

THIS PRINT COVERS CALENDAR ITEM NO. : 10.4

**SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY**

DIVISION: Capital Programs and Construction

BRIEF DESCRIPTION:

Authorizing the Director of Transportation to execute the Second Amendment to SFMTA Contract No. CS-162, Professional Support Services to support the Job Order Contracting Program, with The Gordian Group, Inc., retroactively to extend the term of the agreement by one year to October 2, 2017, at no additional cost to the City.

SUMMARY:


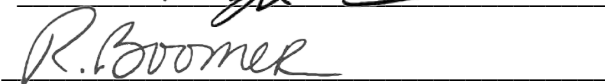
- The Job Order Contracting System (JOC) consists of an “as-needed” indefinite quantity contract with a predefined set of bid items that are assigned on a task order basis for the performance of public work maintenance, repair and minor construction projects.
- This method of contracting, as authorized by San Francisco Administrative Code Section 6.62, enables SFMTA to obtain minor construction services on an as-needed basis in an efficient and expeditious manner.
- On June 15, 2010, the SFMTA Board of Directors awarded Contract No. CS-162 to the Gordian Group, to provide specialized support services for the SFMTA’s JOC System for a total amount of \$975,000 and a term of five years.
- The Director of Transportation approved the First Amendment to Contract No. CS-162, extending the term of the contract to October 2, 2016.

ENCLOSURES:

1. SFMTAB Resolution
2. Second Amendment

APPROVALS:

DATE

DIRECTOR		<u>9/20/16</u>
SECRETARY		<u>9/20/16</u>

ASSIGNED SFMTAB CALENDAR DATE: October 4, 2016

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PURPOSE

Requesting authorization for the Director of Transportation to execute the Second Amendment to SFMTA Contract No. CS-162, Professional Support Services to Support the Job Order Contracting Program, with The Gordian Group, Inc., retroactively to extend the term of the agreement by one year to October 2, 2017, at no additional cost to the City.

GOAL

Contract No. CS-162 will 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 1.1: Improve security for transportation system users

Objective 1.2: Improve workplace safety and security

Objective 1.3: Improve the safety of the transportation system

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

Objective 3.2: Increase the transportation system's positive impact to the economy

Objective 3.4: Deliver services efficiently

DESCRIPTION

As authorized under Section 6.62 of the San Francisco Administrative Code, the SFMTA has developed a Job Order Contracting (JOC) program for the purpose of performing maintenance, repair and minor construction work in an efficient and expeditious manner.

Under this program, each JOC contract is advertised competitively. Contractors bid on detailed specifications and unit prices derived for each construction task contemplated to be performed under the JOC contract. Each item includes direct costs for material, equipment and labor, and is grouped by trade. The unit prices are derived from a Unit Price Book developed by a consultant containing approximately 100,000 unit prices covering material, equipment and labor costs for various types of construction. Contractors submitting bids on the JOC contract state in their bids an adjustment factor on a percentage basis, either increasing or decreasing the unit prices for all construction tasks set forth in the bid documents. All of the contractor's profit, overhead and indirect costs are included into the adjustment factor. Task orders are issued to the selected contractors on an as-needed basis once a need for work has been identified.

The consultant prepares the bid documents, using the Unit Price Book, to support the JOC program for the SFMTA.

On June 15, 2010, the SFMTA Board of Directors approved Resolution No. 10-085, awarding Contract No. CS-162 to the Gordian Group, Inc., to provide specialized support services for the SFMTA's JOC System for a total amount of \$975,000 and a term of five years. Under Contract No.

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CS-162, the consultant provides these services without any initial compensation. Compensation to the consultant is limited to 1.95% of the value of the construction work performed under the Agency's JOC contracts. The compensation fee payable to the consultant will be reduced to 1.75% of the construction work during any contract year where the total value of construction exceeds \$10,000,000. No payments are made to the Consultant under the contract until JOC contracts are established and task orders for construction work are issued. Total compensation under this contract depends on the amount of construction task orders issued, but will not exceed \$975,000. Funding for payments under this contract are provided through existing approved budgets for the projects requiring JOC services.

The Director of Transportation approved the First Amendment to the agreement on July 3, 2015, to extend the term of the contract from July 3, 2010 to October 2, 2016. Currently, Contract CS-162 has remaining funds of \$585,000.

The Second Amendment to the agreement will provide the SFMTA with specialized consulting services required to continue to support SFMTA's JOC program until October 2, 2017.

Services Provided under this Agreement:

- Provide Construction Task Catalogs[®] containing at least 60,000 to 100,000 unit prices covering material, equipment and labor costs for various units of construction, and adjusting these costs to current market conditions;
- Prepare and publish Technical Specifications describing the materials, performance and installation requirements for each of the construction tasks listed in the Construction Task Catalogs[®], incorporating standard SFMTA specifications as requested by SFMTA;
- Provide procurement support, execution procedures, and EGORDIAN software to manage the contracts for construction;
- Train SFMTA staff on implementation of the contracting system;
- Conduct outreach to maximize contractor participation in bidding;
- Train potential contractors on application of the system;
- Train the awarded general contractors in implementation of the contracts; and
- Conduct/attend orientation meetings, program review conferences, and program briefings, as needed.
- Provide professional consultation through peer reviews, report and deliverables as requested by SFMTA staff

The SFMTA has so far entered into nine JOC construction contracts with the assistance received from the Gordian Group. The SFMTA has used its JOC contracts to accomplish a number of critically important projects effectively and expeditiously.

Following is representative listing of completed projects:

- Installed communication cable tray at Van Ness platform station

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- Repaired 12” cracked sewer between Palou and Quesada
- Installed CCTV and intrusion alarms for the drawbridges
- Installed swoosh arm and luminaries at Third street
- Upgraded subway platform lighting at Powell and Montgomery
- Performed tenant improvement at Bancroft
- Replaced valve at the Woods engine room
- Installed perimeter fencing at Forest Hill and West Portal
- Modified fuel pump at Islais Creek
- Provided power to Bus shelter at Balbo Park station
- Repaired Operator restroom at 48th and Geary
- Installed roll-up doors at Van Ness, Church and Castro Metro stations entrance.
- Repaired concrete at the Twin Peaks Tunnel
- Provided utility connections to the Break room at Woods
- Installed key stops at 28th & Judah
- Installed ATCS at Van Ness, Duboce, West portal, Castro and Embarcadero
- Repaired Water Drain at West portal
- Performed Van Ness Pothole paving
- Inspected Twin Peak drainage for damages
- Repaired Muni Metro East Telescoping door at Track 6 - Northside
- Performed roof repairs at 12 SFMTA facilities
- Installed OCS at intersection of Mission and Main street for Super Bowl 50
- Replaced Vacuum heaters and burners at Presidio Maintenance shop
- Assisted in Marin – Video shop move to Bayshore
- Installed electrical and data at Bayshore for Video shop
- Performed Signal shop storage racks procurement and installation
- Performed OCS switch move at California and Presidio
- Installing transit Vetag loops at West portal/St. Francis circle
- Motorizing the storeroom windows at Flynn and Metro
- Constructing 56 Speed humps and cushion on residential streets in San Francisco

Due to the ongoing demand for minor construction and maintenance work in an efficient and expeditious manner using JOC, the SFMTA plans to advertise and award two locally funded JOC contracts in FY 2017 for \$3,000,000 each, for which support from the Gordian Group will be needed.

The Contract Compliance Office has not established a SBE participation goal for this contract as there are no subcontracting opportunities.

STAKEHOLDER ENGAGEMENT

Stakeholder engagement will be performed for each task order.

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ALTERNATIVES CONSIDERED

There is currently no alternative for the JOC system. Using a JOC system remains the most efficient and expeditious manner for performing minor construction and maintenance work.

FUNDING IMPACT

Funding for task order service fees issued under this contract will be provided through existing approved budgets for projects requiring JOC services.

ENVIRONMENTAL REVIEW

On September 9, 2016, the SFMTA, under authority delegated by the Planning Department determined that Contract No. CS-162 is not a “project” pursuant to CEQA as defined in CEQA Guidelines Sections 15060(c) and 15378(b), because the action would not result in any direct or indirect physical change to the environment.

Any Task Orders/projects designed under the proposed contract that would result in a direct or indirect physical change to the environment will undergo environmental review before approval.

A copy of the CEQA determination is on file with the Secretary to the SFMTA Board of Directors and is incorporated herein by reference.

OTHER APPROVALS RECEIVED OR STILL REQUIRED

The Civil Service Commission approved this time extension on September 19, 2016.

The City Attorney’s office has reviewed this report.

No other approvals are required for this Contract Modification.

RECOMMENDATION

Staff recommends that the SFMTA Board of Directors authorize the Director of Transportation to execute the Second Amendment to SFMTA Contract No. CS-162, Professional Support Services to Support the Job Order Contracting Program, with The Gordian Group, Inc., retroactively to extend the term of the agreement by one year to October 2, 2017, at no additional cost to the City.

SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY
BOARD OF DIRECTORS

RESOLUTION No. _____

WHEREAS, The Job Order Contracting system (JOC) consists of an indefinite quantity contract with a predefined set of bid items that are assigned on a task order basis for the performance of public work maintenance; and,

WHEREAS, The Gordian Group has pioneered the development of the JOC system and remains the only available source for preparation of bid documents and implementation of the JOC system; and,

WHEREAS, The San Francisco Municipal Transportation Agency (SFMTA) implemented a JOC system in 2006, with the assistance of the Gordian Group, for the purpose of performing construction and maintenance work in an efficient and expeditious manner; and,

WHEREAS, On June 15, 2010, the SFMTA Board of Directors approved Resolution No. 10-085, awarding Contract No. CS-162 to the Gordian Group, Inc., to provide specialized support services for the SFMTA's JOC System for a total amount of \$975,000 and a term of five years; and,

WHEREAS, The Director of Transportation approved the First Amendment to the agreement on July 3, 2015, to extend the term of the contract from July 3, 2010 to October 2, 2016; and,

WHEREAS, Contract No. CS-162 with the Gordian Group is reaching the end of its term as of October 2, 2016; due to the success of its JOC program and the need for ongoing support for open Task orders, as well as future JOC work, the SFMTA seeks a time extension of Contract No. CS-162 to October 2, 2017; and,

WHEREAS, On September 9, 2016, the SFMTA, under authority delegated by the Planning Department determined that the approval of the Second Amendment to Contract No. CS-162 for a time extension is not a "project" pursuant to the California Environmental Quality Act (CEQA) as defined in CEQA Guidelines Sections 15060(c) and 15378(b), because the action would not result in any direct or indirect physical change to the environment; a copy of the CEQA determination is on file with the Secretary to the SFMTA Board of Directors and is incorporated herein by reference.

WHEREAS, Any Task Orders/projects designed under the proposed contract that would result in a direct or indirect physical change to the environment will undergo environmental review before approval; and,

WHEREAS, The Contract Compliance Office has set no SBE participation goal for this contract because there are no subcontracting opportunities; now, therefore be it

RESOLVED, That the SFMTA Board of Directors authorizes the Director of Transportation to execute the Second Amendment to SFMTA Contract No. CS-162, Professional Support Services for the Job Order Contracting Program, with The Gordian Group, Inc., to extend the term of the agreement by one year to October 2, 2017, at no additional cost to the City.

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of October 4, 2016.

Secretary to the Board of Directors
San Francisco Municipal Transportation Agency

**City and County of San Francisco
Municipal Transportation Agency
One South Van Ness Ave. 7th floor
San Francisco, California 94103**

Second Amendment to Agreement

Contract No. CS-162

THIS AMENDMENT (this “Amendment”) is made as of October 3, 2016, in San Francisco, California, by and between The Gordian Group Inc. (“Contractor”), and the City and County of San Francisco, a municipal corporation (“City”), acting by and through its 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 extend the performance period, increase the contract amount, and update standard contractual clauses.
- C. Approval for this Amendment was obtained when the Civil Service Commission approved Contract number _____ on September 19, 2016.

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 July 2, 2010, between Contractor and City, as amended by the:

First amendment dated July 3, 2015
- 2. Modifications to the Agreement.**
 - 2a.** Section 2 (Term of the Agreement) is replaced in its entirety to read as follows:

The term of this Agreement shall be from July 2, 2010 to October 2, 2017.
- 3. Effective Date.** Each of the modifications set forth in Section 2 shall be effective on and after October 3, 2016.
- 4. Legal Effect.** Except as expressly modified by this Amendment, all of the terms and conditions of the Agreement shall remain unchanged and in full force and effect.

IN WITNESS WHEREOF, Contractor and City have executed this Amendment as of the date first referenced above.

<p>CITY</p> <p>San Francisco</p> <p>Municipal Transportation Agency</p> <hr/> <p>Edward D. Reiskin Director of Transportation</p> <p>Approved as to Form:</p> <p>Dennis J. Herrera City Attorney</p> <p>By:</p> <hr/> <p>Robin M. Reitzes Deputy City Attorney</p> <p>SFMTA Board of Directors Resolution No. _____ Dated: _____ Attest:</p> <hr/> <p>Secretary, Board of Directors</p>	<p>CONTRACTOR</p> <p>The Gordian Group, Inc.</p> <hr/> <p>David Mahler Vice President of Finance 30 Patewood Drive, Suite 350 Greenville, SC 29615</p> <p>City vendor number: 53805</p>
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