

SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY
BOARD OF DIRECTORS

RESOLUTION No. 13-008

WHEREAS, San Francisco Municipal Transportation Agency (SFMTA) Contract No. 1264, Muni Metro Turnback Rail Rehabilitation, is identified in the latest SFMTA Capital Improvement Program (CIP); and,

WHEREAS, The scope of work under the contract is to replace approximately 3,600 linear feet of worn running rail and 1,060 linear feet of worn guard rail from Folsom Portal to Embarcadero Station; as well as replacement of one corroded fire suppression deluge valve (with associated trim) and refurbishment of five deluge access panels; and,

WHEREAS, On December 7, 2012, the SFMTA received and publicly opened three bid proposals in response to its invitation for bids; and,

WHEREAS, The SFMTA determined that NTK Construction, Inc. (NTK), located at 501 Cesar Chavez Street, San Francisco, California 94124, is the lowest responsive and responsible bidder, in the amount of \$800,400; and,

WHEREAS, The SFMTA received a bid protest from the second low bidder alleging that NTK had failed to meet the Small Business Enterprise goals of the contract and had failed to demonstrate sufficient good faith efforts in reaching those goals; and

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

WHEREAS, The SFMTA Contract Compliance Office reviewed the bid proposals and confirmed that NTK Construction, Inc. will meet the revised Small Business Enterprise 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 a federal grant, AB664 Bridge Tolls, and SFMTA Series 2012B & 2013A Revenue Bond funds; now, therefore, be it

RESOLVED, That the SFMTA Board of Directors authorizes the Director of Transportation to execute SFMTA Contract No. 1264, Muni Metro Turnback Rail Rehabilitation, to NTK Construction, Inc., as the lowest responsive and responsible bidder, to replace worn running rail and guard rail from Folsom Portal to Embarcadero Station in an amount of \$800,400, and for a term of 180 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.

R. Pozner

Secretary to the Board of Directors
San Francisco Municipal Transportation Agency