



AGENDA ITEM

Public Utilities Commission

City and County of San Francisco



DEPARTMENT Wastewater Enterprise AGENDA NO. _____
 MEETING DATE September 8, 2009

Construction Award: Consent Calendar
Project Manager: John Wong

Contract No. WW-422, Award, Pacific Ave., Bernard St., Jones St., Powell St., Pleasant St., Spring St., and Taylor St. Sewer Replacement and Pavement Renovation

Summary of Proposed Commission Action:	Approve the plans and specifications, and award Wastewater Enterprise Renewal and Replacement (R&R) Program-funded Contract No. WW-422, Pacific Ave., Bernard St., Jones St., Powell St., Pleasant St., Spring St., and Taylor St., Sewer Replacement and Pavement Renovation, in the amount of \$1,203,684, to the lowest, qualified, responsible and responsive bidder, Shaw Pipeline, Inc., to replace the existing sewer and street pavement on the subject streets.
Background:	The existing sewers and street pavement on the subject streets were inspected and determined to be in need of replacement. Thus, contract WW-422 was issued to replace these subject sewers and street pavement.
Result of Inaction:	A delay or denial awarding this contract will increase the risk of the subject sewers failing.
Budget & Costs:	Engineer's Estimate: \$1,435,774 Award: \$1,203,684 Funding: 1. <u>Project No. CENRNRH21640</u> –Pacific Ave., Bernard St., Jones St., Powell St., Pleasant St., Spring St. and Taylor St., Sewer Replacement 2. <u>Project No. CENTRNSR4P40</u> –As-Needed PUC/Paving Joint Contracts

APPROVAL:

DEPARTMENT / BUREAU _____

FINANCE Todd L. Rydstrom

COMMISSION SECRETARY Mike Housh

GENERAL MANAGER Ed Harrington

Contract: WW-422, Pacific Ave., Bernard St., Jones St., Powell St., Pleasant St., Spring St. and Taylor St., Sewer Replacement and Pavement Renovation
Commission Meeting Date: September 8, 2009

Schedule:	NTP: October 2009 End: May 2010 Duration: Two hundred (200) consecutive calendar days																																			
Compliance With Chapter 14B: Local Business Enterprise And Non-Discrimination In Contracting Ordinance:	Set: 17% Local Business Enterprise (LBE) Submitted: 20.52% LBE																																			
Environmental Review:	Contract No. WW-422, Pacific Ave., Bernard St., Jones St., Powell St., Pleasant St., Spring St., and Taylor St., Sewer Replacement and Pavement Renovation, was determined to be statutorily excluded from the California Environmental Quality Act (CEQA) under Public Resources Code Section 21080.21.																																			
Bid History:	<p>Advertised: June 23, 2009 Bids Received: Sealed bids were received from six (6) firms on July 29, 2009, as follows:</p> <table border="1" data-bbox="505 1041 1528 1665"> <thead> <tr> <th data-bbox="505 1041 834 1129">Bid Rank</th> <th data-bbox="834 1041 997 1129">Bid Amount</th> <th data-bbox="997 1041 1170 1129">Bid Preference</th> <th data-bbox="1170 1041 1370 1129">Adjusted Bid</th> <th data-bbox="1370 1041 1528 1129">Adjusted Rank</th> </tr> </thead> <tbody> <tr> <td data-bbox="505 1129 834 1192">1. Shaw Pipeline, Inc.</td> <td data-bbox="834 1129 997 1192">\$1,203,684</td> <td data-bbox="997 1129 1170 1192">10%</td> <td data-bbox="1170 1129 1370 1192">\$1,083,315.60</td> <td data-bbox="1370 1129 1528 1192">1</td> </tr> <tr> <td data-bbox="505 1192 834 1297">2. A. Ruiz Construction Co. & Assoc., Inc.</td> <td data-bbox="834 1192 997 1297">\$1,209,219</td> <td data-bbox="997 1192 1170 1297">10%</td> <td data-bbox="1170 1192 1370 1297">\$1,088,297.10</td> <td data-bbox="1370 1192 1528 1297">2</td> </tr> <tr> <td data-bbox="505 1297 834 1402">3. M Squared Construction, Inc.</td> <td data-bbox="834 1297 997 1402">\$1,266,000</td> <td data-bbox="997 1297 1170 1402">10%</td> <td data-bbox="1170 1297 1370 1402">\$1,139,400.00</td> <td data-bbox="1370 1297 1528 1402">3</td> </tr> <tr> <td data-bbox="505 1402 834 1507">4. D'Arcy & Harty Construction, Inc.</td> <td data-bbox="834 1402 997 1507">\$1,336,158</td> <td data-bbox="997 1402 1170 1507">10%</td> <td data-bbox="1170 1402 1370 1507">\$1,202,542.20</td> <td data-bbox="1370 1402 1528 1507">4</td> </tr> <tr> <td data-bbox="505 1507 834 1612">5. J. Flores Construction Co., Inc.</td> <td data-bbox="834 1507 997 1612">\$1,348,351</td> <td data-bbox="997 1507 1170 1612">10%</td> <td data-bbox="1170 1507 1370 1612">\$1,213,515.90</td> <td data-bbox="1370 1507 1528 1612">5</td> </tr> <tr> <td data-bbox="505 1612 834 1665">6. Harty Pipelines, Inc.</td> <td data-bbox="834 1612 997 1665">\$1,359,894</td> <td data-bbox="997 1612 1170 1665">10%</td> <td data-bbox="1170 1612 1370 1665">\$1,223,904.60</td> <td data-bbox="1370 1612 1528 1665">6</td> </tr> </tbody> </table> <p data-bbox="505 1717 1528 1822">Application of bid preferences in accordance with Chapter 14B of the San Francisco Administrative Code did not change the final ranking of the low bidder.</p>	Bid Rank	Bid Amount	Bid Preference	Adjusted Bid	Adjusted Rank	1. Shaw Pipeline, Inc.	\$1,203,684	10%	\$1,083,315.60	1	2. A. Ruiz Construction Co. & Assoc., Inc.	\$1,209,219	10%	\$1,088,297.10	2	3. M Squared Construction, Inc.	\$1,266,000	10%	\$1,139,400.00	3	4. D'Arcy & Harty Construction, Inc.	\$1,336,158	10%	\$1,202,542.20	4	5. J. Flores Construction Co., Inc.	\$1,348,351	10%	\$1,213,515.90	5	6. Harty Pipelines, Inc.	\$1,359,894	10%	\$1,223,904.60	6
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Contract: WW-422, Pacific Ave., Bernard St., Jones St., Powell St., Pleasant St., Spring St. and Taylor St., Sewer Replacement and Pavement Renovation
Commission Meeting Date: September 8, 2009

Description of Scope of Work:	<p>Contract work consists of the following:</p> <ol style="list-style-type: none"> 1. Replacing the existing sewers on: <ul style="list-style-type: none"> • <u>Pacific Avenue:</u> from Mason Street to Taylor Street • <u>Bernard Street:</u> from Taylor Street to Jones Street • <u>Jones Street:</u> from Pacific Avenue to Bernard Street • <u>Powell Street:</u> from Broadway Street to Pacific Avenue • <u>Pleasant Street:</u> from Jones Street to Taylor Street • <u>Spring Street:</u> from Sacramento Street to California Street • <u>Taylor Street:</u> from Jackson Street to Broadway Street 2. Existing street pavement from curb to curb on: <ul style="list-style-type: none"> • <u>Bernard Street:</u> from Taylor Street to Jones Street • <u>Pleasant Street:</u> from Jones Street to Taylor Street • <u>Spring Street:</u> from Sacramento Street to California Street
Recommendation:	SFPUC staff recommends that the Commission adopt the attached resolution.
Attachments:	<ol style="list-style-type: none"> 1. SFPUC Resolution 2. HRC Memo

PUBLIC UTILITIES COMMISSION

City and County of San Francisco

RESOLUTION NO. 09-0146

WHEREAS, Contract No. WW-422, Pacific Ave., Bernard St., Jones St., Powell St., Pleasant St., Spring St. and Taylor St., Sewer Replacement and Pavement Renovation was advertised on June 23, 2009; and

WHEREAS, The Engineer's Estimate is \$1,435,774 for this construction contract work to replace the existing sewer and street pavement on the subject streets; and

WHEREAS, The contract duration is 200 consecutive calendar days; and

WHEREAS, Six (6) bids were received and opened publicly on July 29, 2009; and

WHEREAS, San Francisco Public Utilities Commission (SFPUC) staff and Human Rights Commission (HRC) review of the bids for qualifications, responsibility, responsiveness and application of bid preferences resulted in the establishment of Shaw Pipeline, Inc. as the lowest, qualified, responsible and responsive bidder; and

WHEREAS, A HRC subcontracting goal of 17% Local Business Enterprise (LBE) participation has been established for this contract; 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

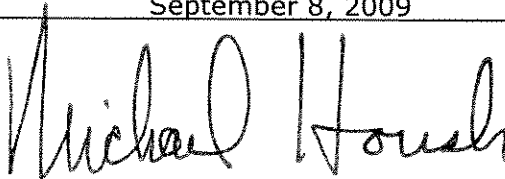
WHEREAS, Failure to reach successful agreement on contract terms and conditions within 60 days of the date of the Commission award may result in award of the contract to the next lowest, responsible and responsive bidder, or re-bidding of the contract at the discretion of the City; and

WHEREAS, Funds are available from Project No. CENRNRH21640, Pacific Ave., Bernard St., Jones St., Powell St., Pleasant St., Spring St. and Taylor St., Sewer Replacement and Project No. CENTRNSR4P40-As-Needed PUC/Paving Joint Contracts; and

WHEREAS, Contract WW-422 was determined to be statutorily excluded from the California Environmental Quality Act (CEQA) under Public Resources Code Section 21080.21; and

RESOLVED, That this Commission hereby approves the plans and specifications and awards Wastewater Enterprise Renewal and Replacement (R&R) Program-funded Contract No. WW-422, Pacific Ave., Bernard St., Jones St., Powell St., Pleasant St., Spring St. and Taylor St., Sewer Replacement and Pavement Renovation, in the amount of \$1,203,684, to the lowest, qualified, responsible and responsive bidder, Shaw Pipeline, Inc.

I hereby certify that the foregoing resolution was adopted by the Public Utilities Commission at its meeting of _____ *September 8, 2009*



Secretary, Public Utilities Commission



Gavin Newsom
Mayor

Contract Compliance
Dispute Resolution/Fair Housing
Small and Micro Business Enterprise
Lesbian Gay Bisexual Transgender & HIV Discrimination

Theresa Sparks
Executive Director

MEMORANDUM

Date: August 17, 2009

To: John Wong, Project Manager, PUC
Pauline Lam, Contract Administration, PUC
Jon Winge, Contract Administration, PUC

From: Mindy Lee, Contract Compliance Representative, HRC

Subject: WW-422 Pacific Ave., Bernard/Jones/Powell/Pleasant/Spring & Taylor Streets Sewer Replacement and Pavement Renovation

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 17% was established for this project. The following six firms submitted bids: Shaw Pipeline, Inc.; A. Ruiz Construction Co. & Assoc., Inc.; M Squared Construction Inc.; D'Arty & Harty Construction, Inc.; J. Flores Construction Co., Inc.; and Harty Pipelines, Inc. Below is a summary of HRC's review.

Bidder	Status	Base Bid	LBE Bid Discount	Adjusted Bid with Bid Discount
Shaw Pipeline, Inc.	LBE-OBE	\$1,203,684	10% = \$120,368.40	\$1,083,315.60
A. Ruiz Construction Co. & Assoc., Inc.	LBE-MBE	\$1,209,219	10% = \$120,921.90	\$1,088,297.10
M Squared Construction, Inc.	LBE-OBE	\$1,266,000	10% = \$126,600.00	\$1,139,400.00
D'Arty & Harty Construction, Inc.	LBE-OBE	\$1,336,158	10% = \$133,615.80	\$1,202,542.20
J. Flores Construction Co, Inc.	LBE-MBE	\$1,348,351	10% = \$134,835.10	\$1,213,515.90
Harty Pipelines, Inc.	LBE-WBE	\$1,359,894	10% = \$135,989.40	\$1,223,904.60

Shaw Pipeline, Inc. ("Shaw Pipeline"), an HRC certified LBE firm, is the lowest responsive bidder. Shaw Pipeline met the 17% LBE subcontracting goal by listing the following LBE firms:

Subcontractor	Scope of Work	Status	Listed Amount	Amount Credited	Participation (based on credited amount)
Costello Trucking	Trucking/Hauling	LBE-OBE	\$15,000	\$15,000	1.25%
Go Public Notice	Notices	LBE-MBE	\$10,400	\$10,400	0.86%
Esquivel Grading & Paving, Inc.	Grading/Paving	LBE-MBE	\$106,000	\$102,700	8.53%
Bauer Transport	Hazmat/Trucking	LBE-WBE	\$59,000	\$59,000	4.90%
Heavy Construction	Concrete Base	LBE-WBE	\$60,000	\$60,000	4.98%
		TOTAL	\$250,400	\$247,100	20.52%



25 Van Ness Avenue
Suite 800
San Francisco
California 94102-6033



TEL (415) 252-2500
FAX (415) 431-5764
TDD (415) 252-2550
www.sfgov.org/site/sfhumanrights



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