

**THIS PRINT COVERS CALENDAR ITEM NO. : 10.6**

**SAN FRANCISCO  
MUNICIPAL TRANSPORTATION AGENCY**

**DIVISION:** Capital Programs and Construction

**BRIEF DESCRIPTION:**

Authorizing the Director of Transportation to execute Modification No. 4 to Contract No. 1279R, Islais Creek Bus Facility Phase II Maintenance and Operations Building Project, with S.J. Amoroso Construction Co., Inc., to increase the Contract amount by \$355,000, for a total Contract amount not to exceed \$49,057,079, and to add 164 days to the Contract.

**SUMMARY:**



- In 2015, the SFMTA Board of Directors awarded Contract No. 1279R, Islais Creek Bus Facility Phase II Maintenance and Operations Building Project (Project), to S.J. Amoroso Construction Co., Inc., in the amount of \$45,777,000, and for a term of 660 days.
- Under the Project, Amoroso constructed 66,290-square-feet of maintenance and operations facilities at 1301 Cesar Chavez Street. The new facilities will house a portion of the SFMTA’s diesel-electric hybrid articulated bus fleet.
- The Contract has been amended three times. The modifications have increased the Contract amount by \$2,925,079, for a current amount of \$48,702,079, and a time extension of 126 days, increasing the contract duration to 786 days.
- This Modification No. 4 increases the Contract by \$355,000 due to additional work and unforeseen site conditions.

**ENCLOSURES:**

1. SFMTAB Resolution
2. Contract Modification No. 4
3. Project Budget and Financial Plan

**APPROVALS:**

**DATE**

DIRECTOR	 _____	12/11/2018 _____
SECRETARY	 _____	12/11/2018 _____

**ASSIGNED SFMTAB CALENDAR DATE:** December 18, 2018

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## **PURPOSE**

The purpose of this calendar item is to authorize the Director of Transportation to execute Modification No. 4 to Contract No. 1279R, Islais Creek Bus Facility Phase II Maintenance and Operations Building Project, with S.J. Amoroso Construction Co., Inc., to increase the Contract amount by \$355,000, for a total Contract amount not to exceed \$49,057,079, and to add 164 days to the Contract.

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

The work to be performed under Contract No. 1279R supports the following SFMTA Strategic Plan Goals and Objectives:

- Goal 1: Create a safer transportation experience for everyone.
  - Objective 1.2 Improve the safety of the transportation system.
  
- Goal 2: Make transit and other sustainable modes of transportation them most attractive and preferred means of travel.
  - Objective 2.1 Improve transit service.

The work to be performed under Contract No. 1279R supports the following 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.

## **DESCRIPTION**

The purpose of Contract No. 1279R, Islais Creek Bus Facility Phase II Maintenance and Operations Building Project (Project), is the construction of 66,290-square-feet of maintenance and operations facilities at 1301 Cesar Chavez Street. This facility is currently in operation and will house a portion of the SFMTA's future diesel-electric hybrid articulated bus fleet.

The Project included construction of a community room to be used by community group events, landscaping and art work along the Islais Creek shoreline.

On June 16, 2015, the SFMTA Board of Directors adopted Resolution No. 15-098, awarding the Project to S.J. Amoroso Construction Co., Inc. (Amoroso), in the amount of \$45,777,000, and for a term of 660 calendar days.

## **PAGE 3.**

The Director of Transportation, in accordance with Board Resolution No. 10-008, approved the following modifications to Contract No. 1279R:

- Modification No. 1, approved August 17, 2017, increased the Contract amount by \$1,393,768, for additional utility and underground work that addressed unforeseen site conditions.
- Modification No. 2, approved December 8, 2017, increased the Contract amount by \$439,705 for miscellaneous additional work, including work arising from unforeseeable underground obstructions and soil conditions, reimbursed Amoroso for expenses for inspections and permits, and extended the Contract by 126 days.
- Modification No. 3, approved May 4, 2018, for additional work that increased the Contract amount by \$1,091,606, for a total Contract amount not to exceed \$48,702,079.

Modification No. 4 to Contract No. 1279R is for a time extension of 164 calendar days due to additional underground ductbank work, elevator inspections, and design changes. Although the SFMTA paid for the direct costs of the work under Allowance bid items, the delay resulted in extended overhead costs for the Contractor. This Modification increases the Contract amount by \$355,000, for a total of Contract amount not to exceed \$49,057,079.

## **CONTRACTOR SAFETY RECORD**

There were no “serious” or “willful” Division of Occupational Safety and Health (CalOSHA) recordable violations during the construction of this project.

## **STAKEHOLDER ENGAGEMENT**

The SFMTA staff reviewed transit impacts with Transit Service and Maintenance-of-Way. The SFMTA project team conducted four community outreach meetings with Potrero, Dogpatch community groups, the International Longshore and Warehouse Workers Union (ILWU), and San Francisco Port. The “Friends of the Dogpatch” community group requested the project team to construct a community room within the facility. The project team constructed a community meeting room and a viewing area. In addition, the group asked the project team to landscape the promenade along the Islais Creek shoreline, which was done.

## **ALTERNATIVES CONSIDERED**

For the added work items, no alternatives were considered, as they are necessary to the facility operation. The schedule delays were due to unforeseen underground ductbank work, additional elevator inspections, design changes, and no alternatives were considered. Project team could have delayed to opening of the facility in order to seek approval by the Board for the contract modification; however, given the small cost impact, project team decided that maintaining the project schedule to get the facility operational was the best approach.

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## **FUNDING IMPACT**

The cost of Contract Modification No. 4, in the amount of \$355,000 is covered in the Project budget (Enclosure 3).

## **ENVIRONMENTAL REVIEW**

The San Francisco Planning Department issued a Final Mitigated Negative Declaration (FMND) under the California Environmental Quality Act (CEQA) on June 20, 1989, for the construction and operation of a coach operations and maintenance facility on the site. On April 6, 1990, the Board of Supervisors adopted the FMND when it approved the project, and adopted findings under CEQA (Resolution No. 243-90). The Planning Department issued Addenda to the FMND in September 1998 and November 2006. On May 11, 2015, the Planning Department determined that no additional environmental review was required beyond the FMND and previous Addenda for the proposed project. On June 16, 2015, the SFMTA Board found in (Resolution No. 15-098) that the FMND was adequate for the SFMTA in approving the project and incorporated the findings in Resolution No. 243-90.

The contract modifications are within the scope of the environmental review discussed above. No new significant effects have been identified and no new mitigation is required.

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 1650 Mission Street in San Francisco, and is incorporated herein by reference.

## **OTHER APPROVALS RECEIVED OR STILL REQUIRED**

The City Attorney's Office has reviewed the calendar item. No other approvals are required.

## **RECOMMENDATION**

Staff recommends that the SFMTA Board of Directors to authorize the Director of Transportation to execute Modification No. 4 to Contract No. 1279R, Islais Creek Bus Facility Phase II Maintenance and Operations Building Project, with S.J. Amoroso Construction Co., Inc., to increase the Contract amount by \$355,000, for a total Contract amount not to exceed \$49,057,079, and to add 164 days.

SAN FRANCISCO  
MUNICIPAL TRANSPORTATION AGENCY  
BOARD OF DIRECTORS

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

WHEREAS, On June 16, 2015, the SFMTA Board of Directors adopted Resolution No. 15-098, awarding Contract No. 1279R, Islais Creek Bus Facility Phase II Maintenance and Operations Building Project (Project), to S.J. Amoroso Construction Co., Inc., in the amount of \$45,777,000, and for a term of 660 calendar days; and,

WHEREAS, On August 17, 2017, the Director of Transportation approved Modification No. 1 to Contract No. 1279R, to increase the Contract amount by \$1,393,768, for additional utility and underground work that addressed unforeseen site conditions; and,

WHEREAS, On December 8, 2017, the Director of Transportation approved Modification No. 2 to Contract No. 1279R, increased the Contract amount by \$439,705 for miscellaneous additional work, including work arising from unforeseeable underground obstructions and soil conditions, reimbursed Amoroso for expenses for inspections and permit, and extended the Contract duration, without cost, by 126 days; and,

WHEREAS, On May 4, 2018, the Director of Transportation approved Modification No. 3 to Contract No. 1279R, for additional work that increased the Contract amount by \$1,091,606, for a total Contract amount not to exceed \$48,702,079; and,

WHEREAS, The proposed Modification No. 4 to Contract No. 1279R is for a time extension of 164 calendar days, including associated overhead costs, increasing the Contract amount by \$355,000, for a total of Contract amount not to exceed \$49,057,079; and,

WHEREAS, On June 20, 1989, the San Francisco Planning Department issued a Final Mitigated Negative Declaration for the construction and operation of a coach operations and maintenance facility at 1301 Cesar Chavez Street; on April 6, 1990, the Board of Supervisors adopted the Final Mitigated Negative Declaration for when it approved Resolution No. 243-90, and adopted findings as required under the California Environmental Quality Act; and,

WHEREAS, In September 1998 and November 2006, the Planning Department issued Addenda to the Mitigated Negative Declaration; and,

WHEREAS, On May 11, 2015, the Planning Department determined that no additional environmental review was required for the proposed project other than the 1998 Final Mitigated Negative Declaration for and the two Addenda; and,

WHEREAS, The SFMTA Board reviewed and considered all written and oral information provided by the Planning Department, the public, relevant public agencies, SFMTA and other experts and the administrative files for the Project, including the Final Mitigated Negative Declaration for and the Addenda and the findings in Resolution No. 243-90 at the time the contract was awarded, and on June 16, 2015, in Resolution No. 15-098, found that the Final

Mitigated Negative Declaration for was adequate for use by the SFMTA in approving this Project, and incorporated the findings in Resolution No. 243-90; and,

WHEREAS, The contract modifications are within the scope of the environmental review discussed above; No new significant effects have been identified and no new mitigation is required; and,

WHEREAS, Copies of the California Environmental Quality Act determinations are on file with the Secretary to the SFMTA Board of Directors, and may be found in the records of the Planning Department at 1650 Mission Street in San Francisco, and is incorporated herein by reference; now, therefore, be it

RESOLVED, That the SFMTA Board of Directors authorizes the Director of Transportation to execute Modification No. 4 to Contract No. 1279R, Islais Creek Bus Facility Phase II Maintenance and Operations Building Project, with S.J. Amoroso Construction Co., Inc., to increase the Contract amount by \$355,000, for a total Contract amount not to exceed \$49,057,079, and to add 164 days to the Contract.

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of December 18, 2018.

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Secretary to the Board of Directors  
San Francisco Municipal Transportation Agency

**Enclosure 2**

**CONTRACT MODIFICATION NO. 4**

**San Francisco Municipal Transportation Agency Contract No. 1279R  
Islais Creek Phase II – Maintenance and Operations Building**

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Contractor: **S.J. Amoroso Construction Co., Inc.**  
**390 Bridge Parkway**  
**Redwood Shores, CA 94065**

The Contract is modified as follows:

1. Perform the following work:

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1.A Remove and replace approximately 15 LF of electrical duct bank between the new building and the Annex building as directed by Task Order #124 per RE Letter #272 issued on 11/10/2017. All costs to perform this work have been compensated under Allowance Item 135 (Allowance for Unforeseen Work). This work delayed critical activities of BGT1000 (Install Shoring Support) and ONS1410 (Connect U/G Electrical Substructures) by 71 Days, from 07/18/17 to 09/28/17. Using the Established Daily Overhead Rate of \$2,500 per day per the Contract, the total compensation for delay is \$177,500.

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1.B Extend critical activity STC1720 (Terminate Data/Comm System) by 13 Days, from 12/21/17 to 01/03/18, so that the SFMTA could provide details of communication rack configuration missing from the Technical Specifications. Using the Established Daily Overhead Rate of \$2,500 per day per the Contract, the total compensation for delay is \$32,500.

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1.C Install receptacles at top of elevator shafts as directed by Task Order #205 per RE Letter #321, issued on 02/14/18; install fused disconnects for elevator car lights as directed by Task Order #206 per RE Letter #322, issued on 02/14/18; and install phone lines for the two elevators as directed by Task Order #239 per RE Letter #353, issued on 07/18/2018. All direct costs to perform this work have been compensated under Allowance Item 128 (Allowance for Unforeseen Structural Work). This work delayed critical activity STC1130 (Elevator Final Tests and Inspection) by 39 Days, from 02/07/18 to 03/18/18: 17 Days are compensable; 22 Days are non-compensable delay due to inspection scheduling issues. Using the Established Daily Overhead Rate of \$2,500 per day per the Contract, the total compensation for delay is \$42,500.

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**Contract 1279R**  
**Contract Modification No. 2**  
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1.D Install additional vacuum pump SGB VL400P and leak detector VLR410E for the underground storage tanks per RFI 747, dated 03/07/18, and approved Submittal 240.3, dated 05/01/18. All costs to perform this work have been compensated under Allowance Bid Item 135 per Task Order #252. This work delayed critical activity STC1380 (Testing of Underground Storage Tanks) by 41 Days, from 03/09/18 to 04/19/18. Using the Established Daily Overhead Rate of \$2,500 per day, the total compensation for delay is \$102,500.

2. Add the following new Contract Pay Items:

CM-1.A	Compensable Time Delays of 71 Days @ \$2,500 per day	\$177,500
CM-1.B	Compensable Time Delays of 13 Days @ \$2,500 per day	\$32,500
CM-1.C	Compensable Time Delays of 17 Days @ \$2,500 per day	\$42,5000
	Non-Compensable Time Delays of 22 Days	
CM-1.D	Compensable Time Delay of 41 Days @ \$2,500 per day	\$102,500
Total Amount of this Contract Modification:		Increase \$355,000
		Previous Total of Contract: \$48,702,079
		New Revised Total of Contract: \$49,057,079

	Total Contract Time added by this Contract Modification:	164 Days
Previous Contract Substantial Completion Date:		11/21/2017
Current Contract Substantial Completion Date:		05/04/2018

4. This Modification is made in accordance with Articles 6 and 7 of the Contract General Provisions.
5. Except as provided herein, all previous terms and conditions of the Contract remain unchanged.



**Contract 1279R**  
**Contract Modification No. 2**  
**Page 3 of 4**

6. Contractor acknowledges and agrees that the compensation described above shall be full accord and satisfaction of all current and prospective costs incurred in connection with the extra work and extensions of time under this Contract Modification, without limitation, including any and all markups and overhead. Contractor releases the City from all claims, for which full accord and satisfaction is made, as set forth above. This modification involves the granting of extensions of time with cost. Contractor releases the City from all claims and costs associated with such extensions of time. Such costs may include, but are not limited to, costs for labor, materials, equipment, disruption, lost productivity, escalation, delay, extended overhead, administration and extended performance time.

In Witness Whereof, the parties have executed this Modification in San Francisco, California as of this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

SJ Amoroso Construction

CITY AND COUNTY OF SAN FRANCISCO  
MUNICIPAL TRANSPORTATION AGENCY

By: \_\_\_\_\_  
Bob Erskine  
Vice President

By: \_\_\_\_\_  
Edward D. Reiskin  
Director of Transportation

**Authorized By:**

MUNICIPAL TRANSPORTATION  
AGENCY BOARD OF DIRECTORS

Resolution No. \_\_\_\_\_

Adopted: \_\_\_\_\_

Attest:

By: \_\_\_\_\_  
Secretary,  
Municipal Transportation Agency

**APPROVED AS TO FORM:**  
Dennis J. Herrera, City Attorney

By: \_\_\_\_\_  
Robin M. Reitzes  
**Deputy City Attorney**

ENCLOSURE 3

ISLAIS CREEK FACILITY PHASE II - MAINTENANCE AND OPERATIONS BUILDING  
PROJECT

San Francisco Municipal Railway Contract No. 1279R  
Project Budget and Financial Plan

<b>Cost</b>	<b>Amount</b>
Detail Design Phase Staff Support (SFMTA and Other City Services)	\$9,687,428
Construction Phase Construction Contract, Contingency, and Staff Support	\$69,981,540
<b>Total Cost</b>	<b>\$79,668,968</b>

<b>Funding</b>	<b>Amount</b>
FTA	\$35,000,000
SFMTA Revenue Bonds	\$22,042,665
General Obligation Bond	\$11,100,000
Proposition K	\$3,290,154
Operating Funds	\$373,153
State Prop 1B Interest	\$763,000
<b>Total Funding</b>	<b>\$72,568,972</b>