AGENDA ITEM
Public Utilities Commission
City and County of San Francisco

DEPARTMENT Wastewater Enterprise AGENDA NO. _____

MEETING DATE November 12, 2008

Consent Calendar Agenda Item
Project Manager: Johnny Wong

Program: Wastewater Enterprise, Repair and Replacement (R&R) Program

Contract WW-470 Award 3rd Street/7th Street/Howard Street and Leavenworth Street Sewer Improvements

Recommendation:	**Approve the plans and specifications and award Wastewater Enterprise Repair and Replacement (R&R) Program-funded Contract No. WW-470, 3rd Street/7th Street/Howard Street and Leavenworth Street Sewer Improvements, in the amount of $ 1,643,343, to the lowest, qualified, responsible and responsive bidder, A. Ruiz Construction Co. and Assoc., Inc.**
Description:	**The contract work consists of replacing the existing sewers on 3rd Street from Townsend Street to King Street; 7th Street from Bryant Street to Brannan Street; Howard Street from 9th Street to 13th Street and Leavenworth Street from Beach Street to Jefferson Street.**
Contract Cost:	**Engineer's Estimate: $ 1,853,288** **Award: $ 1,643,343**
Funding:	**Project No. CENRNRH24240 - 3rd Street/7th Street/Howard Street and Leavenworth Street Sewer Improvements**
Schedule:	**NTP: December 2008** **End: April 2009** **Duration: 107 consecutive calendar days**
Liquidated damages:	**Substantial completion: $3,200/day** **Closeout: $800/day**
LBE goals:	**Set: 13% LBE** **Submitted: 13.26% LBE**
Bid History:	**Advertised: August 29, 2008** **Bids Received: Six (6) on October 9, 2008** **Protest: None**

Contractor Background:	**Previous Contract(s) Awarded: (# & date): Twelve (12) contracts awarded since January 2001. Eight (8) are closed out and four (4) are still active.** **LBE Certified: San Francisco LBE Certified** **Liquidated Damages Assessed: None**
Context:	**This contract is part of the Wastewater Enterprise's continuing sewer replacement program.**

PUBLIC UTILITIES COMMISSION

City and County of San Francisco

RESOLUTION NO. **08-0199**

WHEREAS, Contract No. WW-470, 3rd Street/7th Street/Howard Street and Leavenworth Street Sewer Improvements was advertised on August 29, 2008; and

WHEREAS, The Engineer's Estimate is $1,853,288 for this construction contract work to replace the existing sewers on 3rd Street from Townsend Street to King Street, 7th Street from Bryant Street to Brannan Street, Howard Street from 9th Street to 13th Street and on Leavenworth Street from Beach Street to Jefferson Street; and

WHEREAS, The contract duration is 107 consecutive calendar days; and

WHEREAS, The Planning Department's Major Environmental Analysis Section has determined that this contract is statutorily exempt from environmental review under the California Environmental Quality Act; and

WHEREAS, Six bids were received and opened publicly on October 9, 2008; and

WHEREAS, SFPUC staff and HRC review of the bids for qualifications, responsibility, responsiveness and application of bid preferences resulted in the establishment of A. Ruiz Construction Co. and Assoc., Inc. as the lowest, qualified, responsible and responsive bidder; and

WHEREAS, An HRC subcontracting goal of 13% LBE participation has been established and approved for this contract by the HRC Contract Compliance Officer assigned to the SFPUC. A. Ruiz Construction Co. and Assoc., Inc. is committed to meet the LBE goal submitted in its bid which meets the HRC goal established; and

WHEREAS, The firm being awarded a contract by the SFPUC must be in compliance with the Equal Benefits Provisions of Chapter 12B of the City's Administrative Code either at the time of the award, or within 2 weeks of the date of the Commission award; failure of the bidder to obtain compliance certification from HRC may result in award of the contract to the next lowest, responsible and responsive bidder, or re-bidding of the contract at the discretion of the City; and

WHEREAS, Failure to reach successful agreement on contract terms and conditions within 60 days of the date of the Commission award may result in award of the contract to the next lowest, responsible and responsive bidder, or re-bidding of the contract at the discretion of the City; and

WHEREAS, Funds are available from Project No. CENRNRH24240 - 3rd Street/7th Street/Howard Street and Leavenworth Street Sewer Improvements; now, therefore, be it

RESOLVED, That this Commission hereby approves the plans and specifications and awards Wastewater Enterprise, Repair and Replacement (R&R) Program -funded Contract No. WW-470, 3rd Street/7th Street/Howard Street and Leavenworth Street Sewer Improvements, in the amount of $1,643,343, to the lowest, qualified, responsible and responsive bidder, A. Ruiz Construction Co. and Assoc., Inc.

I hereby certify that the foregoing resolution was adopted by the Public Utilities Commission at its meeting of November 12, 2008

Secretary, Public Utilities Commission

City and County of San Francisco

Gavin Newsom
Mayor

Human Rights Commission
Contract Compliance
Dispute Resolution/Fair Housing
San Francisco Disadvantaged Business Enterprise
Lesbian Gay Bisexual Transgender & HIV Discrimination

Chris Iglesias
Executive Director

MEMORANDUM

Date: October 21, 2008

To: John Wong, Project Manager, PUC

From: Mindy Lee, Representative, HRC

Subject: WW-470 3rd Street, 7th Street, Howard Street and Leavenworth Street Sewer Improvement

The Human Rights Commission ("HRC") has reviewed the bids submitted for the above referenced project, applied the appropriate bid discounts, and determined responsiveness to Chapter 14B pre-award requirement. A subcontracting goal of 13% was established for this project. The following six firms submitted bids: A. Ruiz Construction; Precision Engineering; D'Arcy & Harty; Synergy Project Management; M Squared Construction; and KJ Wood Construction. Below is a summary of HRC's review.

Bidder	Status	Base Bid	LBE Bid Discount	Adjusted Bid with Bid Discount
A. Ruiz Construction	LBE-MBE	$1,643,343	10% = $164,334.30	$1,479,008.70
Precision Engineering	LBE-OBE	$1,889,714	10% = $188,971.40	$1,700,742.60
D'Arcy & Harty	LBE-OBE	$2,117,882	10% = $211,788.20	$1,906,093.80
Synergy Project Management	LBE-MBE	$2,305,945	10% = $230,594.50	$2,075,350.50
M Squared Construction	LBE-OBE	$2,436,790	10% = $243,679.00	$2,193,111.00
KJ Wood Construction	NON-LBE	$2,248,000	0	$2,248,000.00

A. Ruiz Construction ("A. Ruiz"), an HRC certified LBE firm, is the lowest responsive bidder. A. Ruiz met the 13% LBE subcontracting goal by listing the following LBE firms:

Subcontractor	Scope of Work	Status	Listed Amount	Participation
Eighteen Trucking	Trucking	LBE-MBE	$36,000	2.19%
Lou's Concrete	Sawcut	LBE-OBE	$28,000	1.70%
Valletta Construction	Partial: SW 4, 5, 9, 12, and 15	LBE-MBE	$153,980	9.37%
		TOTAL	$217,980	13.26%

Based on the foregoing, HRC has determined that A. Ruiz has complied with pre-award HRC 14B requirements and is eligible for award of this contract. Should you have any questions, or if I can be of further assistance, please do not hesitate to contact me at (415) 554-3136.

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