



Agenda Item No. 2.a.

To: Finance-Auditing Committee/Committee of the Whole
Meeting of September 24, 2009

From: Ewa Z. Bauer, Deputy District Engineer
Denis J. Mulligan, District Engineer
Joseph M. Wire, Auditor-Controller
Celia G. Kupersmith, General Manager

Subject: **AUTHORIZE BUDGET ADJUSTMENT(S) AND/OR TRANSFER(S)**
a) **BUDGET INCREASE IN THE FY 09/10 DISTRICT DIVISION
CAPITAL BUDGET RELATIVE TO REQUEST FOR PROPOSALS
NO. 2010-FT-3, CONCEPTUAL DESIGNS, ENVIRONMENTAL
STUDIES AND ENGINEERING SERVICES FOR MODIFICATIONS
AND IMPROVEMENTS TO THE LARKSPUR, SAN FRANCISCO AND
SAUSALITO FERRY TERMINAL FACILITIES, WITH MOFFATT &
NICHOL**

Recommendation

This matter is being presented to the Finance-Auditing Committee to receive the Committee's concurrence for a budget increase relative to Agenda Item No. 1, of the Building and Operating Committee Meeting of September 24, 2009.

The Finance-Auditing Committee recommends the Board of Directors authorize a budget increase in the FY 09/10 Ferry Transit Division Capital Budget in the amount of \$5,844,000 to be funded with \$4,675,200 Federal Transit Administration (FTA) grant funds and \$1,168,800 from District reserves to establish a total project budget of \$7,844,000 (80% grant funded and 20% District funded), relative to approval of actions regarding RFP No. 2010-FT-3, *Conceptual Designs, Environmental Studies and Engineering Services for Modifications and Improvements to the Larkspur, San Francisco, and Sausalito Ferry Terminal Facilities*.

Summary

The Larkspur Ferry Terminal (LFT), San Francisco Ferry Terminal (SFFT), and Sausalito Ferry Terminal (SFT) are all in need of new passenger loading systems in order to improve the accessibility of passenger loading and disembarking. This includes commuters, bicyclists, and passengers who may have limited mobility. The passenger loading systems include new passenger ramps, ferry slips/floats, and other terminal improvements all of which must comply with current regulations and guidance documents for the "Americans with Disabilities Act" (ADA), as well as the Access Board's pending *Passenger Vessel Accessibility Guidelines*.

In addition to the new passenger loading systems, the District is seeking to investigate conceptual designs for a new maintenance slip adjacent to the administration building at LFT as well as a new lay berth at SFFT. In addition, the design of the proposed lay berth at SFFT will comply with Department of Homeland Security and U.S. Coast Guard security regulations.

On May 19, 2009, the District issued a Request for Proposal (RFP) to architectural, environmental and design consultants specializing in marine engineering to provide conceptual design services including preparing calculations, plans, specifications and estimates for construction for modifying existing passenger loading ramps, adding a maintenance berth and lay berth, and performing all necessary environmental services required for the proposed work. The environmental services include preparing all necessary environmental studies and consultations to complete the CEQA, NEPA, the Clean Water Act and related environmental processes. The services also include assisting the District in obtaining all required permits, including disposal permits for dredging (if needed). By the due date of July 7, 2009, the Office of the District Secretary received proposals from six (6) consulting firms.

A selection committee, consisting of Engineering, Planning, and Ferry Division staff, as well as a representative from the Bay Area Toll Authority (BATA), reviewed the proposals, and based on the published selection criteria, chose four teams to participate in oral interviews that were held on July 28, 2009.

The selection committee evaluated and ranked the consultants based on the selection criteria published in the RFP. The selection criteria included: 1) consultant team qualifications and experience, 2) project understanding and approach, and 3) consultant capabilities, which include their records of successfully performing similar work for both private and public agencies in the Bay Area. The final ranking of the consultants is as follows:

<u>RANK</u>	<u>COMPANY</u>
1	Moffatt & Nichol
2	KPFF
3	Winzler & Kelly
4	Creegan & D'Angelo

The selection committee agreed that the top ranked Consultant is best qualified to perform these services. The District Engineer concurs with this finding. The District's legal counsel has confirmed that Moffatt and Nichol is fully responsive to the solicitation requirements.

No specific Disadvantaged Business Enterprise (DBE) goal was established for this Agreement. However, consultants were urged to obtain DBE participation and were required to document their activities in the solicitation and selection of subconsultants to ensure that this process was carried out in a nondiscriminatory manner. The DBE Program Office has determined that Moffatt & Nichol has complied with the DBE requirements applicable to this Agreement. At this time, a 17.4% percent DBE participation is anticipated during the performance of this Project.

As stated in the Request for Proposal, District staff reviewed the cost proposal from the highest ranked firm, Moffatt & Nichol, and has negotiated the scope of work and cost in an amount not to exceed \$6,000,000 for the services. Staff has determined that this price is reasonable and recommends award of a Professional Services Agreement relative to RFP No. 2010-FT-3, *Conceptual Designs, Environmental Studies and Engineering Services for Modifications and Improvements to the Larkspur, San Francisco and Sausalito Ferry Terminal Facilities*, to Moffatt & Nichol. The Consultant will be compensated based upon actual time expended and expenses incurred, plus a fixed fee not to exceed the authorized amount.

Fiscal Impact

The Conceptual Ferry Improvement Designs project is included in the FY 2009/2010 Ferry Division Capital Budget at \$2,000,000, and is funded with \$1,600,000 Federal Transit Administration (FTA) grant funds, and \$400,000 District funds. A capital budget increase in the amount of \$5,844,000 to be funded with \$4,675,200 FTA grant funds and \$1,168,800 from District reserves is required to fully fund this project at the proposed budget of \$7,844,000. The total project will be funded at \$6,275,200 FTA (80%) and \$1,568,800 District funds (20%). The detailed budget for this project is as follows:

<u>BUDGET ITEM</u>	<u>COST</u>
Contract No. 2010-FT-3	\$6,000,000
Staff Costs	\$950,000
ICAP (89.89%)	\$854,000
Public Meetings (room rentals, etc.)	\$20,000
Miscellaneous (printing, advertisement, mailing, etc.)	<u>\$20,000</u>
TOTAL BUDGET	\$7,844,000