

## MEMORANDUM

February 22, 2018

**TO:** MEMBERS, PORT COMMISSION  
Hon. Kimberly Brandon, President  
Hon. Willie Adams, Vice President  
Hon. Leslie Katz  
Hon. Doreen Woo Ho

**FROM:** Elaine Forbes  
Executive Director

**SUBJECT:** Request authorization to award Construction Contract No. 2771R Public Restrooms Project in Pier 45 Shed A and Islais Creek Park, to G.Y. Engineering Company, Inc., in the amount of \$673,000, and authorization for a contract contingency fund of 10% of the contract amount (or \$67,300) for unanticipated contingencies, for a total authorization not to exceed \$740,300

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

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### **Executive Summary:**

Port staff requests that the Port Commission authorize the award of construction Contract No. 2771R, Public Restrooms Project ("Project"), to G.Y. Engineering Company, Inc. (G.Y. Engineering), the lowest responsive, responsible bidder, in the amount of \$673,000, and authorize a contract contingency fund of 10% of the contract amount (or \$67,300) for unanticipated contingencies, for a total authorization not-to-exceed \$740,300.

The project scope includes (1) construction of a new Men's and Women's public restroom building inside the shed of Pier 45 Shed A (Pier 45A) and (2) installation of a pre-engineered composting toilet in Islais Creek Park. The public restrooms will provide necessary restroom facilities for the public at the Fisherman's Wharf and Islais Creek Park areas.

Pier 45A is located at the foot of Taylor Street and is a contributor to the Embarcadero Historic District. Islais Creek Park is located in the Southern Waterfront at the elbow where Arthur and Quint Streets meet. See Exhibit "A" for Area of Work Location Map.

### **Strategic Objective:**

This Project supports the Port's Strategic Plan strategies of Livability, and Sustainability:

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

Livability: The Project promotes living wage jobs by providing opportunity for Micro Local Business Enterprises (LBE's).

Sustainability: The Project will include energy efficient fixtures and renovation of existing antiquated electrical service. The Project will also use best practices for construction.

**Background:**

The current existing public restrooms serving the Fisherman's Wharf area, located in Boudin's Octagon Building, are frequently crowded and have long lines. Port Real Estate staff requested additional public restrooms be constructed in Pier 45A to augment the existing public restrooms to meet the demand. The area where the work will occur is currently used for public parking and will continue to operate with minimal disruption during construction.

The Islais Creek Park was recently designated as a San Francisco Bay Area Water Trail site by the California Coastal Conservancy. Kayaks Unlimited, a kayak cooperative which offers various kayak programs including outings for underprivileged youth in the area, is a tenant in the Park. The site currently does not have an outdoor public restroom, and as a Water Trail site, it is desirable to have this amenity. The restroom building will be similar to the restroom recently installed in the nearby Heron's Head Park.

The Public Restrooms in Pier 45A and Islais Creek were previously bid in the 2771 Port Modular Restrooms contract, which combined tenant and public restrooms to be built as modular units. The project received two bids in June of 2016, which exceeded the project budget and caused all bids to be rejected. Because the public and tenant restrooms are funded by two separate funding sources, the public restrooms were repackaged for re-bidding as a separate project to address the critical need for the additional public restrooms in Fisherman's Wharf. As a separate project, the public restrooms were re-bid in December 2017, with the Pier 45A restrooms as the base bid scope, and the Islais Creek Park restroom as an alternate bid item. The tenant restroom portion of the original project will be redesigned in the coming year.

As a separate project, the new public restrooms inside Pier 45A will consist of a 400 square foot structure adjacent to two existing single-user restrooms constructed in 1993. The new structure will house multi-user Men's and Women's restrooms. One of the existing single-user restrooms will be used to provide a required All-Gender restroom. The other restroom will remain as-is for use as the Musee Mecanique staff restroom. During the design phase, electrical equipment in the area of work was found to be unsafe and electrical upgrades were included in the project scope.

The estimate for the project was under \$600,000 so the project was bid as a Micro-LBE set-aside.

**Competitive Award/Local Business Enterprise**

On January 25, 2018, Staff received three bids for this construction Project. The project budget was \$730,000 and the engineer's estimate advertised was \$497,500. The base bids ranged from \$569,650 to \$621,040. The additive alternate bids ranged from

\$65,000 to \$148,000. G.Y. Engineering submitted the lowest bid with the base bid amount of \$608,000 with the additive alternate bid of \$65,000 for a total of \$673,000, which is within the total Project budget. These bids in excess of the engineer’s estimate are consistent with the experience of other City Departments with bid prices for utility work coming in higher due to demand outpacing the labor pool Citywide.

Staff reviewed the G.Y. Engineering bid and determined that the bid is responsive and G.Y. Engineering is a responsible contractor which meets the minimum qualifications required by the bid solicitation. G.Y. Engineering is a San Francisco Micro-LBE whose bid includes four subcontractors; two of which are LBE certified by the City Contract Monitoring Division (“CMD”).

CMD enforces the City's Administrative Code Chapter 14B, the Local Business Enterprise and Non-Discrimination in Contracting Ordinance. Because the project was bid as a Micro-LBE set-aside, there was no LBE subcontractor participation requirement.

The contractor is an OBE\*, Micro-LBE contractor and will be self-performing approximately 55% of the base bid contract work. Two of the four subcontractors are certified LBE contractors who will be performing 43% of the work, resulting in nearly 98% of the work being performed by certified LBE firms.

The details of the LBE subcontractors are as follows:

Subcontractor	Scope		Type of LBE
McKee Electric	Electric & Fire Alarm	14.3%	MBE*, Micro-LBE
Expert Plumbing Solution	Plumbing	28.9%	OBE*, Micro-LBE

\*OBE refers to a non-minority and non-woman owned firm, MBE refers to a minority owned firm

**San Francisco Local Hiring Ordinance**

Because the estimate was below \$600,000, the contract is exempt from the City's Local Hiring Ordinance.

**Regulatory Permits**

Port Planning and Environmental division staff determined the proposed work at Pier 45A and Islais Creek to be a “non-project” for purposes of the California Environmental Quality Act (CEQA) and, therefore, not subject to CEQA review. Improvements will be consistent with the Secretary of the Interior Standards for Historic Rehabilitation at the Pier 45A site. The Project is not subject to the Bay Conservation and Development Commission permit requirements as both sites are located greater than 100 feet from the shoreline.

Port Building and Encroachment Permits will be secured prior to the commencement of the Project.

**Climate Change**

Sea Level Rise is not expected to cause any major issue during the design life of this Project. The design life of this Project is projected to be 30 years.

## **Funding**

The public restroom funding was originally designated for three sites: Pier 45 Shed A, Sea Wall Lot (SWL) 301 (aka Triangle Parking Lot) and Pier 27 Plaza. Port Real Estate and Planning staff determined that the restrooms in SWL 301 were not required as the Citywide JCDecaux contract covered improvements in this area. The Pier 27 Plaza public restrooms were constructed in 2013 below budget, which freed up additional funds for Pier 45 Shed A and made it possible to potentially fund restrooms in Islais Creek Park.

The base bid for the construction contract, and the 10% contingency will be fully funded by CPO 962 Public Restroom Improvement Project Fund as shown in the table below:

Project Scope	Amount
Base Bid	\$ 608,000
Alternate Bid	\$ 65,000
Subtotal	\$ 673,000
10% Construction contingency	\$ 67,300
Total cost with contingency	\$ 740,300

## **Schedule**

The anticipated Project schedule is as follows:

Commission Authorization to Award Contract	February 27, 2018
Estimated Notice to Proceed (NTP)	April, 2018
Estimated Substantial Completion (210 Days)	October, 2018
Estimated Final Completion (60 Days)	December, 2018

## **Summary**

Port staff recommends that the Port Commission authorize the award of Construction Contract No. 2771R Public Restrooms Project, to G.Y. Engineering Company, Inc., the lowest responsive, responsible bidder, in the amount of \$673,000, and further authorize staff to increase the contract amount, through contract modification or change order, if needed for unanticipated contingencies, by an additional \$67,300 (10% of the proposed contract amount), for a total amount not-to-exceed of \$740,300. G.Y. Engineering is a Micro-LBE contractor and meets the requirements of Administrative Code Chapter 14B. Port staff also recommends that the Port Commission authorize the Executive Director to accept the work once it is complete.

Prepared by: Wendy Proctor  
Senior Architect

For: Rod K. Iwashita  
Chief Harbor Engineer

Exhibits:

- A. Area of Work Location Map
- B. CMD Determination Letter
- C. Bid Summary
- D. Schedule of Bid Prices

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

**RESOLUTION NO. 18-17**

- WHEREAS, Port staff seeks authorization to award construction Contract No. 2771R Public Restrooms Project (the “Project”); and
- WHEREAS, the Project scope includes construction of new public restrooms inside the shed of Pier 45A and a composting toilet in Islais Creek Park, providing restroom facilities for the public at the Fisherman’s Wharf and Islais Creek Park areas.
- WHEREAS, the Project is not subject to the Bay Conservation and Development Commission permit requirements as both sites are located greater than 100 feet from the shoreline. The work at Pier 45 Shed A and the Islais Creek site is defined as a “non-project” and is not subject to California Environmental Quality Act review; and the Project scope will be consistent with the Secretary of the Interior Standards for Historic Rehabilitation; and
- WHEREAS, Port Building and Encroachment Permits will be secured prior to commencement of the Project; and
- WHEREAS, the Project was bid with the Pier 45 Shed A public restrooms as the base bid scope of work, and the Islais Creek public restroom as an alternate bid item; and
- WHEREAS, the engineers estimate for the Project was below the \$600,000 threshold making it eligible for the Micro-LBE (Local Business Enterprise) Set-Aside Program, and the Port Executive Director authorized staff to solicit bids for the Project on November 30, 2017; and
- WHEREAS, Port staff advertised for bids on December 21, 2017, and received three bids for the Project on January 25, 2018; and
- WHEREAS, the lowest bid was submitted by G.Y. Engineering Company, Inc. (G.Y. Engineering) for the base bid and alternate bid for a total of \$673,000 which is fully funded by the CPO 962 Public Restroom Improvement Project Fund; and
- WHEREAS, Port and Contract Monitoring Division Staff reviewed G.Y. Engineering’s bid and determined that the company is the lowest responsive, responsible bidder; and
- WHEREAS, G.Y. Engineering is a certified Micro-LBE contractor; now, therefore be it

RESOLVED, that the Port Commission hereby authorizes the award of construction Contract No. 2771R Public Restrooms Project, to G.Y. Engineering Company, Inc., the lowest responsive and responsible bidder, for the amount of \$673,000; and be it further

RESOLVED, that the Port Commission hereby authorizes Port staff to increase the contract amount, as necessary for unanticipated contingencies, by an additional \$67,300 (10% of \$673,000) through contract modification or change order, for a total contract authorization not to exceed \$740,300; and be it further

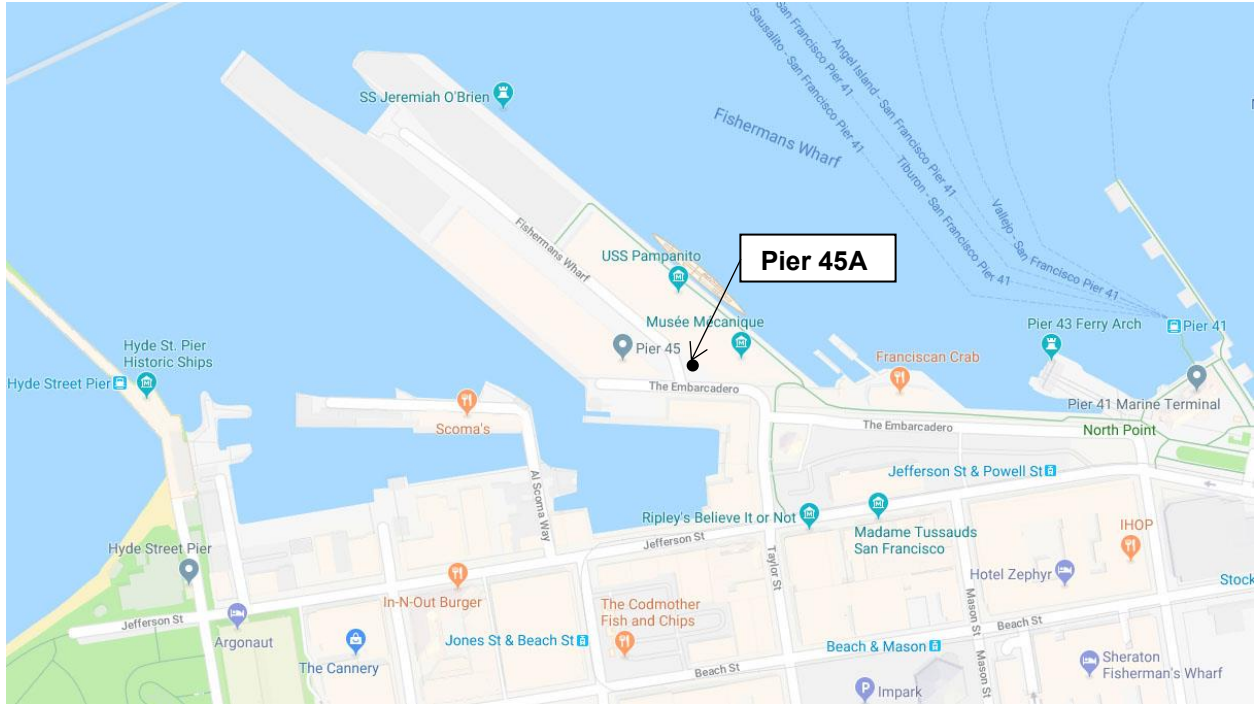
RESOLVED, that the Port Commission hereby authorizes the Executive Director to accept the work once it is complete.

***I hereby certify that the foregoing resolution was adopted by the San Francisco Port Commission at its meeting of February 27, 2018.***

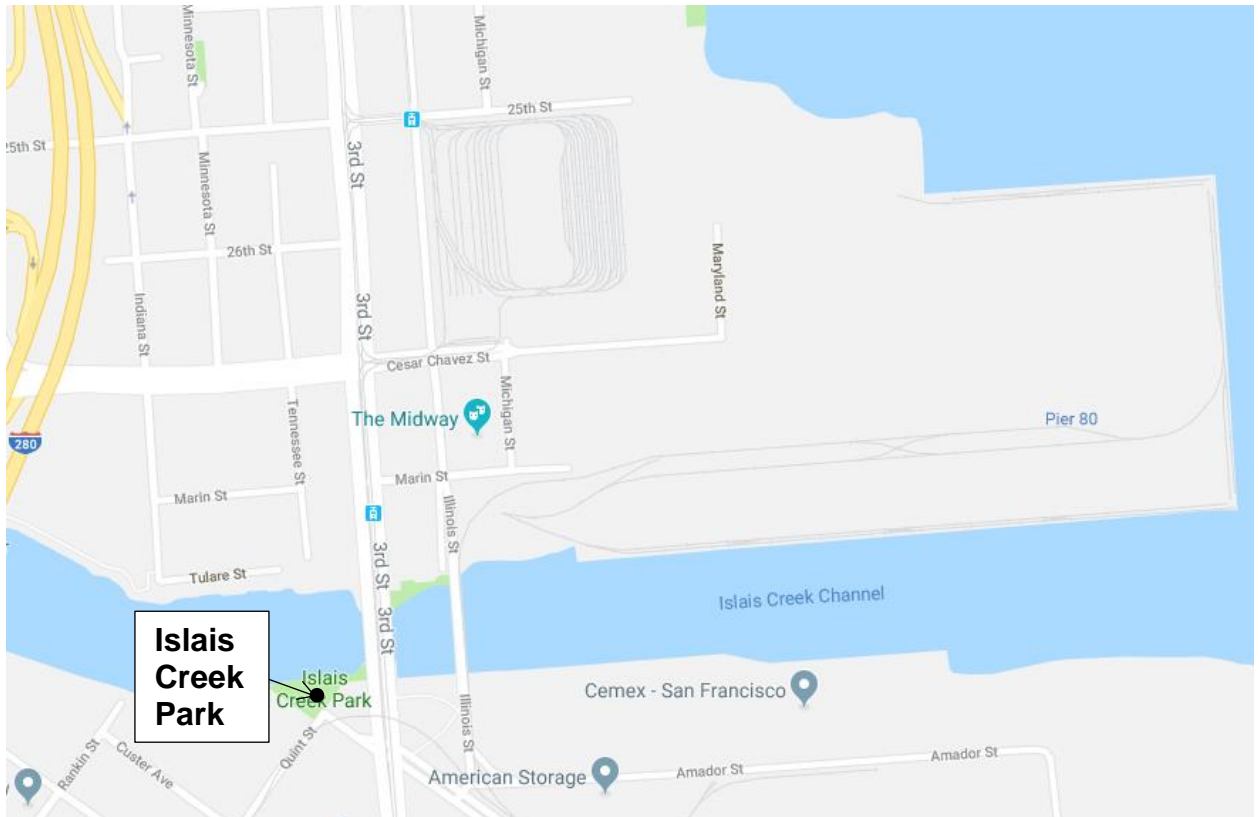
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Secretary

**EXHIBIT A**  
**AREA OF WORK LOCATION MAP**



**Pier 45 Shed A**



**Islais Creek Park**

CONTRACT NO. 2771R Public Restrooms Project

**EXHIBIT B**  
CMD DETERMINATION LETTER



Mark M. Farrel, Mayor  
Naomi M. Kelly, City Administrator

**GENERAL SERVICES AGENCY  
CONTRACT MONITORING DIVISION**



Romulus Asenloo, Director

Date: February 8, 2018  
To: Wendy Proctor, Port of San Francisco  
From: Finbarr Jewell, CMD  
Subject: CMD Micro-LBE Set-Aside Project Summary, Public Restrooms , Contract 2771R

The Contract Monitoring Division ("CMD") reviewed three bids submitted for the above-referenced project and determined responsiveness to Chapter 14B pre-award requirements. Below is a summary of CMD's review.

As a Micro-LBE Set-Aside contract, the LBE Bid Discount and the LBE Subcontracting Participation Goal do not apply.

The City received three bids from eligible CMD-certified Micro-LBEs:

Bidder	Base Bid Amount + Alternate 1
G.Y Engineering Company, INC.	\$673,000
Wickman Development & Construction	\$674,650
Angotti & Reilly, INC.	\$769,368

*G.Y Engineering Company, INC* is deemed the lowest responsive bidder, provided that it will perform more than 25% of the contract work, thereby satisfying the 14B Micro-LBE Set-Aside requirements.

Based upon its review, CMD has determined that *G.Y Engineering Company, INC.*, complied with the Chapter 14B pre-award requirements. Should you have any questions, or if I can be of further assistance, please contact me at (415) 274-0511.

Finbarr Jewell  
Contract Compliance Officer



## EXHIBIT C BID SUMMARY



### B I D T A B U L A T I O N

BID OPENING DATE		01/25/2018; PIER 1, SAN FRANCISCO			
CONTRACT NUMBER		2771R			
PROJECT NAME		PUBLIC RESTROOM PROJECT RE-BID			
ALTERNATE PRIORITIES:		N/A (Only one Bid Alternate)			
LBE GOAL:	N/A	TOTAL NUMBER OF CALENDAR DAYS:	210	ANNOUNCED CONSTRUCTION ESTIMATE BUDGET:	\$730,000
NUMBER OF BIDDERS:	03	ESTIMATE:	\$497,500	APPARENT LOW TOTAL BID PRICE:	<b>\$673,000</b>

BIDDER ID #	01	02	03
BID ITEM #	Wickman Development and Construction 5616 Mission Street San Francisco, CA 94112 Jonathan Wickman 415-239-4500 jonathan@wickamandev.com	G.Y. Engineering Company, Inc. 850 South Van Ness, #35 San Francisco, CA 94110 Gene Yakubovich 415-531-9266 gene@gyengineering.com	Angotti & Reilly, Inc 1000 Mariposa Street San Francisco, CA 94107 James Reilly 415-575-3700 estimating@angotti-reilly.com jimreilly@angotti-reilly.com
1	\$533,000	\$568,100	\$581,040
2	\$10,000	\$10,000	\$10,000
3	\$26,650	\$29,900	\$30,000
Base Bid Total	\$569,650	\$608,000	\$621,040
Alternate A1	\$105,000	\$65,000	\$148,328
Total Bid w/ Alternate	\$674,650	\$673,000	\$769,368
APPARENT BID RANK	2	1	3

(1) Apparent bid rank includes Alternate A1 bid price.

**EXHIBIT D**  
**SCHEDULE OF BID PRICES**

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Bid Item No.	Bid Item Description	Estimated Quantity	Unit	Amount
1	Architectural, Structural, Mechanical, Electrical and Plumbing work as indicated on plans and specifications for work associated with public restrooms in Pier 45 Shed A excluding Bid Items 2 & 3 and Alternate Bid Item A1.	1	LS	\$ _____
2	Partnering Allowance, Level 1 (Refer to Section 01 31 33)	1	AL	\$ 10,000
3	Mobilization (Maximum 5% of Bid Item 1)	1	LS	\$ _____
TOTAL BASE BID PRICE (Summation of Bid Items 1 through 3 above):				\$ _____

Note: LS = Lump Sum; EA= Each; LF = Linear Feet; SF = Square Feet; CY = Cubic Yards; AL = Allowance

**ADDITIVE ALTERNATE BID PRICES**

Alternate Bid Item No.	Alternate Description	Estimated Quantity	Unit	Amount
A1	Work as indicated on plans and specifications for work associated with construction of public restroom at Islais Creek Landing Park.	1	LS	\$ _____