



AGENDA ITEM

Public Utilities Commission

City and County of San Francisco



DEPARTMENT Wastewater Enterprise AGENDA NO. _____
 MEETING DATE October 27, 2009

Construction Award: Consent Calendar
Project Manager: John Wong

Contract No. WW-485, Award, Spot Sewer Repair Contract No. 23

Summary of Proposed Commission Action:	Approve the plans and specifications, and award Wastewater Enterprise Renewal and Replacement (R&R) Program-funded Contract No. WW-485, Spot Sewer Repair Contract No. 23, in the amount of \$1,379,500, to the lowest, qualified, responsible and responsive bidder, J. Flores Construction, to repair existing sewer piping, on an as-needed basis, at various locations throughout San Francisco.
Background:	This contract is needed to perform as-needed sewer repairs as assigned by Wastewater Enterprise Sewer Operations.
Result of Inaction:	A delay or denial awarding this contract will increase the risk of sewers failing which may result in danger to public health and safety.
Budget & Costs:	Engineer's Estimate: \$1,599,825 Award: \$1,379,500 Funding: for this project WW-485, Spot Sewer Repair Contract No. 23, is available from the \$119.8 million Wastewater Interim CIP Supplemental appropriation.
Schedule:	NTP: December 2009 End: December 2010 Duration: Three hundred sixty five (365) consecutive calendar days (12 months)

APPROVAL:

DEPARTMENT / BUREAU _____

FINANCE Todd L. Rydstrom

COMMISSION SECRETARY Mike Housh

GENERAL MANAGER Ed Harrington

Compliance With Chapter 14B: Local Business Enterprise (LBE) And Non-Discrimination In Contracting Ordinance:	Set: 13% Local Business Enterprise (LBE) Submitted: 13% LBE																																												
Environmental Review:	Contract No. WW-485, Spot Sewer Repair Contract No. 23, was determined to be statutorily excluded from the California Environmental Quality Act (CEQA) under Public Resources Code Section 21080.21.																																												
Bid History:	<p>Advertised: August 18, 2009 Bids Received: Sealed bids were received from seven firms on September 17, 2009, as follows:</p> <table border="1" data-bbox="488 827 1508 1554"> <thead> <tr> <th data-bbox="495 827 789 919">Bid Rank</th> <th data-bbox="797 827 987 919">Bid Amount</th> <th data-bbox="995 827 1159 919">Bid Preference</th> <th data-bbox="1167 827 1357 919">Adjusted Bid</th> <th data-bbox="1365 827 1508 919">Adjusted Rank</th> </tr> </thead> <tbody> <tr> <td data-bbox="495 930 789 1022">1. J. Flores Construction</td> <td data-bbox="797 930 987 1022">\$1,379,500</td> <td data-bbox="995 930 1159 1022">10%</td> <td data-bbox="1167 930 1357 1022">\$1,241,550</td> <td data-bbox="1365 930 1508 1022">1</td> </tr> <tr> <td data-bbox="495 1033 789 1083">2. Harty Pipelines, Inc.</td> <td data-bbox="797 1033 987 1083">\$1,404,315</td> <td data-bbox="995 1033 1159 1083">10%</td> <td data-bbox="1167 1033 1357 1083">\$1,263,883.50</td> <td data-bbox="1365 1033 1508 1083">2</td> </tr> <tr> <td data-bbox="495 1094 789 1186">3. D'Arcy & Harty Construction</td> <td data-bbox="797 1094 987 1186">\$1,465,595</td> <td data-bbox="995 1094 1159 1186">10%</td> <td data-bbox="1167 1094 1357 1186">\$1,319,035.50</td> <td data-bbox="1365 1094 1508 1186">3</td> </tr> <tr> <td data-bbox="495 1197 789 1289">4. A. Ruiz Construction</td> <td data-bbox="797 1197 987 1289">\$1,478,228.75</td> <td data-bbox="995 1197 1159 1289">10%</td> <td data-bbox="1167 1197 1357 1289">\$1,330,405.87</td> <td data-bbox="1365 1197 1508 1289">4</td> </tr> <tr> <td data-bbox="495 1299 789 1392">5. Conquest Contractors</td> <td data-bbox="797 1299 987 1392">\$1,599,225</td> <td data-bbox="995 1299 1159 1392">10%</td> <td data-bbox="1167 1299 1357 1392">\$1,439,302.50</td> <td data-bbox="1365 1299 1508 1392">5</td> </tr> <tr> <td data-bbox="495 1402 789 1495">6. Synergy Project Management</td> <td data-bbox="797 1402 987 1495">\$1,728,057.50</td> <td data-bbox="995 1402 1159 1495">10%</td> <td data-bbox="1167 1402 1357 1495">\$1,555,251.80</td> <td data-bbox="1365 1402 1508 1495">6</td> </tr> <tr> <td data-bbox="495 1505 789 1556">7. A&B Construction</td> <td data-bbox="797 1505 987 1556">\$2,138,667.50</td> <td data-bbox="995 1505 1159 1556">NA</td> <td data-bbox="1167 1505 1357 1556">\$2,138,667.50</td> <td data-bbox="1365 1505 1508 1556">7</td> </tr> </tbody> </table> <p data-bbox="488 1591 1508 1696">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. J. Flores Construction	\$1,379,500	10%	\$1,241,550	1	2. Harty Pipelines, Inc.	\$1,404,315	10%	\$1,263,883.50	2	3. D'Arcy & Harty Construction	\$1,465,595	10%	\$1,319,035.50	3	4. A. Ruiz Construction	\$1,478,228.75	10%	\$1,330,405.87	4	5. Conquest Contractors	\$1,599,225	10%	\$1,439,302.50	5	6. Synergy Project Management	\$1,728,057.50	10%	\$1,555,251.80	6	7. A&B Construction	\$2,138,667.50	NA	\$2,138,667.50	7
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Description of Scope of Work:	The contract work consists of as-needed sewer repair work at various locations within the City of San Francisco. The locations and repair work will be determined or assigned by Wastewater Enterprise's Sewer Operations after Notice-To-Proceed and throughout the duration of the contract.																																												

Contract: WW-485, Spot Sewer Repair Contract No. 23
Commission Meeting Date: October 27, 2009

Recommendation:	SFPUC staff recommends that the Commission adopt the attached resolution.
Attachments:	<ol style="list-style-type: none">1. SFPUC Resolution2. HRC Memo

PUBLIC UTILITIES COMMISSION

City and County of San Francisco

RESOLUTION NO. 09-0174

WHEREAS, Contract No. WW-485, Spot Sewer Repair Contract No. 23, was advertised on August 18, 2009; and

WHEREAS, The Engineer's Estimate is \$1,599,825 for this construction contract work to repair existing sewer piping, on an as-needed basis, at various locations throughout San Francisco; and

WHEREAS, The contract duration is 365 consecutive calendar days; and

WHEREAS, Contract No. WW-485, Spot Sewer Repair Contract No. 23, was determined to be statutorily excluded from the California Environmental Quality Act (CEQA) under Public Resources Code Section 21080.21.

WHEREAS, Seven (7) bids were received and opened publicly on September 17, 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 J. Flores Construction as the lowest, qualified, responsible and responsive bidder; and

WHEREAS, A HRC subcontracting goal of 13% 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, Funding for this project is available from the \$119.8 million Wastewater Interim CIP Supplemental appropriation, Spot Sewer Repair Contract No. 23; now, therefore, be it

RESOLVED, That this Commission hereby approves the plans and specifications and awards Wastewater Enterprise Renewal and Replacement (R&R) Program-funded Contract No. WW-485, Spot Sewer Repair Contract No. 23, in the amount of \$1,379,500, to the lowest, qualified, responsible and responsive bidder, J. Flores Construction.

I hereby certify that the foregoing resolution was adopted by the Public Utilities Commission at its meeting of _____ October 27, 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: October 5, 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-485 Spot Sewer Repair Contract No. 23

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 seven firms submitted bids: J. Flores Construction; Harty Pipelines, Inc.; D’Arcy & Harty Construction; A. Ruiz Construction; Conquest Contractors; Synergy Project Management; and A&B Construction. Below is a summary of HRC’s review.

Bidder	Status	Base Bid	LBE Bid Discount	Adjusted Bid with Bid Discount
J. Flores Construction	LBE-MBE	\$1,379,500	10% = \$137,950	\$1,241,550
Harty Pipelines, Inc.	LBE-WBE	\$1,404,315	10% = \$140,431.50	\$1,263,883.50
D’Arcy & Harty Construction	LBE-OBE	\$1,465,595	10% = \$146,559.50	\$1,319,035.50
A. Ruiz Construction	LBE-MBE	\$1,478,228.75	10% = \$147,822.88	\$1,330,405.87
Conquest Contractors	LBE-OBE	\$1,599,225	10% = \$159,922.50	\$1,439,302.50
Synergy Project Management	LBE-MBE	\$1,728,057.50	10% = \$172,805.75	\$1,555,251.80
A&B Construction	Non-LBE	\$2,138,667.50	N/A	\$2,138,667.50

J. Flores Construction Company, Inc. (“J. Flores”), an HRC certified LBE-MBE firm, is the lowest responsive bidder. J. Flores met the 13% LBE subcontracting goal by listing the following LBE firms:

Subcontractor	Scope of Work	Status	Listed Amount	Credited Amount	Participation (based on credited amount)
San Francisco Transport	Trucking	LBE-MBE	\$100,000	\$100,000	7.3%
Sullivan’s Concrete Sawing	Partial Sawcut	LBE-OBE	\$22,000	\$22,000	1.6%
Bayline Cutting & Coring	Partial Sawcut	LBE-MBE	\$22,000	\$22,000	1.6%
Esquivel Grading & Paving	item# SW 30 & 31	LBE-MBE	\$37,600	\$34,968	2.5%
TOTAL:			\$181,600	\$178,968	13%



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 J. Flores 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.