	\$5,792,000
Total Cost	\$6,600,000

FINANCIAL PLAN

Project Funding Source	Amount
Operating Funds	\$200,000
SFMTA Series 2012B Bond	\$5,100,000
SFMTA Series 2013A Bond	\$1,300,000
Total	\$6,600,000