

THIS PRINT COVERS CALENDAR ITEM NO. : 10.4

**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. 1286, Job Order Contract, with Con-Quest Contractors Inc., as the lowest eligible responsive and responsible bidder, in the amount of \$3,000,000, and for a term not to exceed three years, with an option to extend the term of the Contract for up to an additional two years to complete the work of issued task orders; and authorizing the Director to exercise, in his discretion, any option to extend the term of the Contract.

SUMMARY:

- The San Francisco Municipal Transportation Agency (SFMTA) has developed a Job Order Contracting (JOC) program for the purpose of performing minor construction and maintenance work in an efficient and expeditious manner.
- On December 15, 2014, the Director of Transportation of the SFMTA notified the Board that he had authorized a bid call for JOC Contract Nos. 1285 and 1286, for locally funded projects.
- SFMTA advertised the contracts on January 15, 2015, and received six bids for Contract No. 1286. Mitchell Engineering submitted the lowest bid for both contracts, but is only entitled to be awarded one.
- This contract will be funded from nonfederal sources for both operating and capital projects. Each individual project will need to identify the funding in their respective budget for this work.

ENCLOSURES:

1. SFMTAB Resolution

APPROVALS:

DATE

DIRECTOR _____

3/30/15

SECRETARY _____

3/30/15

ASSIGNED SFMTAB CALENDAR DATE: April 7, 2015

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PURPOSE

The purpose of this calendar item is to authorize the Director of Transportation to execute SFMTA Contract No. 1286, Job Order Contract, with Con-Quest Contractors Inc., as the lowest eligible responsive and responsible bidder, in an amount not to exceed \$3,000,000, and for a term not to exceed three years, with an option to extend the term of the Contract for up to an additional two years to complete the work of issued task orders; and to authorize the Director to exercise, in his discretion, any option to extend the term of the Contract.

GOAL

Contract No. 1286 would assist in the implementation of the following goals, objectives and initiatives in the SFMTA Strategic Plan:

Goal 1: Create a safer transportation experience for everyone

Objective 1.1: Improve security for transportation system users

Objective 1.2: Improve workplace safety and security

Goal 3: Improve the environment and quality of life in San Francisco

Objective 3.2: Increase the transportation system's positive impact to the economy

Objective 3.5: Reduce capital and operating structural deficits

DESCRIPTION

Background

As authorized under Section 6.62 of the San Francisco Administrative Code, the SFMTA has developed a Job Order Contracting (JOC) program for the purpose of performing minor construction and maintenance work in an efficient and expeditious manner.

A JOC contract is a unique, indefinite-quantity type of contract that enables SFMTA to accomplish a large number of smaller repair, maintenance and construction projects through a single, competitively bid contract. SFMTA has used its previous JOC contracts to accomplish a number of critically important projects effectively and expeditiously. Following is a representative listing of completed projects:

- Subway platform lighting upgrade at Subway Stations.
- Network NEXTMUNI Displays
- Mobile Gate Roll-up at Woods Bus Facility
- Green Facility Rail work
- Sectionalizing Switches Replacement
- Communication Cable Tray at Van Ness Platform Station
- Repair 12" Crack Sewer between Palou & Quesada along Third Street
- Installation of Video Security Cameras at all SFMTA Bus facilities.
- CO2 Fire Suppression System in the Engine Room at Woods Division.
- SMC Upgrade Project – Lenox OCC.

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- CCTV and Intrusion Alarms for Drawbridges.
- 1508 Bancroft Tenant Improvement
- MMT Water mitigation
- MTA Employee Break and Lunch Office at Woods Facility.
- Operator Restroom Repair at 48th & Geary.
- Islais Creek Wireless Installation
- Fuel Pump modification at Islais Creek
- Power to Bus Shelter at Balboa

Employing the JOC contract for small jobs eliminates the time and expense of completing the normal design-bid-construct cycle for each project. It allows SFMTA to reduce project duration and cost, while increasing quality.

Job Order Contracting utilizes a Unit Price Book (Construction Task Catalog) containing at least 60,000 to 100,000 unit prices covering material, equipment and labor costs for various units of construction, adjusted to current conditions. Contractors competitively bid an adjustment factor (e.g., 1.75) to be applied to this catalog of construction tasks with pre-set unit prices.

Under Section 6.62 of the San Francisco Administrative Code, no single task order may exceed a threshold amount, which is currently set at \$400,000, including all modifications, except upon the Director of Transportation written determination establishing the urgency of the work and the justification for proceeding under Section 6.62 rather than by a formal competitive process. Task orders up to the current threshold amount will be authorized within SFMTA's Capital Program and Construction Division.

Recent amendments to Section 6.62 of the Administrative Code allow departments to issue JOC contracts for up to five years and up to \$5 million per contract. Section 6.62 also permits modifications to a JOC contract, provided that the final contract sum does not exceed 150 percent of the original contract amount. Section 6.62 prohibits issuance of any new task order after three years from the date of award.

Scope of Work

The Contractor will be asked to perform a series of projects on an as-needed basis. When a project is first identified, a joint scoping meeting will be held between the SFMTA staff and the Contractor to define the scope and calculate quantities of work. The price for each project will be the quantity multiplied by the pre-set unit prices and multiplied by the competitively bid adjustment factor. The SFMTA will issue a separate task order for every project.

Bids Received

On December 15, 2014, the Director of Transportation of the SFMTA notified the SFMTA Board of Directors that he had authorized a bid call for Contract Nos. 1285 and 1286 in accordance with Board Resolution No. 09-191, which delegates, among other things, the authority to issue bid calls to the Director of Transportation.

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On January 15, 2015, the SFMTA advertised bid calls for the two Job Order Contracts. The SFMTA received and publicly opened the following six responsive bids for Contract No. 1286 on February 11, 2015:

Bidder	Award Criteria Figure	Award Criteria Figure after application of LBE and SBA/LBE Discounts
1. Eagle Environmental Construction Inc. 1485 Bayshore Blvd., Suite 374 San Francisco, CA 94010	1.3100	1.1790
2. Gordon N. Ball, Inc. 333 Camille Avenue Alamo, CA 94507	1.2500	1.2500
3. NTK Construction, Inc. 501 Cesar Chavez Street, Suite 123 San Francisco, CA 94124	1.2360	1.2113
4. Angotti & Reilly, Inc. 1000 Mariposa Street San Francisco, CA 94107	1.3360	1.2024
5. Mitchell Engineering 1395 Evans Avenue San Francisco, CA 94124	1.2350	1.1115
6. Con-Quest Contractors, Inc. 290 Toland Street San Francisco, CA 94124	1.2660	1.1394

In accordance with San Francisco Administrative Code Section 6.62(I), a bidder can bid on more than one of the JOC contracts however, no bidder may receive more than one JOC contract with a single City department at any given time.

The basis for award of these contracts is to the responsive and responsible bidder who submitted the lowest Award Criteria Figure (ACF). In this case, Mitchell Engineering submitted the lowest ACF on both contracts. Con-Quest Contractors was the second lowest bidder on both contracts and is recommended to be awarded Contract No. 1286. See chart below, which shows the three lowest bids for each contract:

Bidder	Contract No 1285 ACF after application of LBE and/or SBA/LBE Discounts	Contract No. 1286 ACF after application of LBE and/or SBA/LBE Discounts
Mitchell Engineering	1.1115	1.1115
Con-Quest Contractors Inc.	1.1394	1.1394
Eagle Environmental Construction Inc.	1.1790	1.1790

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Based on the award criteria, staff recommends Con-Quest Contractors Inc. for award of Contract No. 1286. This selection results in the lowest overall cost to the City since a single bidder cannot receive more than one contract.

The Contract Compliance Office reviewed the bid proposals and confirmed that Con-Quest Contractors Inc. has made a commitment to meeting the Local Business Enterprise (LBE) participation goal of 20 percent established for this contract and meeting the Non-discrimination Equal Employment Requirements of the contract. Con-Quest Contractors Inc. is in compliance with Chapter 12B, the equal benefits provision of the San Francisco Administrative Code.

Subcontractors

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. Con-Quest Contractors Inc. listed the following subcontractors:

Sub Contractor	Scope	Status	Value
CMC Traffic	Traffic Control	LBE	\$90,000
San Francisco Transportation	Trucking	LBE	\$60,000
Esquivel Grading & Paving	Grading & Paving	LBE	\$300,000
Bay Lighting	Electrical	LBE	\$600,000
Tom's Metal	Fabrication	LBE	\$150,000

ALTERNATIVES CONSIDERED

The alternative to a JOC contract would be to bid each individual project separately. For smaller projects, the administrative costs of preparing bid documents and conducting a procurement process would be prohibitively expensive. The JOC method of contracting has been proven to be an effective and efficient method of completing smaller construction projects.

FUNDING IMPACT

This contract will be funded from nonfederal sources for both operating and capital projects. Each individual project will need to identify the funding in their respective budget for this work.

OTHER APPROVALS RECEIVED OR STILL REQUIRED

The City Attorney's Office has reviewed this calendar item.

No other approvals are required.

ENVIRONMENTAL REVIEW

Any proposed task order under the proposed contract that would result in either a direct physical change in the environment, or a reasonably foreseeable indirect impact on the environment (e.g., certain facility improvements, parking and traffic modifications, bicycle improvements,) must be

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reviewed by the Planning Department or a designated SFMTA staff member. A determination will be made as to compliance with the California Environmental Quality Act (CEQA) prior to submission of the task order to the contractor.

RECOMMENDATION

Staff recommends that the SFMTA Board of Directors authorize the Director of Transportation to execute SFMTA Contract No. 1286, Job Order Contract, to Con-Quest Contractors Inc., as the lowest eligible responsive and responsible bidder, for a contract amount of \$3,000,000, and for a term not to exceed three years, with an option to extend the term of the Contract for up to an additional two years to complete the work of issued task orders; and further authorize the Director to exercise, in his discretion, any option to extend the term of the Contract.

SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY
BOARD OF DIRECTORS

RESOLUTION No. _____

WHEREAS, San Francisco Municipal Transportation Agency (SFMTA) Contract No. 1286, Job Order Contract, is an indefinite quantity contract with a predefined set of bid items that are assigned on an as-needed, task order basis for the performance of public work maintenance, repair, and minor construction projects; and,

WHEREAS, On December 15, 2014, the Director of Transportation of the SFMTA notified the SFMTA Board of Directors that he had authorized a bid call for Contract No. 1286 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 January 15, 2015, the SFMTA advertised the bid call for Contract No.1286; and,

WHEREAS, On February 11, 2015, the SFMTA received and publicly opened six bid proposals in response to its invitation for bids; and,

WHEREAS, The SFMTA determined that Con-Quest Contractors Inc., located at 290 Toland Street, San Francisco, CA 94124, was the lowest eligible responsive and responsible bidder, with an Award Criteria Figure of 1.1394 after application of LBE and/or SBA/LBE discounts; and,

WHEREAS, The SFMTA Contract Compliance Office reviewed the bid proposals and confirmed that Con-Quest Contractors Inc. will meet the Local Business Enterprise participation goal of 20 percent established for this contract and will commit to meeting the Non-discrimination Equal Employment requirements of the contract; and,

WHEREAS, The work under this job order contract will be performed under future task orders, which will identify the scope of work, cost, and duration of various discrete projects; and,

WHEREAS, The approval of the proposed contract would not fall within the definition of a "project" under the California Environmental Quality Act (CEQA) Guidelines Section 15378; however, approval of future individual task orders under this contract for activities that may involve a direct or indirect physical change in the environment would require compliance with CEQA prior to issuing of a task order; and,

WHEREAS, This contract will be funded from nonfederal sources for both operating and capital projects; each individual project will need to identify the funding in their respective budget for this work; now, therefore, be it

RESOLVED, That SFMTA Board of Directors authorizes the Director of Transportation to execute SFMTA Contract No. 1286, Job Order Contract, with Con-Quest Contractors Inc., as the lowest eligible responsive and responsible bidder, in an amount not to exceed \$3,000,000, and for a term not to exceed three years, with an option to extend the term of the Contract for up to an additional two years to complete the work of issued task orders; and be it

FURTHER RESOLVED, That SFMTA Board of Directors authorizes the Director of Transportation to exercise, in his discretion, any option to extend the term of the Contract.

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of April 7, 2015.

Secretary to the Board of Directors
San Francisco Municipal Transportation Agency