



(For Board Meeting of July 22, 2005)

**SUMMARY OF RECOMMENDATIONS**  
**MEETING OF THE BUILDING AND OPERATING COMMITTEE**  
**THURSDAY, JULY 21, 2005**  
**(ACTING CHAIR JANET REILLY)**

**Item No. 1**

Approve actions relative to the award of Contract No. 2006-B-6, *Toll Plaza Transfer Point Improvements*, to Maggiora & Ghilotti, Inc., in the amount of \$942,750, as outlined in the attached staff report; and, authorize a budget increase in the amount of \$372,000, as concurred with by the Finance-Auditing Committee at its meeting of July 21, 2005.

**Action by the Board – Resolution**



Agenda Item No. 1

To: Building and Operating Committee/Committee of the Whole  
Meeting of July 21, 2005

From: Ewa Z. Bauer, Deputy District Engineer  
Denis J. Mulligan, District Engineer  
Celia G. Kupersmith, General Manager

Subject: **APPROVE ACTIONS RELATIVE TO THE AWARD OF CONTRACT NO. 2006-B-6, TOLL PLAZA TRANSFER POINT IMPROVEMENTS, TO MAGGIORA & GHILOTTI, INC.**

### **Recommendation**

The Building and Operating Committee recommends that the Board of Directors approve the following actions relative to Contract No. 2006-B-6, *Toll Plaza Transfer Point Improvements*:

1. Waive minor irregularities in the bid submitted by Maggiora & Ghilotti, Inc., for Contract No. 2006-B-6, and award a contract in the amount of \$942,750 to Maggiora & Ghilotti, Inc., San Rafael, CA; and,
2. Authorize a contingency fund in the amount of \$94,275, equal to 10% of the contract award; and,
3. Authorize a budget increase in the amount of \$372,000 subject to the concurrence of the Finance-Auditing Committee;

with the understanding that sufficient District funds are included in the FY 05/06 Bridge Division Capital Budget for this project to provide the necessary District match for the increase in federal grant funds secured to finance the total project budget of \$1,202,000.

This matter will be presented to the Finance-Auditing Committee at its July 21, 2005, meeting for concurrence and to the Board of Directors at its July 22, 2005, meeting for appropriate action.

### **Summary**

District staff has evaluated, with respect to public safety, public convenience, accessibility and aesthetics of the toll plaza area, the design and location of the bus stops and pedestrian crosswalks within the District's right of way near the toll plaza. As a result of this evaluation, staff recommended: one Golden Gate Transit (GGT) bus stop be relocated with the associated deletion of two pedestrian crosswalks; two MUNI bus stops be relocated; two pedestrian crosswalks be relocated; and one GGT bus stop and one MUNI bus stop be improved at their current locations. The design and location of these improvements were submitted to the Building and Operating Committee at its meeting of June 23, 2005, and approved by the Board by Resolution No. 2005-058.

Staff has prepared the plans and specifications to implement the proposed improvements of the bus stops and crosswalks to be constructed under Contract No. 2006-B-6, *Toll Plaza Transfer Point Improvements*. Contract No. 2006-B-6 was advertised for bids on June 7, 2005. On July 7, 2005, the following three bids were received, opened and publicly read:

	<u>COMPANY</u>	<u>AMOUNT</u>
1.	Maggiora & Ghilotti, Inc. San Rafael, CA	\$942,750
2.	Ghilotti Brothers, Inc. San Rafael, CA	\$944,170
3.	John Clay General Engineering Contractor, Inc. Hayward, CA	\$948,626

The Engineering staff, DBE Program Administrator and Attorney have evaluated the bids and concluded that the apparent low bidder is Maggiora & Ghilotti, Inc. with a bid price of \$942,750. While their bid contained three minor irregularities, each can be waived as a minor irregularity according to the Attorney. Accordingly, the Engineering staff, DBE Program Administrator and Attorney conclude that Maggiora & Ghilotti, Inc., is the lowest responsive, responsible bidder, and recommend award of the contract to Maggiora & Ghilotti, Inc.

No specific Disadvantaged Business Enterprise (DBE) participation goal was established for this Contract; however, bidders were urged to obtain DBE participation and were required to document their activities in the solicitation and selection of subcontractors and suppliers to ensure that the bidding process was carried out in a nondiscriminatory manner. The DBE Program Administrator has determined that Maggiora & Ghilotti, Inc. has complied with the DBE requirements applicable to the Contract. At this time, 6.3% DBE participation is anticipated during the performance of this project.

In conjunction with this recommendation, it will necessary to increase the total project budget as all bids received resulted in costs that exceed the engineer's estimate. Staff has reviewed the project scope and determined that it is critical that this project proceed as originally designed in order to effect needed safety improvements at these bus stops. Completion of the project will result in reduced exposure to the District and increased safety for all passengers and employees using these bus stops. Because the majority of the cost increase will be covered by federal grants, the impact to the District is minimal and can be absorbed within our FY 05/06 budget.

### **Fiscal Impact**

This project is included in the FY 05/06 Bridge Division Capital Budget in the amount of \$830,000. To date, \$55,400 has been spent on design and bid support services. A capital budget increase in the amount of \$372,000 is required to fully fund this project at the estimated total cost of \$1,202,000. Award of this contract requires a project budget increase of \$372,000 to be funded with Federal Transit Administration grant funds and District match funds. Sufficient District funds are included in the FY 05/06 project budget to match the increase in federal funding.