

## MEMORANDUM

November 3, 2009

**TO:** MEMBERS, PORT COMMISSION  
Hon. Rodney Fong, President  
Hon. Stephanie Shakofsky, Vice President  
Hon. Kimberly Brandon  
Hon. Michael Hardeman  
Hon. Ann Lazarus

**FROM:** Monique Moyer  
Executive Director

**SUBJECT:** Request authorization to award Construction Contract 2719R for Pier 45 Drainage Improvements to A&B Construction, Inc. in the amount not to exceed \$1,394,400

**DIRECTOR'S RECOMMENDATION:** Approve Attached Resolution

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### INTRODUCTION

Port staff requests that the Port Commission award public work Contract No. 2719R, for Pier 45 Drainage Improvements and related work, to A&B Construction, Inc., the responsible bidder submitting the lowest responsive bid. The proposed work includes: 1) installation of a new storm water collection system along the north deck of Pier 45 to direct polluted storm water runoff from this area to the City's sewer system; and 2) installation of a new pumpout manifold along the Pier 45 west apron that will allow herring boats moored along the north end of Pier 45 to tie-in and discharge herring gurry to a new sanitary sewer pump station located between the two Pier 45 fish processing sheds (see Attachment 1).

The Project will help reduce bacterial loadings in the vicinity of Aquatic Park and provide for overall water quality improvement in support of recreational use at this location. The redirecting of polluted stormwater runoff away from Fisherman's Wharf Harbor will also help ensure regulatory compliance for the Port's fish processing tenants at Pier 45.

**This Print Covers Calendar Item No. 10B**

## **Background**

At its September 22, 2009 meeting, the Port Commission authorized staff to advertise for bids for the Pier 45 Drainage Improvements Project (Port Commission Resolution 09-58). The project will be funded using economic stimulus funds made available through the American Recovery and Reinvestment Act in the form of a principal forgiveness loan administered through the California Clean Water State Revolving Fund (CWSRF)<sup>1</sup>. The Port Commission authorized staff to accept and expend CWSRF funds for the Pier 45 Drainage Improvements Project in Resolution 09-22. An accept and expend resolution for the ARRA funding was approved by the San Francisco Board of Supervisors in August 2009.

The Project was advertised on September 25, 2009 and seven bids were received on October 27, 2009. Because of concerns that the total bid might exceed available ARRA funding, the herring water pumps were bid as an alternate bid item.

### **Pier 45 Drainage Improvement, Contract #2719R Bid Summary**

<b><i>Bidder</i></b>	<b><i>Base Bid</i></b>	<b><i>Herring Pump Bid Alternate</i></b>	<b><i>Total Bid</i></b>	<b><i>Total DBE Participation</i></b>
<b><i>A&amp;B Construction, Inc.</i></b>	\$1,031,000	\$363,000	\$1,394,400	28.3%
<b><i>Valentine Construction</i></b>	\$1,141,619	\$388,000	\$1,529,619	3.8%
<b><i>M Squared</i></b>	\$1,522,500	\$300,000	\$1,822,500	24.7%
<b><i>McGuire and Hestor</i></b>	\$1,331,000	\$495,000	\$1,826,000	6.2%
<b><i>Power Engineering Contractors</i></b>	\$1,444,404	\$456,838	\$1,901,242	43.1%
<b><i>D'arcy and Harty</i></b>	\$1,588,000	\$400,000	\$1,958,000	12.5%
<b><i>P&amp;J Utility</i></b>	\$1,524,500	\$450,000	\$1,974,500	17.1%

In order to comply with provisions of the CWSRF Project Finance Agreement, Port staff must ensure that all state and federal requirements are incorporated into the Port's contracting process. Because the project is funded through federal economic stimulus funds, federal Disadvantaged Business Enterprise requirements apply. In the case of funds administered by the United States Environmental Protection Agency through the CWSRF goals are set as a "good faith effort" and include 24% Minority-owned Business Enterprise (MBE) and 6% Women-owned Business Enterprise (WBE) participation in the project. A&B Construction submitted the lowest bid and identified M/WBE subcontractors to perform 28.3% of the Work.

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<sup>1</sup> A "principal forgiveness loan" is one in which a reduction in the outstanding principal balance is applied at the time of amortization of the loan, in this case a reduction of 100%.

**Funding**

The Engineer's Cost Estimate for this project was \$1.6 million. The lowest responsive bid, from A&B Construction, Inc., was \$1,394,400. The current available funding allocation shown below allows the Port to award to A&B Construction, Inc. both the Base Bid and the Alternate Bid, with an additional ten percent contingency of \$139,440 for a total of \$1,533,840. The funding source is available in the 2009-2010 fiscal year.

<b>Funding Source</b>	<b>Funding Amount</b>
CPO 153 – Pier 45 Drainage Improvements Project	\$1,548,645

**Schedule**

The project is scheduled to start in December 2009 with substantial completion by July 2010. The following is the anticipated project schedule:

Port Commission Authorization to Award ..... November 10, 2009  
Issuance of Notice to Proceed..... December 14, 2009  
Construction Substantial Completion..... July 2010  
Final Completion..... October 2010

**Summary**

Port staff recommends that the Port Commission authorize the award of Contract No. 2719R for Pier 45 drainage improvements and related work to A&B Construction, Inc., the lowest responsive, responsible bidder in the amount not to exceed \$1,394,400. Port staff further recommends that the Port Commission authorize staff to increase the contract amount, if needed for additional contingencies, by an additional \$139,440 (10% of \$1,394,400) through contract modification or change order, for a total amount not to exceed \$1,533,840.

Prepared by: John Mundy, Utility Specialist

Prepared for: Edward F. Byrne, Chief Harbor Engineer

**PORT COMMISSION  
CITY AND COUNTY OF SAN FRANCISCO**

**RESOLUTION NO. 09-72**

WHEREAS, The Port Commission previously authorized the advertisement of the construction contract for the Pier 45 Drainage Improvements Project, Contract No. 2719R, by Port Commission Resolution 09-58, at its meeting on September 22, 2009; and

WHEREAS, The contract is for drainage improvement work and the installation of a pumpout manifold along the west apron of Pier 45 that will allow for discharge of herring gurry to a new sanitary sewer pump station; and

WHEREAS, The drainage improvement work was advertised as the base bid item and the installation of the pumpout manifold was included as a bid alternate; and

WHEREAS, Port staff received seven bids on October 27, 2009; and

WHEREAS, Port Engineering staff and the Human Rights Commission staff reviewed the bids and have determined that, with a bid of \$1,394,000, A&B Construction, Inc. is the lowest responsive, responsible bidder; therefore be it, and

RESOLVED, That the Port Commission hereby authorizes the Port staff to award the construction contract for Pier 45 Drainage Improvements Project, Contract No. 2719R to A&B Construction, Inc., the lowest responsive, responsible bidder, for an amount not to exceed \$1,394,000; and be it further,

RESOLVED, That the Port Commission hereby authorizes the Port staff to increase the contract amount, if needed for unanticipated contingencies, up to an additional amount of \$139,400 (10% of \$1,394,000); and be it further

RESOLVED, That the Port Commission hereby authorizes the Executive Director to accept the work once it is complete.

***I hereby certify that the foregoing resolution was adopted by the San Francisco Port Commission at its meeting of November 10, 2009.***

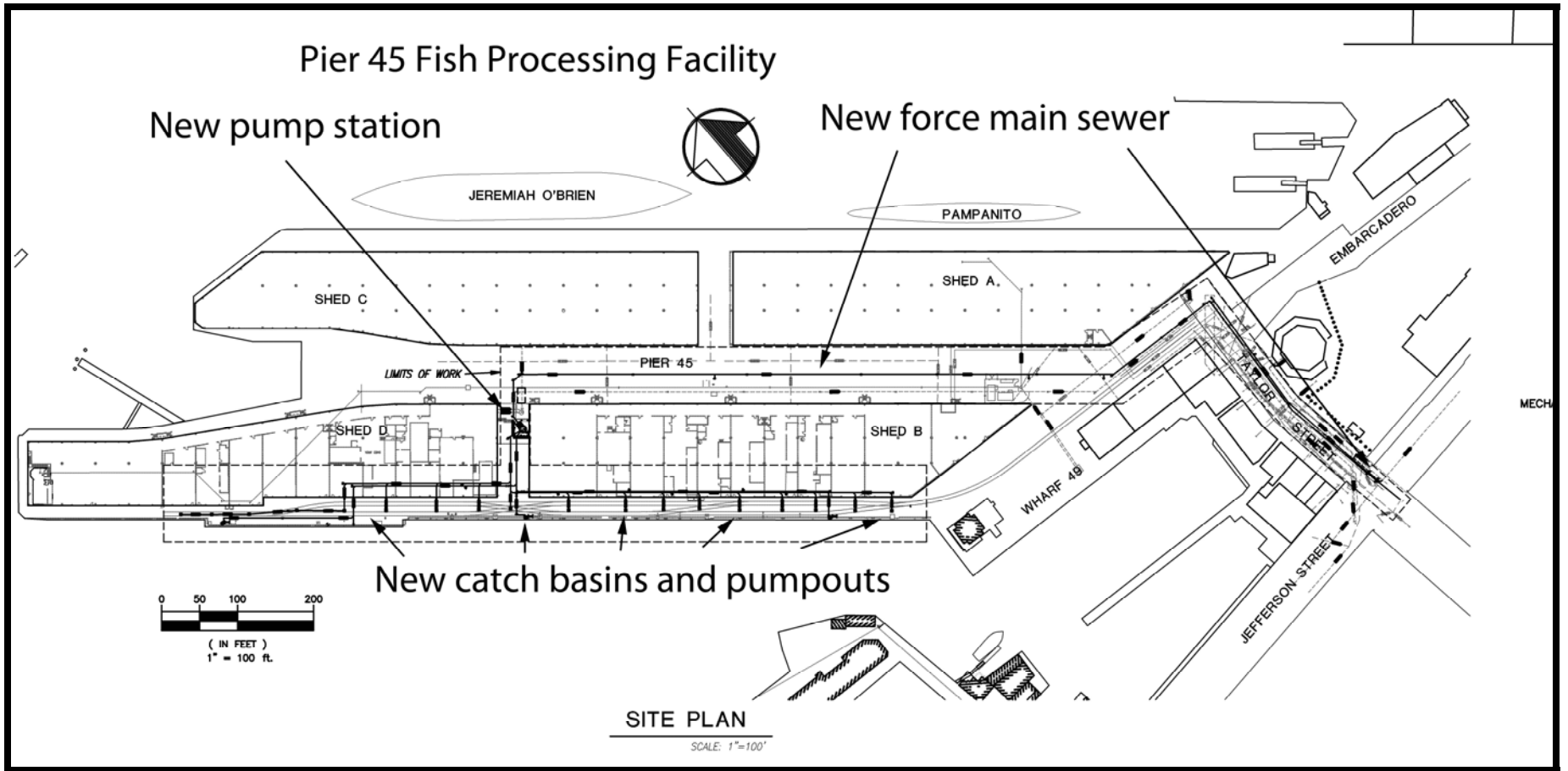
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Secretary

Attachment 1

Site Plan

Pier 45 Drainage Improvements Project



**Pier 45 Drainage Improvements Site Plan**