



## MEMORANDUM

December 4, 2020

**TO:** MEMBERS, PORT COMMISSION  
Hon. Kimberly Brandon, President  
Hon. Willie Adams, Vice President  
Hon. John Burton  
Hon. Gail Gilman  
Hon. Doreen Woo Ho

**FROM:** Elaine Forbes  
Executive Director

**SUBJECT:** Request authorization to award Construction Contract No. 2795, Heron's Head Park Path and Electrical Improvements, to CF Contracting, Inc. in the amount of \$1,237,800, and authorization for a contract contingency fund of 10% of the contract amount (or \$123,780) for unanticipated conditions, for a total authorization not to exceed \$1,361,580

**DIRECTOR'S RECOMMENDATION:** Approve Attached Resolution No. 20-54

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### **EXECUTIVE SUMMARY**

Port staff requests that the Port Commission authorize the award of Construction Contract No. 2795, Heron's Head Park Path and Electrical Improvements, to CF Contracting, Inc. ("CF Contracting"), the lowest responsive, responsible bidder, in the amount of \$1,237,800, and authorization for a contract contingency fund of 10% of the contract amount (or \$123,780) for unanticipated conditions, for a total authorization not to exceed \$1,361,580. CF Contracting is a micro-LBE firm, established in 2008 and has previously completed many projects for City of San Francisco agencies such as Public Works, the Airport, and the Recreation and Parks Department. The total percentage of work to be performed by LBE contractors is nearly 100% for this contract.

Heron's Head Park is located in the Southern Waterfront at Pier 98 (see Exhibit "A" for Area of Work Location Map). The project makes improvements to Port open spaces at the park and provides needed upgrades to amenities at the EcoCenter. Funding is provided from the 2012 Clean and Safe Parks General Obligation Bonds. The proposed scope of work includes: construction of an ADA compliant pathway from Heron's Head Park to the adjacent PG&E shoreline area; repaving a portion of the main path with

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asphalt; a new habitat protection fence to protect the southern shoreline; electrical upgrades at the EcoCenter (solar panels and path lighting); and irrigation.

## **STRATEGIC OBJECTIVES**

This Project supports the goals of the Port's Strategic Plan as follows:

**Evolution:** This Project will make improvements to Port open spaces at Heron's Head Park by providing more amenities at the EcoCenter and the pathways in the Park. It will provide an ADA-compliant pathway connecting the PG&E shoreline, which will provide a connection for access to more of the Southern Waterfront.

**Engagement:** By performing upgrades to the EcoCenter's solar panels, the Project provides more amenities to the EcoCenter's tenant, which is currently the San Francisco Recreation & Parks Department ("Rec & Park"). This will allow the tenant to more effectively provide public programming for the EcoCenter.

**Equity:** This contract promotes living wage jobs by providing opportunity for local business enterprises (LBE), which includes contractors from historically disadvantaged communities, and by meeting mandates for Local Hire in construction projects.

**Sustainability:** The EcoCenter at Heron's Head Park is considered "off the grid," and powered by the solar panel system. By upgrading the solar panel system, the Port will improve Heron's Head Park's self-sufficient energy supply.

## **BACKGROUND**

Heron's Head Park is the Port's largest park (Exhibit A). The funding source for this project is the 2012 Clean and Safe Parks General Obligation Bonds ("2012 GO Bonds"). The funds were originally intended for a new pathway on the northern shore of Islais Creek, however due to complications with that project, the funds were approved to be used for Heron's Head Park by the GO Bond Oversight Committee. This use fell within the overall objective of the 2012 GO Bonds, which is rehabilitation of the City's parks. The expansion of Heron's Head Park made possible by the 2008 Waterfront Parks General Obligation Bond funds resulted in increased use of the park. The increased use resulted in Port staff's awareness of increased needs. This Project will result in further improvements that provide additional benefits to the Public.

## **SCOPE OF WORK**

Port staff determined and prioritized areas of improvement at the Park based on the 2012 GO Bonds funding and discussions with the tenant at the EcoCenter, the San Francisco Department of Recreation and Parks. The Project will construct an ADA compliant pathway from Heron's Head Park to the adjacent PG&E shoreline area, and resurface a portion of the main path with asphalt. Because of the significant use of the Park, the previous decomposed granite surface of the main pathway is beginning to break down. The Project will also include construction of a new habitat protection fence

to protect the southern shoreline; there is an existing fence consisting of wood posts with a single rope connecting them. The new fence will be taller and made of wire mesh to better restrict people and pets from entering the protected shoreline area. The Project includes electrical upgrades at the EcoCenter, including a new solar panel system and path lighting from the parking lot. The current solar panel system has not had enough capacity for the tenants at certain times. The Project also includes irrigation along the path up to the EcoCenter.

The bid included a bid alternate to construct a ramp and stairs to connect the EcoCenter to the adjacent picnic area, but unfortunately the budget cannot accommodate the alternate.

### **CONTRACT ADVERTISEMENT AND OUTREACH**

Staff advertised construction Contract No. 2795 on October 14, 2020 and held an optional pre-bid meeting on October 28th via video conference, due to the COVID-19 pandemic. Port staff conducted outreach via email to companies representing the trades for this contract before and during the advertisement period. This solicitation included Local Business Enterprise (“LBE”) Certified contractors. The pre-bid meeting was attended by seven contractors, six of which are LBE firms. Seven contractors attended individual, socially-distanced site visits the following week.

### **EVALUATION OF BIDS**

On November 10th, 2020, Port staff publicly opened bids from six contractors. Staff have reviewed the bids and determined that CF Contracting is the lowest responsive, responsible bidder. CF Contracting’s total bid price of \$1,237,800, plus a 10% contingency is within 4% of the \$1,315,000 million budgeted for the work. The Project has sufficient funding through the 2012 GO Bonds to accommodate CF Contracting’s bid. The final bid rankings are shown in Table 1, and the Bid Summary is attached as Exhibit B. No bid protests were received.

**Table 1: 2795 Bid Ranking**

<b>Bidder</b>	<b>Base Bid</b>	<b>Rank</b>	<b>LBE Type</b>	<b>Ethnicity*</b>
CF Contracting, Inc.	\$ 1,237,800.00	1	OBE (Micro)	Non-Minority
Treaty Construction	\$ 1,293,392.00	2	OBE (Micro)	Non-Minority
Cazadoro Construction, Inc.	\$ 1,349,960.00	3	WBE (Micro)	Non-Minority
Hoseley Corporation	\$ 1,433,710.00	4	OBE (Small)	Non-Minority
Huey Construction Management	\$ 1,687,186.15	5	MBE (Micro)	Asian American
Angotti & Reilly, Inc.	\$ 1,793,981.00	6	OBE (Micro)	Non-Minority

*\*The information set forth in the table is current as of May 14, 2020 from the Contract Monitoring Division. The table is for informational and data collection purposes only and may not be taken into account by the Port Commission when considering the approval or disapproval of any contract award.\**

The subcontractors listed on CF Contracting’s bid are summarized in Table 2 below.

**Table 2: CF Contracting’s Subcontractors Summary**

<b>Subcontractor</b>	<b>Type of Work</b>	<b>Listed Amount</b>	<b>Credited Amount</b>	<b>% of Total Contract</b>	<b>LBE Type</b>	<b>Ethnicity**</b>
<b>Firm</b>						
R&S Construction Management Inc.	Concrete & Rebar	\$38,800	\$38,800	3.13%	MBE	Latino American
Baird Trucking, Inc.	Trucking	\$10,000	\$10,000	0.81%	OBE	Non-Minority
Delao Electric Inc.	Electrical	\$182,341	\$182,341	14.73%	MBE	Latino American
Ronan Construction, Inc.	Asphalt	\$280,000	\$268,000*	21.65%	OBE	Non-Minority
<b>TOTAL</b>		<b>\$511,141</b>	<b>\$499,141</b>	<b>40.32%</b>		

*\*Ronan Construction identified on their CMD Form 6 that they will contract with a non-LBE trucking firm for \$12,000.*

*\*\*The information set forth in the table is current as of May 14, 2020 from the Contract Monitoring Division. The table is for informational and data collection purposes only and may not be taken into account by the Port Commission when considering the approval or disapproval of any contract award.\**

**LOWEST RESPONSIVE BIDDER**

CF Contracting is licensed by the California Contractors State License Board (Contractor License No. 967497) and headquartered on 800 S. Van Ness Avenue in San Francisco. The firm is certified by CMD as a local business enterprise (micro-LBE).

CF Contracting has participated in many San Francisco public works projects, including recent projects replacing the fire alarms for the Airport and SFMTA, playground renovations for SF Rec and Park, and other general civil engineering projects for the San Francisco Department of Public Works.

CF Contracting also qualifies as responsible pursuant to the new safety evaluation procedures required by Chapter 6 of the Administrative Code, as implemented by the City Administrator.

## **LBE GOALS & SAN FRANCISCO LOCAL HIRING ORDINANCE**

CMD enforces the City's Administrative Code Chapter 14B, the Local Business Enterprise and Non-Discrimination in Contracting Ordinance. The ordinance establishes a 10% bid discounts for Local Business Enterprise ("LBE") prime contractors and empowers CMD to set LBE subcontractor participation goals based upon availability of LBE firms to complete the type of work included in the contract. CMD staff reviewed the contract scope and established a 20% LBE subcontractor participation goal.

CMD staff reviewed the bids for compliance and determined that CF Contracting's bid includes 40.3% LBE subcontractor participation and satisfies the LBE goal and Administrative Code Chapter 14B requirements (see attached Exhibit C). See previous Table 2 for the subcontractor list. In addition, CF Contracting is itself a micro-LBE, resulting in a total of nearly 100% of LBE-performed work for this project

The proposed contract will comply with the City's Local Hiring Ordinance which went into effect on March 25, 2011. The mandatory participation level that is currently in effect and applicable for this contract is 30% of all project hours within each trade performed by local residents, with no less than 15% of all project work hours within each trade performed by disadvantaged workers. CF Contracting will develop and submit a local hiring plan at the start of the contract and regularly report on local hire during progress payments. The Office of Economic and Workforce Development administers the Local Hiring Ordinance.

## **FUNDING AND BUDGET**

CF Contracting's bid (including a 10% contingency) was \$1,361,580 and came in about 4% over the previous budget of \$1,315,000 as described in the July 14<sup>th</sup>, 2020 Port Commission presentation<sup>1</sup> requesting authorization to advertise (Resolution 20-32). However, the Project does have sufficient funds through the 2012 GO Bonds to accommodate the bid. All necessary approvals have been received for use of these funds, and the GO Bond Oversight Committee is eager to see the funds spent.

See Table 3 and Table 4 below for contract costs and contract funding, respectively.

**Table 3: Contract Cost**

Contract Scope	Amount
Base Bid	\$1,237,800
10% Construction Contingency	\$123,780
Total Cost with Contingency	\$1,361,580

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<sup>1</sup><https://sfport.com/sites/default/files/Commission/Documents/Commission%20Meeting%20Staff%20Reports/Item%209A%20Heron%27s%20Head%20Park%20Staff%20Report%20%26%20Reso%20FINAL.pdf>

**Table 4: Contract Funding**

Funding Source	Amount
2012 General Obligation Bonds	\$1,361,580

**PERMITS**

All necessary approvals and permits for the Project will be secured by staff prior to physical start of construction. The major regulatory approvals and current status are shown in Table 5.

**Table 5: Permitting & Approvals Summary**

<b><u>Major Permit</u></b>	<b><u>Status</u></b>
Port of San Francisco Encroachment Permit	Permit to be secured prior to start of work
BCDC Permit Amendment	Currently under review by BCDC and to be secured prior to start of work.

**SCHEDULE**

The anticipated contract schedule is as follows:

Port Commission Approval of Award of Contract	December 8, 2020
Notice to Proceed (anticipated)	February 2021
Substantial Completion (180 days)	August 2021
Final Completion	October 2021

**RECOMMENDATION**

Port staff recommends that the Port Commission authorize the award of construction Contract No. 2795, Heron's Head Park Path and Electrical Improvements, to CF Contracting, Inc., the lowest responsive, responsible bidder, in the amount of \$1,237,800, and further authorize staff to increase the contract amount, through contract modification or change order, if needed for unanticipated conditions, by an additional \$123,780, for a total authorization not to exceed \$1,361,580. CF Contracting is a micro LBE firm, and has committed to an LBE subcontractor commitment of 40.3%. Port staff also recommend that the Port Commission authorize the Executive Director to accept the work once it is complete.

Prepared by: Erica Petersen  
Project Manager

For: Rod K. Iwashita  
Chief Harbor Engineer

Exhibits:

- A. Area of Work Location Map
- B. Bid Tabulation
- C. CMD Review Memorandum

**PORT COMMISSION  
CITY AND COUNTY OF SAN FRANCISCO  
RESOLUTION NO. 20-54**

WHEREAS, Port staff seeks Port Commission authorization to award construction Contract No. 2795, Heron's Head Park Path and Electrical Improvements (the "Contract");

WHEREAS, the scope of work for Contract No. 2795 includes construction of an ADA compliant pathway from Heron's Head Park to the adjacent PG&E shoreline area; repaving a portion of the main path with asphalt; a new habitat protection fence to protect the southern shoreline; electrical upgrades at the EcoCenter (solar panels and path lighting); and irrigation;

WHEREAS, On July 14, 2020, the Port Commission authorized Port staff to advertise for and accept competitive bids for Contract No. 2795 (Port Commission Resolution 20-32);

WHEREAS, Thereafter, Port staff advertised the invitation for bids for the proposed Contract No. 2795 on October 14, 2020, held an optional pre-bid meeting on October 28, 2020, and received bids on November 10, 2020;

WHEREAS, Port staff received six bids before the deadline for Contract No. 2795, and the lowest three bids were: CF Contracting Inc. ("CF Contracting") with a bid of \$1,237,800, Treaty Construction with a bid of \$1,293,392, and Cazadoro Construction Inc. with a bid of \$1,349,860;

WHEREAS, Port Engineering staff reviewed the bids and determined that CF Contracting is the lowest responsive, responsible bidder for Contract No. 2795;

WHEREAS, CF Contracting's total bid price of \$1,237,800 plus a 10% contingency is fully funded by the 2012 Clean and Safe Parks General Obligation Bond;

WHEREAS, Port staff have received all required permits except for the Port Encroachment Permit and the BCDC Permit Amendment, which staff will secure prior to construction;

WHEREAS, CF Contracting has committed to a LBE goal of 40.3%, satisfying the goal of 20% established by Caltrans for this Contract; and

WHEREAS, As a condition to receiving the Contract award, CF Contracting has agreed to comply with City's Local Hiring Ordinance which requires 30% of all project hours within each trade to be performed by local residents, with no less than 15% of all project work hours within each trade performed by disadvantaged workers; and

WHEREAS, Port staff recommend the award of Contract No. 2795 to CF Contracting as the lowest responsive, responsible bidder; now therefore be it

RESOLVED, that the Port Commission hereby authorizes Port staff to award construction Contract No. 2795, Heron's Head Park Path and Electrical Improvements, to CF Contracting, the lowest responsive and responsible bidder, for \$1,237,800; and be it further

RESOLVED, that the Port Commission authorizes Port staff to increase the Contract amount, as necessary for unanticipated contingencies, by an additional amount of \$123,780 (10% of \$1,237,800) through contract modification or change order; 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 December 8, 2020.***

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Secretary

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



**EXHIBIT B**  
BID SUMMARY