



AGENDA ITEM

Public Utilities Commission

City and County of San Francisco



DEPARTMENT Water Enterprise AGENDA NO. #9b
 MEETING DATE November 10, 2009

Construction Award: Consent Calendar
Project Manager: Thinkh Nguyen

Contract No. WD-2605R, Award, CDD 2009-2010 As-Needed Paving Contract for New Services and Leaks

Summary of Proposed Commission Action:	Approve the plans and specifications, and award Water Enterprise Program funded and City Distribution Division (CDD) Operating Budget Contract No. WD-2605R, CDD 2009-2010 As-Needed Paving Contract for New Services and Leaks for an amount not to exceed \$1,799,966 total, to the lowest, qualified, responsible and responsive bidder, A. Ruiz Construction for pavement restoration of excavated areas.
Background:	Each fiscal year, CDD contracts out for pavement restoration in order to repair excavations made by CDD crews providing new services and repairing leaks within the City's streets. For FY09/10, WD-2605 was advertised on May 13, 2009 and the bids were opened on June 11, 2009. Due to a protest resulting in a change in the contract documents, all the bids were rejected on July 28, 2009 and the project was re-advertised under WD-2605R.
Result of Inaction:	A delay awarding this contract will delay the permanent pavement restoration of excavated areas.
Budget & Costs:	Baseline Budget: \$2,021,717 Engineer's Estimate: \$2,021,717 Award: \$1,799,966 Funding: \$600,000 from Project No. CUW260NS01 New Services and \$1,199,966 from CDD 09/10 Operating budget

APPROVAL:

DEPARTMENT / BUREAU _____ COMMISSION SECRETARY <u>Mike Housh</u>	FINANCE <u>Todd L. Rydstrom</u> GENERAL MANAGER <u>Ed Harrington</u>
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Schedule:	NTP: December 2009 Duration: Two hundred eighty-five (285) consecutive calendar days																			
Compliance With Chapter 14B: Local Business Enterprise (LBE) And Non-Discrimination In Contracting Ordinance:	Set: 11% Local Business Enterprise (LBE) Submitted: 11% LBE																			
Environmental Review:	The project was found to be exempt under CEQA Guidelines Section 15301, Class 1 Existing Facilities.																			
Bid History:	Advertised: September 4, 2009 Bids Received: Sealed bids were received from two (2) firms on October 1, 2009, as follows: <table border="1" data-bbox="511 840 1534 1102" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th>Bid Rank</th> <th>Bid Amount</th> <th>Bid Preference</th> <th>Adjusted Bid</th> <th>Adjusted Rank</th> </tr> </thead> <tbody> <tr> <td>1 A. Ruiz Construction</td> <td>\$1,799,966</td> <td>10%</td> <td>\$1,619,969</td> <td>1</td> </tr> <tr> <td>2. Synergy Project Management, Inc</td> <td>\$1,894,920</td> <td>10%</td> <td>\$1,705,428</td> <td>2</td> </tr> </tbody> </table> <p style="margin-left: 40px;">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 A. Ruiz Construction	\$1,799,966	10%	\$1,619,969	1	2. Synergy Project Management, Inc	\$1,894,920	10%	\$1,705,428	2
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Description of Scope of Work:	This as-needed paving contract is to provide the pavement restoration for excavations in streets and sidewalks made by City Distribution Division (CDD) crews providing new water services and repairing leaks and main breaks.																			
Recommendation:	SFPUC staff recommends that the Commission adopt the attached resolution.																			
Attachments:	1. SFPUC Resolution 2. HRC Memo																			

PUBLIC UTILITIES COMMISSION

City and County of San Francisco

RESOLUTION NO. 09-0186

WHEREAS, Contract No. WD-2605R, CDD 2009-2010 As-Needed Paving Contract for New Services and Leaks was advertised on September 4, 2009; and

WHEREAS, The baseline budget amount is \$2,021,717 and the Engineer's Estimate is \$2,021,717 for this construction contract work to restore the street pavement over excavation areas created by CDD crews to install new services and repair leaks and main breaks; and

WHEREAS, The contract duration is 285 consecutive calendar days; and

WHEREAS, The project was found to be exempt under CEQA Guidelines Section 15301, Class 1 Existing Facilities; and

WHEREAS, Two (2) bids were received and opened publicly on October 1, 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 A. Ruiz Construction as the lowest, qualified, responsible and responsive bidder; and

WHEREAS, A HRC subcontracting goal of 11% Local Business Enterprise (LBE) participation has been established for this contract; and

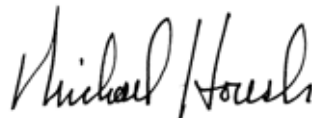
WHEREAS, The firm being awarded a contract by the SFPUC must be in compliance with the Equal Benefits Provisions of Chapter 12B of the City's Administrative Code either at the time of the award, or within 2 weeks of the date of the Commission award; failure of the bidder to obtain compliance certification 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. CUW260NS01, New Services and CDD Operating Budget; and

FURTHER RESOLVED, That this Commission hereby approves the plans and specifications and awards Water Enterprise Program funded and CDD Operating Budget Contract No. WD-2605R, CDD 2009-2010 As-Needed Paving Contract for New Services and Leaks for an amount not to exceed \$1,799,966 total and a duration of one (1) year, to the lowest, qualified, responsible and responsive bidder, A. Ruiz Construction.

I hereby certify that the foregoing resolution was adopted by the Public Utilities Commission at its meeting of _____ November 10, 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 16, 2009

To: Tinh Nguyen, Project Manager, PUC
Pauline Lam, Contract Administration, PUC
Jon Winge, Contract Administration, PUC

From: Mindy Lee, Contract Compliance Representative, HRC

Subject: WD-2605R CDD 2009-2010 As-Needed Annual Paving Contract for Services and Leaks

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 11% was established for this project. The following two firms submitted bids: A. Ruiz Construction Co. & Assoc., Inc.; and Synergy Project Management, Inc. Below is a summary of HRC's review.

Bidder	Base Bid	LBE Bid Discount	Adjusted Bid with Bid Discount
A. Ruiz Construction	\$1,799,966	10% = \$179,996.60	\$1,619,969.40
Synergy Project Management	\$1,894,920	10% = \$189,492.00	\$1,705,428.00

A. Ruiz Construction Co. & Assoc., Inc. ("A. Ruiz"), an HRC certified LBE-MBE firm, is the lowest responsive bidder. A. Ruiz met the 11% LBE subcontracting goal by listing the following LBE firms:

Subcontractor	Scope of Work	Status	Listed Amount	Participation
P & J Utility Co.	Partial #2 & 2A	LBE-OBE	\$105,977	0.06%
Lou's Concrete	Sawcutting	LBE-OBE	\$48,000	0.03%
Eighteen Trucking	Trucking	LBE-MBE	\$44,200	0.02%
TOTAL			\$198,177	11%

Based on the foregoing, HRC has determined that A. Ruiz 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.



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