

SAN FRANCISCO  
MUNICIPAL TRANSPORTATION AGENCY  
BOARD OF DIRECTORS

RESOLUTION No. 210119-016

WHEREAS, On March 5, 2019, the SFMTA Board of Directors adopted Resolution No. 19305-029 awarding Contract No. 1306, L Taraval Improvement Project - SF Zoo to Sunset Boulevard, to NTK Construction, Inc., to construct capital improvements along the L Taraval corridor between SF Zoo and Sunset Boulevard, in an amount not to exceed \$29,039,357, and for a term of 600 days to substantial completion; and,

WHEREAS, Contract Modification No. 1, executed by the Director of Transportation per Board Resolution No. 191203-153, increased the Contract amount by \$410,000, for a total Contract amount not to exceed \$29,449,357, with no extension of time; and,

WHEREAS, On October 29 , 2020, in accordance with the emergency contracting provisions of Administrative Code section 6.60, the Chair of the SFMTA Board of Directors issued a declaration of emergency that the condition of the trackway in the Twin Peaks Tunnel constitutes an emergency requiring immediate repairs; and,

WHEREAS, Section 6.60 of the Administrative Code authorizes the Director of Transportation to issue emergency contracts, subject to retroactive approval by the SFMTA Board; and,

WHEREAS, To expedite completion of this emergency repairs, the Agency chose to issue a contract modification under the existing SFMTA Contract No 1306, L Taraval Improvement Project with NTK, Inc., which contractor has the necessary experience and resources to perform the work; and,

WHEREAS, On December 7, 2020, the SMFTA issued a task order under Contract No. 1306 (L Taraval Improvement Project) for NTK began trackway repairs in the Twin Peaks Tunnel; and,

WHEREAS, On December 9, 2020, NTK signed a Record of Negotiations with SFMTA memorializing a negotiated contract amount of \$10,517,500 for the Twin Peaks trackway repairs; and,

WHEREAS, On December 17, 2020, , the Director of Transportation executed Contract Modification No. 2 amending the NTK Taraval Contract to add repairs to the Twin Peaks Tunnel trackway as Additional Work; and,

WHEREAS, CEQA provides a categorical exemption from environmental review for replacement or reconstruction of existing structures and facilities as defined in Title 14 of the California Code of Regulations Section 15302; and,

WHEREAS, On July 31, 2015, the Planning Department determined (Case Number 2015-008803ENV) that the Twin Peaks Tunnel Trackway Project is categorically exempt from CEQA as defined in Title 14 of the California Code of Regulations Section 15302; the emergency repairs to the Twin Peaks Tunnel Trackway are within the scope of the 2015 categorical exemption; and,

WHEREAS, A copy of the CEQA determination is on file with the Secretary to the SFMTA Board of Directors, and may be found in the records of the Planning Department at <https://sfplanning.org/> and 49 South Van Ness Avenue, Suite 1400 in San Francisco, and is incorporated herein by reference; now therefore be it

RESOLVED, That the SFMTA Board of Directors retroactively approves Modification No. 02 to Contract No. 1306, L Taraval Improvement Project, with NTK Construction Inc., for emergency trackway repairs in the Twin Peaks tunnel in the amount of \$10,517,500, for a total contract amount not to exceed \$39,966,857, with no extension of time.

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of January 19, 2021.

*Caroline Celaya*

---

Secretary to the Board of Directors  
San Francisco Municipal Transportation Agency