

THIS PRINT COVERS CALENDAR ITEM NO.: 14

SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY

DIVISION: Capital Programs & Construction

BRIEF DESCRIPTION:

Authorizing the Director of Transportation to execute San Francisco Municipal Transportation Agency Contract No. 1279R, Islais Creek Facility Phase II - Maintenance and Operations Building Project, with S. J. Amoroso Construction Co., Inc., the lowest responsible and responsive bidder, to construct a new maintenance and operations, in an amount not to exceed \$45,777,000, and for a term of 660 calendar days.

SUMMARY:

- On December 30, 2014, the Director of Transportation notified the SFMTA Board of Directors that he had authorized a bid call for SFMTA Contract No. 1279R, Islais Creek Facility Phase II - Maintenance and Operations Building Project (the Project).
- Under the Project, the Contractor will construct a new maintenance and operations facility at the intersection of Cesar Chavez Street and Indiana Street.
- The SFMTA received and publicly opened three bids for Contract No. 1279R on February 24, 2015, with S. J. Amoroso Construction Co., Inc. submitting the lowest responsive and responsible bid in the amount of \$45,777,000.
- Funding for construction services under this Contract is provided by federal and local sources.

ENCLOSURES:

1. SFMTAB Resolution
2. Project Budget & Financial Plan

APPROVALS:

DATE

DIRECTOR _____ 6/9/15

SECRETARY _____ 6/9/15

ASSIGNED SFMTAB CALENDAR DATE: June 16, 2015

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PURPOSE

The purpose of this calendar item is to authorize the Director of Transportation to execute San Francisco Municipal Transportation Agency Contract No. 1279R, Islais Creek Facility Phase II - Maintenance and Operations Building Project, with S. J. Amoroso Construction Co., Inc., as the lowest responsible and responsive bidder, to construct a new maintenance and operations facility, in the amount of \$45,777,000, and for a term of 660 calendar days.

GOAL

The work to be performed under Contract No. 1279R will assist in the implementation of the following goals, objectives and initiatives in the SFMTA Strategic Plan:

Goal 1: Customer Focus - To provide safe, accessible, clean, environmentally sustainable service and encourage the use of auto-alternative modes through the Transit First policy

Objective 1.1 – Improve safety and security across all modes of transportation

Objective 1.5 – Increase percentage of trips using more sustainable modes (such as transit, walking, bicycling, rideshare)

Goal 2: System Performance - To get customers where they want to go, when they want to be there

Objective 2.1 – Improve transit reliability to meet 85% on-time performance standard

Goal 5: SFMTA Workforce: To provide a flexible, supportive work environment and develop a workforce that takes pride and ownership of the agency's mission and vision and leads the agency into an evolving, technology-driven future

Objective 5.1 – Increase resources available for employees in performing their jobs (tools, staff hours, etc.)

Objective 5.2 – Improve facilities in which people are working

Objective 5.3 – Improve internal communication and employee satisfaction

DESCRIPTION

Background:

The Islais Creek Maintenance Facility Project is located on 5.32 acres of City-owned land and 2.4 acres of Caltrans property at the intersection of Cesar Chavez Street and Indiana Street. The Islais Creek Maintenance Facility will be a new operating division that will replace the Kirkland Motor Coach Division and will also house new hybrid motor coaches.

Because not all of the needed funding was initially available, the Project was divided into two phases. The SFMTA awarded the contract for the first phase of the Project, which included a new bus yard with parking for 165 40-foot and 60-foot motor coaches and 19 non-revenue vehicles, as well as a fueling and wash facility, in 2010. Construction was completed on the first phase last year.

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This contract covers the second phase of the Project, which includes a new maintenance and operations facility.

Description of Project:

The project is the construction of a two-story, 66,209-square foot operations and maintenance facility for a portion of the SFMTA's diesel-electric hybrid articulated buses.

The first floor level will be used almost exclusively for bus maintenance functions, comprised of 16 bus service bays (aligned back to back), a bus steam cleaning bay and a chassis-dyno / brake testing service bay all located in the northern half of the building. On the southern end of the first floor will be brake and welding shops and a large parts storeroom with separate small battery and uniform storerooms located within it. Continuing south and separated from the main first floor areas by a three-lane returning / outgoing bus driveway will be a public access lobby, along with a large conference room, kitchen, public toilet rooms, and elevator and stair access to the second floor. Dispersed throughout and comprising the remaining first floor areas will be staff toilet rooms, bus maintenance supervisor offices and accessory spaces. The total first floor area will be 45,425 square feet.

The second floor level will extend south over the public lobby areas. The second level will contain supervisor and administration offices, accessory spaces, lockers, showers, and toilet and lunchroom facilities for both the maintenance and operations staffs. There will be a lower second floor level that will contain additional offices and accessory functions, with direct elevator and stair access to the first floor level. A gilley (break) room and outdoor terrace (located above the bus driveway) and dispatch division clerk and receiver offices (located above the public lobby) comprise the remainder of the second floor level. The second floor area will be 20,784 square feet.

The time allotted to substantially complete construction of the Project is 660 calendar days from the date of the written Notice to Proceed. The Contractor shall complete all remaining work within 90 calendar days from Substantial Completion. Liquidated damages are \$15,000 per calendar day of delay to substantially complete construction and \$5,000 per calendar day of delay in final completion of all remaining Contract work.

Bids Received:

On December 18, 2014, the Director of Transportation notified the SFMTA Board of Directors that he had rejected bids on Contract No. MR-1279. On December 30, 2014, the Director of Transportation notified the SFMTA Board of Directors that he had authorized a bid call for Contract No. 1279R in accordance with Board Resolution No. 09-191, which delegates, among other things, the authority to issue bid calls to the Director of Transportation.

As authorized by Section 6.20(D) of the San Francisco Administrative Code, SFMTA evaluated bids received for this contract on the basis of not only the Total Bid Price but also factors related to proposed schedule savings and an established daily overhead rate for any potential delays.

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On February 24, 2014, the SFMTA received and publicly opened three bid proposals as follows:

	Bidders	Total Bid Price	Number of Days to Substantial Completion	Daily Rate for Delay	Evaluated Bid
1	S. J. Amoroso Construction Co., Inc.	\$45,777,000.00	660	\$2,500	\$45,702,000
2	USS Cal Builders Inc.	\$54,884,309.83	665	\$3,850	\$55,046,309.83
3	C. Overaa and Co.	\$47,274,092.00	660	\$1,500	\$47,079,092

The engineer's estimate for the work was \$52,100,000. The bid submitted by the apparent low bidder is 12% 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.

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. S. J. Amoroso Construction Co., Inc. listed the following subcontractors:

Subcontractor	Status	Value
Ghilotti Brothers Contractors		\$1,335,092
Foundation Constructors, Inc.		\$2,504,600
Landavazo Brothers, Inc.	SBE	\$509,000
Gerdau		\$973,900
Linden Steel & Construction, Inc.	SBE	\$535,000
Kwan Wo Ironworks, Inc.	SBE	\$3,936,700
Waterproofing Associates		\$2,985,000
United California Glass & Door	SBE	\$264,117
ACR Glass and Doors	SBE	\$975,000
Denham Contracting Inc.	SBE	\$1,729,000
Cal West Acoustics		\$308,673
KZ Tile	SBE	\$350,800
Valdez Painting	SBE	\$856,710
ThyssenKrupp Elevator		\$486,180
Island Fire Protection	SBE	\$374,500
Dowdle & Sons Mechanical, Inc.	SBE	\$5,000,000
Edward W. Scott Electric		\$5,141,000

SFMTA received a bid protest on February 26, 2015 from C. Overaa & Co. (Overaa), alleging that S. J. Amoroso Construction Co., Inc. (Amoroso) had gained an unfair bid advantage by not correctly or appropriately listing subcontractors for a number of trades. Overaa also protested technical errors in the proposal. Staff reviewed this protest and found that it had no merit.

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Amoroso's general contractor's license allows it to self-perform much of the work. Also, State law does not require listing subcontractors for work, the value which is below one half of one percent of the total contract amount. With respect to one of the technical errors (incorrectly listing a subcontractor), Amoroso submitted a corrected Listing of Subcontractor Form within 24 hours of the bid opening, as permitted by State law. Overaa also alleged that Amoroso failed to include new information required by the State Department of Industrial Relations to be submitted with the bid; however, State law mandated that such information be included with bids submitted as of March 1, 2015, which was subsequent to the bid opening date for this project. The SFMTA sent its letter denying the appeal on March 31, 2015. Overaa did not submit an appeal of the staff decision.

The Contract Compliance Office reviewed the bid proposals and confirmed that Amoroso will meet the Small Business Enterprise (SBE) participation goal of 20% established for this contract and has committed to meeting the Non-discrimination Equal Employment Requirements of the contract.

PUBLIC OUTREACH

On July 13, 2013, SFMTA staff attended a meeting of the Potrero Hill Boosters Neighborhood Association, where they briefed attendees about the project.

SFMTA staff intends to meet with various neighborhood associations and concerned stakeholders to provide information and to gather feedback from the past construction of Islais Creek, Phase I. A public meeting will be scheduled a month before construction to alert the entire community adjacent to the project area.

SFMTA public information representatives have attended various meetings and events, where they briefed attendees about the project and distributed fact sheets. This included the monthly Bayview Residents Improving Their Environment (BRITE) meeting on February 28, 2015, the monthly Bayview Hill Neighborhood Association meeting on April 6, 2015, and the Sunday Streets event in the Bayview/Dogpatch neighborhood on April 12, 2015.

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 electrical and 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 project is projected to be funded by Local Proposition K, existing and future Revenue Bonds, a future General Obligation Bond, Federal FTA funds, and other funds. The funding sources for this project have been identified but actual receipt some of these funds are yet to be finalized. Therefore, the funding sources may change depending on cash flow needs of the project and may require bridge financing.

The budget and financial plan for this project is presented in Enclosure 2.

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.

OTHER APPROVALS RECEIVED OR STILL REQUIRED

The City's Green Building Ordinance requires that the project be constructed to meet the Leadership in Energy & Environmental Design (LEED) Gold-level certification. At the completion of construction, the project's LEED Design Professional shall submit the project to the Department of Building Inspection for verification that the project has met the Gold-level certification.

The City Attorney's Office has reviewed this 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. 1279R, Islais Creek Facility Phase II - Maintenance and Operations Building Project, with S. J. Amoroso Construction Co., Inc., as the lowest responsible and responsive bidder, to construct a new maintenance and operations facility, in the amount of \$45,777,000, and for a term of 660 calendar days.

SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY
BOARD OF DIRECTORS

RESOLUTION No. _____

WHEREAS, The purpose of the Islais Creek Facility Phase II - Maintenance and Operations Building Project is to construct a 66,209-square-foot maintenance and operations facility to house a portion of the San Francisco Municipal Transportation Agency's (SFMTA) diesel-electric hybrid articulated bus fleet; and,

WHEREAS, On December 30, 2014, the Director of Transportation notified the SFMTA Board of Directors that he had authorized a bid call for SFMTA Contract No. 1279R in accordance with Board Resolution No. 09-191, which delegates, among other things, the authority to issue bid calls to the Director of Transportation; and,

WHEREAS, On February 24, 2015, the SFMTA received and publicly opened three bid proposals in response to the invitation for bids; and,

WHEREAS, The SFMTA determined that S. J. Amoroso Construction Co., Inc., located at 390 Bridge Parkway, Redwood Shores, CA 94065, submitted the lowest responsive and responsible bid, in the amount of \$45,777,000; and,

WHEREAS, The SFMTA received a bid protest from the second low bidder alleging that S. J. Amoroso Construction Co., Inc. had gained an unfair bid advantage by not correctly or appropriately listing subcontractors for a number of trades and by alleging other technical defects in the bid; and

WHEREAS, SFMTA Staff reviewed the protest and found it to be without merit and so notified the protestor, who did not appeal the staff determination; and

WHEREAS, The Contract Compliance Office reviewed the bid proposals and confirmed that S. J. Amoroso Construction Co., Inc. will meet the Small Business Enterprise participation goal of 20% established for this Contract and will commit to meeting the Non-discrimination Equal Employment Requirements of the Contract; and,

WHEREAS, The funding for work under Contract No. 1279R will come from Federal grants and local sources; and,

WHEREAS, Environmental analysis was performed for the project and a Final Mitigated Negative Declaration was adopted and issued by the San Francisco Planning Department on June 20, 1989; and

WHEREAS, On June 20, 1989, the San Francisco Planning Department issued a Final Mitigated Negative Declaration (FMND) 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 FMND when it approved Resolution No. 243-90, and adopted findings as required under the California Environmental Quality Act (CEQA); 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 FMND and the two Addenda; and

WHEREAS, The SFMTA Board has 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 FMND and the Addenda and the findings in Resolution No. 243-90, finds that the FMND is adequate for use by the SFMTA in approving this project, and incorporates the findings in Resolution No. 243-90 by this reference thereto as though fully set forth here; and

WHEREAS, The SFMTA Board finds there have been no substantial project changes and no substantial changes in project circumstances that would require major revisions to the FMND due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts, and there is no new information of substantial importance that would change the conclusions set forth in the FMND; now, therefore, be it

RESOLVED, That the SFMTA Board of Directors authorizes the Director of Transportation to execute San Francisco Municipal Transportation Agency Contract No. 1279R, Islais Creek Facility Phase II - Maintenance and Operations Building Project, with S. J. Amoroso Construction Co., Inc., as the lowest responsible and responsive bidder, to construct a new maintenance and operations facility, in the amount of \$45,777,000, and for a term of 660 calendar days.

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of June 16, 2015.

Secretary to the Board of Directors
San Francisco Municipal Transportation Agency

ENCLOSURE 2
ISLAIS CREEK FACILITY PHASE II - MAINTENANCE AND OPERATIONS
BUILDING PROJECT

San Francisco Municipal Railway Contract No. 1279R

Project Budget and Financial Plan

Cost	Amount
Right-of-Way Costs	\$5,735,000
Detail Design Phase Staff Support (SFMTA and Other City Services)	\$13,157,000
Construction Phase Construction Contract, Contingency, and Staff Support	\$66,259,000
Total Cost	\$85,151,000

Funding	Amount
Federal Grant Funds	\$36,355,171
SFMTA Revenue Bonds	\$10,000,000
General Obligation Bond	\$28,951,371
Proposition K	\$3,290,154
Other Funds (e.g. Bay Area Air Quality Management District, Development Fees, Certificates of Participation - SFMRIC)	\$6,554,304
Total Funding	\$85,151,000