

**THIS STAFF REPORT COVERS CALENDAR ITEM NO.: 8
FOR THE MEETING OF: October 8, 2009**

TRANSBAY JOINT POWERS AUTHORITY

BRIEF DESCRIPTION:

Awarding Contract No. 08-08-DM-000, Existing Terminal and Ramps Demolition, to Evans Brothers, Inc. as the responsible bidder submitting the lowest responsive bid in the amount of \$10,502,400.

SUMMARY:

- On August 17, 2009, the TJPA issued an Advertisement for Bids for the Existing Terminal and Ramps Demolition.
- The main scope of work is demolition of the existing ramp and terminal structures; cutting and capping existing utility point of connections; demolition of select adjacent buildings; and salvage, storage and transfer of select items. The scope also includes furnishing and operating a concrete crushing plant as well as revisions to the Municipal Railway overhead cable system. An alternate amount for scope associated with demolition of ramp structures was also solicited.
- Seven bids were received and opened on September 24, 2009. Staff recommends awarding Contract 08-08-DM-000 (the "Contract") to Evans Brothers, Inc. (the "Contractor") in the total amount of \$10,502,400 comprised of a base bid of \$9,972,400 and an alternate amount of \$530,000, as the responsible bidder submitting the lowest responsive bid.
- Authorization to proceed with work under the Contract will be phased. The TJPA will not authorize physical demolition work until certain conditions, including completion of the Temporary Terminal, funding to construct the new Terminal, possession of the affected State parcels from Caltrans by the TJPA, provision of notice and relocation assistance to tenants, and final authorization by the TJPA Board, have been satisfied.
- Evans Brothers' bid meets the Small Business Enterprise (SBE) utilization goal of eight percent (8%).
- The San Francisco County Transportation Authority (SFCTA) allocated \$7 million in funding for this project under a Standard Grant Agreement for Resolution No. 09-41. The request for funds was adopted by the SFCTA at its meeting on February 24, 2009. Federal funds are planned for the balance.

EXPLANATION:

Scope of Work

The Existing Terminal and Ramps Demolition project includes demolishing the existing Transbay Terminal, as well as appurtenant bus ramps and several adjacent buildings. Demolition of the existing Terminal and ramps is necessary in order to create space for construction of the new Transbay Transit Center.

The time allowed for completion is 390 calendar days and the work includes the following:

- Demolition and removal of the existing San Francisco Transbay Terminal, asphalt paving, trees, underground utilities, piles and pile caps, concrete sidewalks/curbs/gutters, and light poles.
- Demolition of the existing bus ramps.
- Removal, relocation, and reinstallation of San Francisco Municipal Railway (Muni) overhead contact system (OCS) at select locations.
- Demolition of select buildings.
- Cutting, capping, and removal of existing utilities.
- Salvaging, storing, and transporting select items located within the Transbay Terminal.
- Crushing and placing concrete rubble.

Phasing and Preconditions

The TJPA will phase the work under the Contract. The first Notice to Proceed will authorize the Contractor to commence work necessary to mobilize, develop a demolition plan, and obtain all approvals from the TJPA and any other governmental agency necessary for all field work. The duration for the first Notice to Proceed will be 100 consecutive calendar days.

The second Notice to Proceed will authorize the Contractor to conduct field abatement and demolition work. The TJPA will not issue the second Notice to Proceed unless and until each of the following conditions has been met:

- A. The Contractor satisfactorily completes all the requirements for the first Notice to Proceed.
- B. The TJPA completes construction of the Temporary Terminal, including ingress and egress, and completes the installation of AC Transit's tenant improvements, excluding the Ramp Space.
- C. The Temporary Terminal, excluding the Ramp Space, is ready for occupancy and use by AC Transit and the public as a transportation facility and will not subject either AC Transit or the public to any hazard, delay, or undue inconvenience.
- D. The TJPA Board adopts a Resolution certifying that it has the funds available to construct the new Terminal.
- E. The TJPA advertises a construction contract for the foundations and substructures for the new Terminal.
- F. The TJPA Executive Director notifies AC Transit that the items above have occurred.
- G. All transit operators vacate the existing Transbay Terminal.
- H. The TJPA has possession of the affected State parcels under the Cooperative Agreement between Caltrans, the TJPA, and the City.

- I. The TJPA provides the notice and relocation assistance to tenants required under Federal and State law.
- J. The TJPA Board authorizes issuance of the second Notice to Proceed.

When the above conditions are satisfied, the TJPA will issue the second Notice to Proceed. The second Notice to Proceed will be conducted in four phases. Phase 1 work will include demolition of the portion of the east loop bus ramps over the Temporary Terminal site at the southwest intersection of Beale and Howard streets (State Parcels O and O’). Phase 2 will include demolishing the remaining east loop bus ramps east of Fremont Street (State Parcels N, N’, D, P, P’, and P’). Phase 3 will include demolishing the Transbay Terminal building (State Parcels T, E, F) and select adjacent buildings (133 Beale Street on State Parcel N’, 77-79 Natoma Street, and 81-83 Natoma Street), and Phase 4 will include demolishing the remaining bus ramps south of Howard Street (State Parcels G, H’, I, and A’). Phase 4 shall include portions of ramp structure south of Folsom Street that had been designated as Alternate Bid Item A; these portions of ramp structures were issued for bid as an alternate to facilitate permit coordination with Caltrans’s adjacent Fremont Street off ramp and other facilities.

Site Control

The TJPA will require possession and control of all of the properties required for demolition at the time it issues the second Notice to Proceed, which is planned for February 1, 2010.

Under the Cooperative Agreement with Caltrans and the City, Caltrans will transfer the State parcels to the TJPA within 120 days of the TJPA’s request for the parcels. Caltrans has already transferred Parcels O and O’ to the TJPA. The TJPA will ask Caltrans to transfer Parcels N, N’, D, P, P’, P’, T, E, F, G, H’, I, and A’ on February 1, 2010. Parcels N’, P, and P’ are designated under the Cooperative Agreement as City parcels for eventual redevelopment by the San Francisco Redevelopment Agency (SFRA); the TJPA will ask the City to temporarily transfer those parcels to the TJPA for use in construction before eventual transfer to SFRA for redevelopment.

Some of the properties that will be demolished are currently occupied by business tenants, including Beale Street Bar & Grille (Parcel N’), Jim Hamilton d/b/a Direct Communications (Terminal), Reynoso Florist (Terminal), Greyhound (Terminal), Park Plus, LLC (Terminal), Varnish Fine Art (77-79 Natoma), and Wooden Spoon & Fork d/b/a Zebulon (81-83 Natoma). Property owners and tenants have been on notice about the Transbay Program and the need to acquire and demolish certain properties since at least 2004. The TJPA began working with the tenants in 2007 to provide specific information about the Transbay Program, the schedule for development, and available relocation services and benefits. The tenants will be provided at least 90 days notice prior to the date they must vacate, as required by State law. The TJPA has and will continue to provide relocation assistance and benefits under Federal and State law to tenants of the affected parcels.

Advertisement for Bids

The Advertisement for Bids was issued on August 17, 2009, noting that the engineer’s estimate was in excess of \$18,000,000. The initial engineer’s estimate was a rough order of magnitude developed during planning and preliminary design. The final detailed engineer’s estimate based upon the issue for bid documents and completed prior to bid opening was \$10,658,901.

Bids Received

On September 24, 2009, the TJPA received and opened seven bids as follows:

	<u>Bidder</u>	<u>Base Bid</u>	<u>Alternate</u>	<u>Total</u>
1.	Evans Brothers, Inc.	\$ 9,972,400	\$530,000	\$10,502,400
2.	LVI Environmental Services, Inc.	\$12,449,000	\$271,000	\$12,720,000
3.	Ferma Corporation	\$13,597,420	\$404,000	\$14,001,420
4.	CST Environmental Acquisition, LP	\$14,777,800	\$450,000	\$15,227,800
5.	Silverado Contractors, Inc.	\$15,592,000	\$550,000	\$16,142,000
6.	Hagensen Pacific Construction, Inc.	\$17,745,000	\$650,000	\$18,395,000
7.	Miller Environmental, Inc.	\$22,380,000	\$845,000	\$23,225,000

Staff has reviewed the qualifications that were included in the bid package submitted by Evans Brothers, Inc., and staff is satisfied that Evans Brothers, Inc. possesses the requisite experience to perform the scope of work for this contract. Evans Brothers, Inc. complied with the instructions to bidders and submitted all required forms and certifications, including certification that it is signatory to a recognized apprenticeship and/or training program under Chapter 4 of the California Code as certified by the State of California Division of Apprenticeship Standards. Evans Brothers, Inc. has also included Small Business Enterprise (SBE) participation of 8.1% in its contract bid, meeting the contract goal of eight percent (8%). Evans Brothers' SBE/DBE participation is commensurate with the other proposed bids received.

Funding

Initial funding in the amount of \$7 million dollars for this project has been allocated by the San Francisco County Transportation Authority. The remaining funds have not been programmed at this time and shall require allocation prior to issue of the second Notice to Proceed.

RECOMMENDATION:

Staff recommends that the TJPA Board of Directors authorize award of Contract No. 08-08-DM-000 to Evans Brothers, Inc., the responsible bidder submitting the lowest responsive bid, in the amount of \$10,502,400

ENCLOSURE:

1. Resolution

**TRANSBAY JOINT POWERS AUTHORITY
BOARD OF DIRECTORS**

Resolution No. _____

WHEREAS, On August 17, 2009, the Transbay Joint Powers Authority (TJPA) advertised for bids for TJPA Contract No. 08-08-DM-000, Existing Terminal and Ramps Demolition, which is part of the Transbay Transit Center Program and will allow for demolition of the Transbay Terminal and construction of a new Transbay Transit Center; and,

WHEREAS, The work to be performed under this contract was fully analyzed in the Transbay Terminal/Caltrain Downtown Extension/Redevelopment Plan Project Final Environmental Impact Statement/Environmental Impact Report (SCH #95063004), as updated by subsequent addenda, and no subsequent or supplemental environmental review is required; and,

WHEREAS, Under this project, the contractor will demolish the existing Terminal buildings, bus ramps, and select adjacent buildings; and,

WHEREAS, On September 24, 2009, the TJPA received and opened publicly seven bid proposals; and,

WHEREAS, The TJPA determined that Evans Brothers, Inc., is the responsible bidder submitting the lowest responsive bid, with a bid of \$10,502,400; and,

WHEREAS, The TJPA's authorization to the contractor to proceed with the work will be phased; and,

WHEREAS, The first Notice to Proceed shall authorize the contractor to commence only pre-demolition work necessary to develop a demolition plan and obtain all approvals from the TJPA and any other governmental agency necessary to perform all work under this project and the second Notice to Proceed shall authorize the contractor to commence with physical abatement and demolition work; and,

WHEREAS, The TJPA will not authorize the second Notice to Proceed for physical demolition until certain conditions, including completion of the Temporary Terminal, funding to construct the new Terminal, possession of the affected State parcels from Caltrans by the TJPA, provision of notice and relocation assistance to tenants, and final authorization by the TJPA Board, have been satisfied; and,

WHEREAS, Initial funding for this contract in the amount of \$7,000,000 is available through a Standard Grant Agreement approved by the San Francisco County Transportation Authority (SFCTA) on February 24, 2009 by SFCTA Resolution 09-41, and additional funding shall be required prior to providing the second Notice to Proceed; and

WHEREAS, The time allowed for completion of the work under this contract is 100 calendar days after issuance of the first Notice to Proceed and 290 calendar days after issuance of the second Notice to Proceed, for a total contract time of 390 calendar days; and now, therefore, be it,

RESOLVED, That the TJPA Board of Directors authorizes the award of TJPA Contract No. 08-08-DM-000, Existing Terminal and Ramps Demolition, to Evans Brothers, Inc., as the responsible bidder submitting the lowest responsive bid, in an amount not to exceed \$10,502,400.

I certify that the foregoing resolution was adopted by the Transbay Joint Powers Authority Board at its meeting of October 8, 2009.

Secretary, Transbay Joint Powers Authority