

SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY
BOARD OF DIRECTORS

RESOLUTION No. 180116-007

WHEREAS, SFMTA Contract No. 1294, M-Ocean View Track Replacement Project at 19th Avenue and Rossmoor Drive (Contract 1294 or the Project), aims to improve reliability and on-time performance of the M-Ocean View light rail line, improve safety, and replace sections of aging tracks to keep the Muni system in a state of good repair; and,

WHEREAS, On March 7, 2017, the SFMTA Board of Directors awarded the Contract to ProVen Management, Inc. (ProVen or Contractor), at a cost not to exceed \$ 3,362,647.75, and for a term of 270 days; and,

WHEREAS, On May 1, 2017, the SFMTA issued the notice to proceed to ProVen; and,

WHEREAS, To minimize service disruptions, the SFMTA directed the Contractor to coordinate the work under the Project with work being performed under Contract No. 1282R, Twin Peaks Tunnel Trackway Improvement Project, with NTK Construction, Inc. (Twin Peaks Tunnel Project), as they both were scheduled to interrupt service for the M-Ocean View Line; and,

WHEREAS, On June 2, 2017, the SFMTA issued a notice of its intent to terminate the Twin Peaks Tunnel contract and postponed the M-Ocean View Line service shutdown to July 2018 in order to engage a new contractor for the Twin Peaks Tunnel Project; and,

WHEREAS, The SFMTA has directed ProVen to reschedule the nine-day shutdown work for Contract 1294 to between July 13 and July 23, 2018, which would result in a 193-day extension of time to Contract 1294; and,

WHEREAS, SFMTA staff negotiated and recommends an increase of \$314,838 to the amount of Contract 1294; SFMTA staff believes this amount to be fair and reasonable compensation for the Contractor's direct and indirect costs arising from and related to the time extension; and,

WHEREAS, The Contract Compliance Office reviewed Contract Modification No. 1 and confirmed that ProVen will continue to meet the Small Business Enterprise participation goal of 30% established for Contract 1294; and,

WHEREAS, Funding for the construction services under Contract 1294 comes from Federal Transit Administration formula funds; Proposition K Sales Tax dollars will serve as local matching funds; and,


WHEREAS, On February 2, 2017, the San Francisco Planning Department determined that the proposed project is categorically exempt from CEQA pursuant to Title 14 of the California Code of Regulations Section 15301 (Planning Case Number 2017-001436ENV); and,

WHEREAS, The traffic signal upgrade elements of this project were included in a California Department of Transportation (Caltrans) Project Study Report (PSR) for the State Route 1 Phase III Signal Upgrade Project, Project EA No. 0J700; as part of the PSR, Caltrans determined in April 2015 that the traffic signal elements are categorically exempt from CEQA as defined in Title 14 of the California Code of Regulations Section 15302; and,

WHEREAS, Copies of the CEQA 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 are incorporated herein by reference; now, therefore, be it

RESOLVED, That the SFMTA Board of Directors authorizes the Director of Transportation to execute Contract Modification No. 1 to San Francisco Municipal Transportation Agency Contract No. 1294, M-Ocean View Track Replacement Project at 19th Avenue and Rossmoor Drive, with ProVen Management, Inc., to compensate the Contractor for all costs resulting from extending the contract term, increasing the contract amount by \$314,838, for a total contract amount of \$3,677,485.75, and extending the term of the contract by 193 days to 463 days.

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of January 16, 2018.



Secretary to the Board of Directors
San Francisco Municipal Transportation Agency