

**THIS PRINT COVERS CALENDAR ITEM NO. : 10.9**

**SAN FRANCISCO  
MUNICIPAL TRANSPORTATION AGENCY**

**DIVISION:** Capital Programs and Construction

**BRIEF DESCRIPTION:**

Authorizing the Director of Transportation to execute San Francisco Municipal Transportation Agency Contract No. 1290R1, 5 Fulton Mid-Route Muni Forward Project, with Con-Quest Contractors, Inc., as the lowest responsive and responsible bidder, to construct capital improvements as proposed in the Transit Effectiveness Program to reduce delays to the 5 Fulton Route, in the amount of \$2,375,895, and for a term of 270 calendar days.

**SUMMARY:**

- On December 19, 2016, the Director of Transportation notified the SFMTA Board of Directors that he had authorized a bid call for Contract No. 1290R1, 5-Fulton Mid-Route Muni Forward Project (Project).
- Under the Project, the Contractor will install traffic signals, pedestrian islands, traffic circles, and pedestrian and transit bulbs along the 5 Fulton Route between Stanyan and Laguna streets within San Francisco.
- The SFMTA received and publicly opened two bids for Contract No. 1290R1 on January 12, 2017, with Con-Quest Contractors, Inc, which submitted the lowest responsive bid in the amount of \$2,375,895.

**ENCLOSURES:**

1. SFMTAB Resolution
2. Project Budget and Finance Plan
3. SFMTA Resolution No. 14-041 <http://www.sfmta.com/sites/default/files/agendaitems/3-28-14%20Item%206%20TEP%20CEQA%20approval%20resolution.pdf>
4. TEP FEIR <http://www.sf-planning.org/index.aspx?page=2970>
5. Mitigation Monitoring and Reporting Program  
<https://www.sfmta.com/sites/default/files/agendaitems/3-28-14%20Item%207%20TEP%20Service%20Changes%20-%20MMRP.pdf>

**APPROVALS:**

**DATE**

DIRECTOR \_\_\_\_\_ 2/10/17

SECRETARY R. Boomer \_\_\_\_\_ 2/10/17

**ASSIGNED SFMTAB CALENDAR DATE:** August 21, 2017

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**PURPOSE**

The purpose this calendar item is to authorize the Director of Transportation to execute San Francisco Municipal Transportation Agency Contract No. 1290R1, 5-Fulton Mid-Route Muni Forward Project, with Con-Quest Contractors, Inc., as the lowest responsive and responsible bidder, to construct capital improvements as proposed in the Transit Effectiveness Program to reduce delays to the 5 Fulton Route, in the amount of \$2,375,895, and for a term of 270 calendar days.

**STRATEGIC PLAN GOALS AND TRANSIT FIRST POLICY PRINCIPLES**

The work to be performed under Contract No. 1290R1 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 1.3 Improve the safety of the transportation system.
  
- Goal 2: Make transit, walking, bicycling, taxi, ridesharing & car-sharing 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 3.2 Increase the transportation system's positive impact to the economy.
  
  - Objective 3.3 Allocate capital resources effectively.
  
  - Objective 3.4 Deliver services efficiently.

Transit First Policy Principles:

1. To ensure quality of life and economic health in San Francisco, the primary objective of the transportation system must be the safe and efficient movement of people and goods.
  
2. Public transit, including taxis and vanpools, is an economically and environmentally sound alternative to transportation by individual automobiles. Within San Francisco, travel by public transit, by bicycle and on foot must be an attractive alternative to travel by private automobile.

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## **DESCRIPTION**

This project is part of the SFMTA's Muni Forward Program, formerly known as the Transit Effectiveness Program (TEP), to reduce travel times and enhance reliability across the SFMTA's transit network. The TEP report identified a variety of Travel Time Reduction Proposals (TTRPs), where engineering strategies are oriented to specifically address the delays transit vehicles experience along rapid routes, drawing from the Transit Preferential Streets Toolkit, which includes different engineering measures to improve transit service.

The 5-Fulton trolley bus line, as identified in the TEP report, is a Rapid Network route. It is an important connector between the Richmond District and Downtown. The line carries almost 20,000 daily passengers at an average travel speed of 9 mph. A complete service run in each direction from the beginning to the end of the route takes about 50 minutes.

Under the project, the Contractor will install traffic signals, pedestrian islands, traffic circles, and pedestrian and transit bulbs along the 5 Fulton Route between Stanyan and Laguna streets within San Francisco.

The SFMTA believes that this work will further enhance safety, improve reliability, and reduce bus travel time by implementing engineering changes to this route with a goal of improving the travel times by 15% and increasing ridership by 5%.

### **Procurement History; Bids Received**

This contract was advertised twice before:

- In May 2016, the Contract 1290 went out to bid with a Local Business Enterprise (LBE) subcontracting goal of 35%. On July 7, 2016, the SFMTA received a single bid that was determined to be non-responsive to the LBE requirements.
- In September 2016, the SFMTA issued Contract No. 1290R for bid, also with an LBE subcontracting goal of 35%. On October 25, 2016, the SFMTA once again received a single bid that was determined to be non-responsive to the LBE requirements.

In light of the two unsuccessful bid results, the Contract Compliance reduced the LBE subcontracting goal to 20% to attract additional bidders.

On December 19, 2016, the Director of Transportation notified the SFMTA Board of Directors that he had authorized a bid call for Contract No. 1290R1 in accordance with Board Resolution No. 09-191, which delegated, among other things, the authority to issue bid calls to the Director of Transportation.

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On January, 12, 2017, SFMTA received the following two bids, both of which were responsive and met the LBE subcontracting goal:

	Bidders	Total Bid Price
1	Con-Quest Contractors, Inc.	\$2,375,895
2	A Ruiz Construction Co. & Assoc., Inc.	\$2,496,245

The original engineer’s estimate for the work at the time of bid advertisement was \$2,600,000. The bid submitted by Con-Quest Contractors Inc. (Con-Quest) is eight percent below the engineer’s estimate. Staff has concluded that, although there is variation in some of the individual bid items, the SFMTA has obtained a fair and reasonable price for the Project.

The construction work is to be substantially completed within 270 calendar days from the Notice to Proceed.

Bidders are required by the California Subletting and Subcontracting Fair Practices Act (Public Contract Code section 4104) to list all subcontractors that will perform more than one-half of one percent of the value of the Contract. Con-Quest listed the following subcontractors:

<b>Subcontractor</b>	<b>Status</b>	<b>Value</b>
Bay Area Lightworks	LBE, MBE,	\$354,850
Balfour Beatty Infrastructure		\$484,607
JDB & Sons Construction Inc	LBE, OBE	\$133,000
Roadway Construction	LBE, MBE	\$37,500

The Contract Compliance Office reviewed the bid proposals and determined that Con-Quest has made a commitment to achieve the Local Business Enterprise (LBE) participation goal of 20% established for this contract and has met the LBE sub-contracting requirements by listing Bay Area Lightworks, JDB & Sons Construction, Roadway Construction as their sub-contractors for the project.

In addition, Con-Quest has made a commitment to meet the Non-Discrimination Equal Employment Requirements of the contract. Further Con-Quest is in compliance with the City’s Equal Benefits ordinance.

**PUBLIC OUTREACH**

SFMTA staff conducted extensive outreach between June 2014 and early 2015 regarding the proposed parking and traffic modifications. Outreach efforts included two community meetings, a Public Hearing on July 10, 2015, direct engagement of 28 neighborhood groups and representatives

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of the San Francisco Fire Department (SFFD), distribution of flyers that reached over 2,000 people, surveys, and web, email, and social media updates. The outreach process enabled SFMTA staff to make the following modifications to their approach:

- Based on feedback about stop changes and new traffic signals, SFMTA staff modified their project proposals to leave existing conditions in place at McAllister and Baker streets, eliminate plans for traffic signals at McAllister and Pierce streets, and implement traffic calming measures instead of traffic signals at McAllister and Lyon streets and McAllister and Steiner streets. A number of residents participated at the July 10, 2015 public hearing to voice their feedback that traffic circles do not, in their view, provide adequate pedestrian safety. SFMTA staff believes that this is, in fact, not true based on research done in other cities. For example, Sacramento found that accidents decreased by 70% at locations where they implemented a traffic circle. Staff will monitor the traffic circles after implementation and make design changes if appropriate.
- Based on SFFD feedback, the SFMTA modified traffic circle curb heights to ensure efficient fire truck navigation and the ability to stage firefighting operations in the vicinity of overhead wires.

On September 1, 2015, the SFMTA Board of Directors gave final approval of the traffic and parking modifications along the 5/5R Fulton Rapid route, including the replacement of stop signs with traffic circles on McAllister Street at the intersections of Lyon and Steiner streets under this contract.

## **ALTERNATIVES CONSIDERED**

The Project team held discussions with Maintenance staff concerning whether the work should be done by in-house staff. The preference was to have a contractor perform the work because contractors have enough crews with OCS construction expertise to complete the work in a timely manner, with minimal impact to Operations. Staff determined that contracting out was the practical alternative.

## **FUNDING IMPACT**

This contract will be funded from the first issuance of the 2014 Transportation and Road Improvement General Obligation Bond and local ½ cent sales tax (Proposition K) funds.

## **ENVIRONMENTAL REVIEW**

The 5-Fulton Rapid Muni Forward transit project is within the scope of the Travel Time Reduction Proposal TTRP.5: 5 Fulton and 5L Fulton Limited Expanded Alternative as defined in the TEP Final Environmental Impact Report (FEIR). The TEP FEIR was certified by the San Francisco Planning Commission in Motion No. 19105 on March 27, 2014. Subsequently, on March 28, 2014 in Resolution No. 14-041, the SFMTA Board of Directors approved all of the TEP proposals including Service-Related Capital Improvements and Travel Time Reduction Proposals to improve transit performance along various Municipal Railway routes. As part of Resolution No. 14-041, the SFMTA

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Board of Directors adopted findings under the California Environmental Quality Act (CEQA), the CEQA Guidelines, and Chapter 31 of the Administrative Code (CEQA Findings), and adopted a Mitigation Monitoring and Reporting Program (MMRP). The San Francisco Planning Department Environmental Planning Division reviewed the proposed modifications to the TTRP.5 described here and determined that the proposed project is within the scope of the TEP FEIR. No new significant effects have been identified, there is no substantial increase in significant effects already identified, and no new mitigation is required for the project.

A subset of the TEP MMRP pertinent to the TTRP.5 is on file with the Secretary of the SFMTA Board of Directors.

**OTHER APPROVALS RECEIVED OR STILL REQUIRED**

None

The City Attorney's Office has reviewed the calendar item.

**RECOMMENDATION**

Staff recommends that the SFMTA Board of Directors authorize the Director of Transportation to execute San Francisco Municipal Transportation Agency Contract No. 1290R1, 5-Fulton Mid-Route Muni Forward Project, with Con-Quest Contractors, Inc., as the lowest responsive and responsible bidder, to construct capital improvements as proposed in the Transit Effectiveness Program to reduce delays to the 5 Fulton Route, in the amount of \$2,375,895, and for a term of 270 calendar days.

SAN FRANCISCO  
MUNICIPAL TRANSPORTATION AGENCY  
BOARD OF DIRECTORS

RESOLUTION No. \_\_\_\_\_

WHEREAS, San Francisco Municipal Transportation Agency (SFMTA) Contract No. 1290R1, 5 Fulton Mid-Route Muni Forward Project (the Project), is part of SFMTA's Muni Forward Program, formerly known as the Transit Effectiveness Program (TEP), with a goal of reducing travel times and enhancing reliability across the SFMTA's transit network; and,

WHEREAS, The TEP report identified a variety of Travel Time Reduction Proposals (TTRPs), where, drawing from the Transit Preferential Streets Toolkit, which includes different engineering measures to improve transit service, engineering strategies are oriented to specifically address the delays transit vehicles experience along rapid routes; and,

WHEREAS, The 5-Fulton trolley bus line, identified in the TEP report, is a Rapid Network route and an important connector between the Richmond District and Downtown; the line carries almost 20,000 daily passengers at an average travel speed of 9 mph, and makes a complete service run in each direction from the beginning to the end of the route in about 50 minutes; and,

WHEREAS, On December 19, 2016, the Director of Transportation notified the SFMTA Board of Directors that he had authorized a bid call for Contract No. 1290R1 in accordance with Board Resolution No. 09-191, which delegated, among other things, the authority to issue bid calls to the Director of Transportation; and,

WHEREAS, On January 12, 2017, the SFMTA received and publicly opened two bids proposals in response to its invitation for bids; and,

WHEREAS, The SFMTA determined that Con-Quest Contractors Inc., located at 290 Toland Street, San Francisco, CA 94124, is the responsible contractor that submitted the lowest responsive bid in the amount of \$2,375,895; and,

WHEREAS, The Contract Compliance Office reviewed the bid proposals and determined that Con-Quest Contractors Inc, has made a commitment to achieve the Local Business Enterprise (LBE) subcontracting goal of 20% established for this contract and has met the LBE requirements by listing Bay Area Lightworks, JDB & Sons Construction Inc and Roadway Construction as the LBE subcontractors for the Project; and,

WHEREAS, Funding for the construction services under this Contract comes from the 2014 Transportation and Road Improvement General Obligations Bond and local ½ cent sales tax (Proposition K) funds; and,

WHEREAS, This project was analyzed in the Transit Effectiveness Project Final Environmental Impact Report (FEIR) certified by the San Francisco Planning Commission in Motion No. 19105 on March 27, 2014; and,

WHEREAS, Approval for traffic and parking modifications to implement various projects along the 5-Fulton Muni transit corridor included in the Service-Related Capital Improvements of the Muni Forward program, which was previously referred to as the Transit Effectiveness Project (TEP), relies on said FEIR, and information pertaining to the FEIR is set forth in a SFMTA Resolution No

14-041, adopted on March 28, 2014, which is on file with the Secretary to the SFMTA Board of Directors and incorporated herein by reference; and,

WHEREAS, As part of Resolution No. 14-041, the SFMTA Board of Directors adopted findings under the California Environmental Quality Act (CEQA), the CEQA Guidelines, and Chapter 31 of the Administrative Code (CEQA Findings) and a Mitigation Monitoring and Reporting Program (MMRP), which Resolution, CEQA Findings, and MMRP are on file with the Secretary to the SFMTA Board of Directors and are incorporated herein by reference as though fully set forth; and

WHEREAS, The SFMTA Board concurs with the CEQA Findings, and the Statement of Overriding Consideration, and most specifically as they relate to the 5-Fulton project that is the subject of this Resolution as identified in Resolution No. 15-122, adopted by the SFMTA Board on September 1, 2015; and,

WHEREAS, The SFMTA Board has reviewed the FEIR and CEQA Findings and finds that since certification of the FEIR, no changes have occurred in the proposed project or in the circumstances under which the project would be implemented that would cause new significant impacts or a substantial increase in the severity of impacts identified and analyzed in the FEIR, and that no new information has emerged that would materially change the analyses or conclusions set forth in the FEIR. The actions approved herein would no necessitate implementation or additional or considerably different mitigation measures that those identified in the FEIR; and,

WHEREAS, A copy of the CEQA determination, including a subset of the TEP MMRP pertinent to the project, is on file with the Secretary to the SFMTA Board of Directors, and is incorporated herein by reference; now, therefore, be it

RESOLVED, The SFMTA Board of Directors has reviewed and considered the TEP EIR and record as a whole, and finds that the proposed approvals herein are within the scope of the TEP and incorporates the CEQA findings contained in Resolution No. 14-041, including the Statement of Overriding Considerations by this reference thereto as though fully set forth, and be it further

RESOLVED, That the SFMTA Board of Directors authorizes the Director of Transportation to execute San Francisco Municipal Transportation Agency Contract No. 1290R1, 5-Fulton Mid-Route Muni Forward Project, with Con-Quest Contractors Inc., as the lowest responsive and responsible bidder, to construct capital improvements as proposed in the Transit Effectiveness Program to reduce delays to the 5 Fulton Route, in the amount of \$2,375,895, and for a term of 270 days.

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of February 21, 2017.

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Secretary to the Board of Directors  
San Francisco Municipal Transportation Agency



ENCLOSURE 2

5 FULTON MID ROUTE MUNI FORWARD PROJECT,

San Francisco Municipal Transportation Agency, Contract No. 1290R1,

Project Budget and Financial Plan

<b>Cost</b>	<b>Amount</b>
Detail Design Phase Staff Support (SFMTA and Other City Services)	\$1,400,000
Construction Phase Construction Contract, Contingency, and Staff Support	\$4,900,000
<b>Total Cost</b>	<b>\$6,300,000</b>

<b>Funding</b>	<b>Amount</b>
Local ½ cent sales tax (Proposition K)	\$1,400,000
2014 Transportation and Road Improvement General Obligation Bond	\$4,900,000
<b>Total Fund</b>	<b>\$6,300,000</b>