

SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY
BOARD OF DIRECTORS

RESOLUTION No. 210420-054

WHEREAS, On December 2, 2008, the SFMTA Board of Directors adopted Resolution No. 08-201 awarding Contract CS-149, Professional Program Management and Construction Management Services for Central Subway (Contract), to Central Subway Partnership (Consultant), for a term not-to-exceed five years, with an option to extend the term for an additional five years, and for an amount not-to-exceed \$147,375,171 including the optional term extension and optional construction management services provided in the base contract; and,

WHEREAS, On January 6, 2009, the Board of Supervisors adopted Resolution 3-09 approving award of Contract CS-149 to Central Subway Partnership for an amount not-to-exceed \$147,375,171 (initial five-year term amount of \$95,632,910 and optional second five-year term of \$51,742,261) with a total term not-to-exceed ten years (five years for Phase I Services and an additional five years for optional Phase II Services); and,

WHEREAS, Approval for Contract CS-149 was obtained from the Civil Service Commission Notice of Action for Contract Number 4096-08/09 on February 2, 2009; and,

WHEREAS, Notice to Proceed for Contract CS-149 was issued to the Consultant on April 6, 2009, which commenced the term of the Contract; and,

WHEREAS, The Consultant provides critical program and construction management services for the Central Subway Project and supplements SFMTA personnel and resources as part of an integrated project management team; and,

WHEREAS, The SFMTA does not have personnel with specialized expertise in design, engineering, and construction management that the Consultant provides, and is necessary to manage the complex design and construction challenges of the Central Subway Project; and,

WHEREAS, On October 2, 2014, the Director of Transportation executed Amendment No. 1 to Contract CS-149 for Phase I, to extend the contract term two years, to April 5, 2016, which was made necessary by the Federal Transit Administration's request that the SFMTA postpone final design (due to delays in Congressional budget appropriations), repackaging and rebidding construction contracts for the stations, trackways, and control systems, and delays in relocating underground utilities; and,

WHEREAS, On December 5, 2016, the Director of Transportation executed Amendment No. 2 to Contract CS-149, to exercise the option for Phase Two Services, which extended the contract term three years to April 5, 2019; and,

WHEREAS, On July 2, 2019, the Director of Transportation executed Amendment No. 3 to Contract CS-149 to extend the contract term by two years to April 5, 2021; and,

WHEREAS, The cost of the services the Consultant will provide during the extended term are within the approved contract amount; and,

WHEREAS, The Central Subway Final Supplemental Environmental Impact Statement/Supplemental Environmental Impact Report (Central Subway SEIS/SEIR) evaluated the environmental impacts of the Central Subway Project, including construction of the subway stations; on August 7, 2008, the San Francisco Planning Commission certified the Final SEIR (Case No. 1996.281E); on August 19, 2008, the SFMTA Board of Directors approved Resolution 08-150 adopting Central Subway Project Alternative 3B as the Locally Preferred Alternative, the California Environmental Quality Act (CEQA) Findings, Statement of Overriding Considerations, and the Mitigation Monitoring and Reporting Plan; and,

WHEREAS, The services Consultant shall provide under Amendment No. 4, as described above, are within the scope of the Final SEIS/SEIR; and,

WHEREAS, The Central Subway SEIS/SEIR is on file with the SFMTA Board of Directors and may be found in the records of the Planning Department at <https://sfplanning.org/> and 49 South Van Ness Avenue, Suite 1400 in San Francisco, and is incorporated herein by reference; therefore be it

RESOLVED, That the San Francisco Municipal Transportation Agency Board of Directors has reviewed and considered the Central Subway Supplemental Environmental Impact Statement/Supplemental Environmental Impact Report and record as a whole, and finds that the Central Subway Supplemental Environmental Impact Statement/Supplemental Environmental Impact Report is adequate for the Board's use as the decision-making body for the actions taken herein relative to construction of the Project, and incorporates the California Environmental Quality Act findings by this reference as though set forth in this Resolution; and be it further

RESOLVED, The San Francisco Municipal Transportation Agency Board of Directors authorizes the Director of Transportation to execute Amendment No. 4 to Contract No. CS-149, Professional Program Management and Construction Management Services for the Central Subway Project, with Central Subway Partnership, to extend the term of the Contract for 14 months to June 20, 2022, without change to the contract amount.

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of April 20, 2021.



Secretary to the Board of Directors
San Francisco Municipal Transportation Agency

**CITY AND COUNTY OF SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY**

**FOURTH AMENDMENT TO THE CONTRACT
BETWEEN THE CITY AND COUNTY OF SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY
AND CENTRAL SUBWAY PARTNERS,
A JOINT VENTURE BETWEEN AECOM AND EPC CONSULTANTS, INC
FOR
PROGRAM MANAGEMENT AND CONSTRUCTION MANAGEMENT SERVICES
FOR THE SAN FRANCISCO MUNICIPAL TRANSPORTATION AGENCY
CENTRAL SUBWAY PROJECT**

This Fourth Amendment to the Contract, effective April 5, 2021, is made in the City and County of San Francisco, State of California, by and between: CENTRAL SUBWAY PARTNERS (“Consultant”), a Joint Venture between AECOM and EPC Consultants, Inc., and the City and County of San Francisco, a municipal corporation (“City”), acting by and through its Municipal Transportation Agency (“SFMTA”)

RECITALS

- A. WHEREAS, On December 2, 2008, the SFMTA Board of Directors adopted Resolution No. 08-201 awarding Contract CS-149, Professional Program Management and Construction Management Services for Central Subway, to Central Subway Partnership (Consultant), for an amount not-to-exceed \$147,375,171 including optional services, for a term not-to-exceed five years with an option to extend the term for an additional five years; and,
- B. WHEREAS, On January 6, 2009, the Board of Supervisors adopted Resolution 3-09 approving award of Contract CS-149 to Central Subway Partnership for an amount not-to-exceed \$147,375,171 (initial five-year term amount of \$95,632,910 and optional second five-year term of \$51,742,261) with a total term not-to-exceed ten years (five years for Phase I Services and an additional five years for optional Phase II Services); and approval for the Contract was obtained from the Civil Service Commission under Notice of Action for Contract Number 4096-08/09 on February 2, 2009.
- C. Notice to Proceed to commence work under the Contract was issued to Consultant on April 6, 2009.
- D. The First Amendment to the Agreement extended the five-year term for Phase I Services to seven years, commencing from the date of NTP, which period is Phase One of the Project, with no change to the contract amount.
- E. Under the Second Amendment to the Agreement, SFMTA elected to exercise its option for Phase Two Services to extend AECOM’s service for another three years by using annual work plans for each year of additional services, with no change to the contract amount.
- F. The Third Amendment to the Agreement extended the term of the Contract two years, from April 6, 2019 to April 5, 2021, with no change to the contract amount.

- G. The Fourth Amendment to the Agreement will extend the term of the Contract from April 5, 2021 to June 20, 2022 with no change to the contract amount.

Now, THEREFORE, the parties agree to amend the Contract as follows:

- A. Due to delays in the construction of the Central Subway Project, the term of the Contract is extended to June 20, 2022.
- B. Except as expressly provided herein, no other provision of the Contract is amended and all other provisions of the Contract remain in full force and effect.
- C. By signing below, the signatories warrant that they each have the authority to sign this modification to the Contract and bind the respective party he or she represents.

The remainder of this page has been intentionally left blank.

IN WITNESS WHEREOF, each party has duly executed this Fourth Amendment to the Agreement as of the date first referenced above.

CENTRAL SUBWAY PARTNERS

Accepted:

By:

Jon Porterfield
Vice President
AECOM
300 California Street, Suite 600
San Francisco, CA 94104

Accepted:

By:

Steve Wang
President
EPC Consultants, Inc.
655 Davis Street
San Francisco, CA 94111

CITY AND COUNTY OF SAN FRANCISCO

Recommended:

By:

Nadeem S. Tahir, P.E.
Deputy Director 1
Program Director, Central Subway Project
San Francisco Municipal Transportation Agency

Approved:

By:

Jeffrey Tumlin
Director of Transportation
San Francisco Municipal Transportation Agency

Authorized By:

Municipal Transportation Agency Board of Directors

Resolution No: _____

Adopted: _____

Attest: _____
Secretary, SFMTA Board of Directors

APPROVED AS TO FORM:

Dennis J. Herrera
City Attorney

By:

Robert K. Stone
Deputy City Attorney
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