

THIS PRINT COVERS CALENDAR ITEM NO. : 10.3

**SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY**

DIVISION:Capital Programs & Construction

BRIEF DESCRIPTION:

Authorizing the award of SFMTA Contract No. 1271, Job Order Contract, to Rodan Builders Inc., located at 859 Cowan Road, Burlingame, CA 94010, as the lowest eligible responsive and responsible bidder, in the amount of \$5,000,000, and for a term not to exceed five years.

SUMMARY:

- As authorized under Section 6.62 of the San Francisco Administrative Code, 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.
- The SFMTA established its first JOC program in 2006 and has so far entered into five three-year JOC contracts.
- On January 30, 2014, the Director of Transportation notified the SFMTA Board of Directors that he had authorized a bid call for three new JOC Contracts, Nos.1271, 1272, and 1273.
- SFMTA advertised the contracts on February 10, 2014 and received two bids for Contract No. 1271.
- The contract term will be for five years. No new task orders will be issued after three years.
- Federal, state, and local sources will provide funding for the services on an “as-needed,” project-by-project basis from capital and/or operating funds.

ENCLOSURES:

1. SFMTAB Resolution

APPROVALS:

DATE

DIRECTOR _____ 4/9/14

SECRETARY _____ 4/9/14

ASSIGNED SFMTAB CALENDAR DATE: April 15, 2014

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PURPOSE

The purpose of this calendar item is to authorize the Director of Transportation to execute San SFMTA Contract No. 1271, Job Order Contract, to Rodan Builders Inc. as the lowest eligible responsive and responsible bidder, in an amount not to exceed \$5,000,000, and for a term not to exceed five years.

GOAL

Contract No. 1271 will 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 Division
- Green Division rail work
- Sectionalizing switches replacement
- Communication cable tray on the platform at Van Ness Station
- Repair 12" crack sewer between Palou & Quesada along Third Street

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- Installation of video security cameras at all SFMTA bus facilities.
- CO2 fire suppression system in the engine room at Woods Division.
- System Management Control Upgrade Project – Lenox Operation Central Control.
- CCTV and intrusion alarms for drawbridges.
- 1508 Bancroft tenant improvements
- Muni Metro Turnback water mitigation
- SFMTA employee break and lunch office at Woods Division.
- Operator restroom repair at 48th & Geary.
- Islais Creek wireless installation
- Fuel pump modification at Islais Creek
- Power to bus shelters adjacent to Balboa Park BART Station

Using a JOC contract 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.

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

Recent amendments to Section 6.62 allow departments to issue JOC contracts for up to five years and up to \$5 million per contract. However, no new task order may be issued after three years; the additional two-year extension allows time to complete task orders that have already been issued. The Administrative Code also permits modifications to a JOC contract provided that the final contract sum does not exceed 150 percent of the original contract amount.

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. SFMTA will issue a separate task order for each project.

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Bids Received

On January 30, 2014, the Director of Transportation notified the SFMTA Board of Directors that he had authorized a bid call for Contract Nos. 1271, 1272 and 1273 in accordance with Board Resolution No. 09-191, which delegates, among other things, the authority to issue bid calls to the Director of Transportation.

On February 10, 2014, the SFMTA advertised bid calls for three Job Order Contracts, including Contract No. 1271. The SFMTA received and publicly opened the following two responsive bids for Contract No. 1271 on March 10, 2014:

| | Bidder | Award Criteria Figure |
|----|--|-----------------------|
| 1. | Rodan Builders Inc. 859 Cowan Road, Burlingame, CA 94010 | 1.2380 |
| 2. | NTK 501 Cesar Chavez Street, Suite 123, San Francisco, CA 94124 | 1.3440 |

The bids for Contract Nos. 1272 and 1273 were opened on April 7, 2014 and April 14, 2014, respectively. The award of those contracts will be brought separately to the Board for approval.

In accordance with San Francisco Administrative Code Section 6.62(I), a bidder may bid on one, two or three of the Job Order 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 the responsive and responsible bidder who submits the lowest Award Criteria Figure (ACF) subject to the Administrative Code requirements. If a bidder submits the lowest bid on more than one contract, the basis of award, if the contracts are awarded, would be the lowest total overall cost to the City.

Based on the award criteria, staff recommends Rodan Builders Inc. for award of Contract No. 1271.

The Contract Compliance Office reviewed the bid proposals and confirmed that Rodan Builders Inc. has made a commitment to meeting the Small Business Enterprise (SBE) participation goal of 25 percent established for this contract and meeting the Non-discrimination Equal Employment Requirements of the contract. Rodan Builders Inc. is in compliance with Chapter 12B, the equal benefits provision of the San Francisco Administrative Code.

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 work.

Rodan Builders Inc. listed the following subcontractors:

| Sub Contractor | % | Amount | Certification Type |
|-----------------------|----------|---------------|---------------------------|
| Atlas Pelizzari | 20% | \$1,000,000 | SBE |
| D. Lopez Concrete | 10% | \$500,000 | SBE |
| RG Plumbing | 5% | \$250,000 | |
| Paradiso Mechanical | 5% | \$250,000 | SBE |
| Bullzeye | 5% | \$250,000 | |
| Eco-Bay | 5% | \$250,000 | |
| Service Mechanical | 5% | \$250,000 | |
| Western Roofing | 3% | \$150,000 | |
| Simplex Grinnell | 3% | \$150,000 | |
| 18 Trucking | 2% | \$100,000 | |
| Norcal-Fence | 2% | \$100,000 | |
| Muscara Bros | 2% | \$100,000 | |
| Conquest | 2% | \$100,000 | SBE |

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

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

No new funds are required for this contract since all tasks will be funded through existing project budgets from capital and/or operating funds, as appropriate. Federal, state, and local sources will provide funding for the services on an as-needed project-by-project basis.

OTHER APPROVALS RECEIVED OR STILL REQUIRED

For work performed on federally funded capital projects, those projects will have already obtained NEPA and CEQA clearances. For projects funded with operating funds, the SFMTA will obtain required environmental clearances through the City Planning Department prior to issuing a task order for an individual project.

RECOMMENDATION

Staff recommends that the SFMTA Board of Directors award SFMTA Contract No. 1271, Job Order Contract, to Rodan Builders Inc. as the lowest eligible responsive and responsible bidder, for a contract amount of \$5,000,000, and a term not to exceed five years.

SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY
BOARD OF DIRECTORS

RESOLUTION No. _____

WHEREAS, San Francisco Municipal Transportation Agency (SFMTA) Contract No. 1271, Job Order Contract, is an indefinite quantity contract with a predefined set of bid items that are assigned on a task order basis as needed for the performance of public work maintenance, repair, and minor construction projects; and,

WHEREAS, On January 30, 2014, the Director of Transportation notified the SFMTA Board of Directors that he had authorized a bid call for Contract Nos. 1271, 1272 and 1273 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 10, 2014, the SFMTA advertised the bid call for Contract No.1271; and,

WHEREAS, On March 10, 2014, the SFMTA received and publicly opened two bid proposals in response to its invitation for bids; and,

WHEREAS, The SFMTA determined that Rodan Builders Inc. is the lowest eligible responsive and responsible bidder, with an Award Criteria Figure of 1.238; and,

WHEREAS, The SFMTA Contract Compliance Office reviewed the bid proposals and confirmed that Rodan Builders Inc. will meet the Small Business Enterprise participation goal of 25 percent established for this contract and will commit to meeting the Non-discrimination Equal Employment requirements of the contract; and

WHEREAS, All tasks will be funded through existing project budgets from capital or operating funds from Federal, state, and local sources on an as-needed basis; now, therefore, be it

RESOLVED, That the SFMTA Board of Directors authorizes the Director of Transportation to award SFMTA Contract No. 1271, Job Order Contract, to Rodan Builders Inc. as the lowest eligible responsive and responsible bidder, in an amount not to exceed \$5,000,000, and for a term not to exceed five years.

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

Secretary to the Board of Directors
San Francisco Municipal Transportation Agency