



Agenda Item No. 2.a.

To: Finance-Auditing Committee/Committee of the Whole
Meeting of December 17, 2009

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

Subject: **AUTHORIZE BUDGET ADJUSTMENT(S) AND/OR TRANSFER(S)**
a. BUDGET INCREASE RELATIVE TO THE AWARD OF CONTRACT NO. 2010-FT-5, LARKSPUR FERRY TERMINAL ACCESSIBLE RESTROOMS AND RAMPS, TO RIVER VIEW CONSTRUCTION, INC.

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. 2, of the Building and Operating Committee Meeting of December 17, 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 \$200,000 to be 100% funded with State I-Bond grant funds and to establish a total project budget of \$680,000 (100% grant funded), relative to approval of actions regarding Contract No. 2010-FT-5, *Larkspur Ferry Terminal Accessible Restrooms and Ramps*.

Summary

The existing Larkspur Ferry Terminal includes a covered area through which ticketed passengers pass to board the ferry vessels. This area, which was originally constructed in the 1970s and modified in the 1980s, contains walkways, plazas, covered waiting areas, and restrooms for ferry passengers while they wait for the ferries. This Project will improve access to the paid waiting areas and restrooms.

The work includes: modifications to the existing buildings to construct two new accessible restrooms, the replacement of existing concrete access ramps, the installation of automatic double sliding doors and powered swinging doors, and the associated infrastructure required for the new facilities.

Contract No. 2010-FT-5, *Larkspur Ferry Terminal Accessible Restrooms and Ramps*, was advertised for bids on October 6, 2009. On November 3, 2009, the following nine bids were received, opened, and publicly read:

	<u>COMPANY</u>	<u>TOTAL AMOUNT</u>
1.	CF Contracting Fairfax, CA	\$344,000
2.	River View Construction, Inc. Sacramento, CA	\$397,000
3.	BHM Construction, Inc. Vallejo, CA	\$453,845
4.	Bay Area Structural, Inc. Oakland, CA	\$465,473
5.	KCK, Inc. San Rafael, CA	\$469,000
6.	MA Davies Builders, Inc. San Rafael, CA	\$488,411
7.	Angotti and Reilly, Inc. San Francisco, CA	\$498,738
8.	Page Construction Novato, CA	\$563,500
9.	Sonoma County Builders Santa Rosa, CA	\$576,865

The apparent low bidder is CF Contracting of Fairfax, CA. The evaluation of CF Contracting's bid indicated that CF Contracting was not responsive to the specifications, which require the prime contractor to perform at least 50% of the work called for under the Contract. District staff requested confirmation from CF Contracting regarding the portion of work that it planned to subcontract. The information provided by CF Contracting confirmed that it would not be performing at least 50% of the work. Engineering staff and the District's Attorney, therefore, concluded that CF Contracting's bid was non-responsive and must be rejected.

The second lowest bidder is River View Construction, Inc., (River View) of Sacramento, CA. Engineering staff, the Disadvantage Business Enterprise (DBE) Program Office, and the District's Attorney have evaluated River View's bid and concluded that it is fully responsive to the solicitation's requirements. Additionally, Engineering staff has concluded that River View is appropriately qualified to perform the work and is a responsible firm. Accordingly, River View is the lowest responsive, responsible bidder.

No contract-specific DBE goal was established for this Contract. However, bidders were strongly encouraged to obtain DBE participation and were required to document their activities in the solicitation and selection of subcontractors, subconsultants, and suppliers to ensure that this process was carried out in a nondiscriminatory manner. The DBE Program Administrator

has determined that River View Construction, Inc. has complied with the DBE requirements applicable to the Contract. At this time, a 17.2% DBE participation is anticipated during the performance of this Contract.

Fiscal Impact

This Project is included in the FY 09/10 Ferry Transit Division Capital Budget at a total cost of \$480,000 and is 100% grant funded with Public Transportation Modernization, Improvement and Service Enhancement Account (PTMISEA) grant funds from the State I-Bond program. To date, approximately \$102,600 has been spent to support the design, staff costs, and indirect costs. A capital budget increase in the amount of \$200,000 (from additional PTMISEA grant funds) is required to fully fund this Project at the proposed budget of \$680,000.

The detailed budget for this Project is as follows:

<u>BUDGET ITEM</u>	<u>COST</u>
Expenditure to date	\$102,600
Contract No. 2010-FT-5	\$397,000
Construction Contingency (10%)	\$39,700
Construction Support Services & Testing	\$8,000
Construction Administration (staff time 15%)	\$65,500
ICAP @ 90%	\$58,950
Miscellaneous (printing, advertisement, mailing, etc.)	\$8,250
TOTAL PROJECT BUDGET	\$680,000

The total project budget of \$680,000 will be 100% grant funded with PTMISEA funds from the State I-Bond program.