

SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY
BOARD OF DIRECTORS

RESOLUTION No. 201020-087

WHEREAS, San Francisco Municipal Transportation Agency (SFMTA) Contract No. 1247R, Presidio Trolley Coach Facility – Presidio Bus lifts, will replace and install new vehicle lifts, new overhead roll-up doors, and new security gates to improve worker safety and work efficiency; and,

WHEREAS, On July 16, 2019, the SFMTA Board adopted Resolution 190716-089, awarding Contract No. 1247R (the Contract) to Makai Solutions in the amount of \$2,854,660 for a term of 450 days; and,

WHEREAS, At the time of bid, Makai Solutions identified Cal-Con Pumping, Inc. (CCP), as a listed subcontractor to perform concrete work; CCP would meet the required 2% goal for Woman-Owned Disadvantaged Business Enterprise (WDBE) participation; and,

WHEREAS, After Contract No. 1247R was awarded, the SFMTA Contract Compliance Office (CCO) notified Makai Solutions that CCP no longer was certified as a WDBE; and,

WHEREAS; On April 14, 2020, Makai Solutions notified the SFMTA that it had been unable to contact CCP, and requested that the SFMTA approve a request to replace CCP with another WDBE-certified contractor, D&D Concrete Construction; and,

WHEREAS, On June 22, 2020, the SFMTA notified CCP about the requested substitution, offered CCP an opportunity to object, but CCP did not respond; and,

WHEREAS, On July 16, 2020, the Director of Transportation, under the SFMTA's contract delegation policy, approved Contract Modification No. 1 to the Contract to add an allowance in the amount of \$220,000 to implement additional safe work practices due to the COVID-19 pandemic, for a revised total Contract amount of \$3,074,660, and no extension to the Contract term; and,

WHEREAS, The Presidio Trolley Coach Facility - Presidio Bus Lifts project is subject to the California Environmental Quality Act (CEQA). CEQA provides a categorical exemption from environmental review for the operation, repair, maintenance, or minor alteration of existing public or private structures including interior or exterior alterations; and,

WHEREAS, On March 7, 2018, the Planning Department determined (Case Number 2018-002101ENV) that the proposed Presidio Trolley Coach Facility - Presidio Bus Lifts project is categorically exempt from CEQA as defined in Title 14 of the California Code of Regulations Section 15301. The proposed Contract Modification is for subcontractor substitution only and all work remains within the scope of the 2018 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 49 South Van Ness in San Francisco, and is incorporated herein by reference; and,

WHEREAS, The SFMTA's Contract Compliance Office has determined that with the substitution of D&D Concrete Construction Makai Solutions is in compliance with the Small Business Enterprise requirements of the Contract and concurs with this recommendation; now, therefore, be it

RESOLVED, That the SFMTA Board of Directors authorizes the Director of Transportation to execute Contract Modification No. 2 to SFMTA Contract No. 1247R, Presidio Bus Lifts - Presidio Trolley Coach Facility – Presidio Bus Lifts, with Makai Solutions, to substitute subcontractor Cal-Con Pumping, Inc. with D&D Concrete Construction, for no additional cost and no extension to the Contract term.

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of October 20, 2020.



Roberta Boomer, Secretary to the Board of Directors
San Francisco Municipal Transportation Agency