



Agenda Item No. 2.b.

To: Finance-Auditing Committee/Committee of the Whole
Meeting of May 24, 2007

From: Denis J. Mulligan, District Engineer
Celia G. Kupersmith, General Manager

Subject: **AUTHORIZE BUDGET ADJUSTMENT(S) AND/OR TRANSFER(S)**
b) BUDGET INCREASE RELATIVE TO AWARD OF CONTRACT NO.
2007-FT-13, LARKSPUR FERRY TERMINAL STORAGE AND
INSPECTION STATION, TO BAY AREA STRUCTURAL, INC.

Recommendation

This matter is being presented to the Finance-Auditing Committee to receive the Committee's concurrence for a budget increase relative to Contract No. 2007-FT-13, *Larkspur Ferry Terminal Storage and Inspection Station*.

The Building and Operating Committee recommends that the Board of Directors approve the following actions relative to Contract No. 2007-FT-13:

1. Authorize the General Manager to award Contract No. 2007-FT-13 to Bay Area Structural, Inc., Oakland, CA, in the amount of \$255,200, upon issuance of the Bay Conservation and Development Commission (BCDC) permit for this project;
2. Authorize a contract contingency fund in the amount of \$25,520, equal to 10% of the contract award; and,
3. Authorize a budget increase in the amount of \$120,000 in the FY 06/07 Ferry Division Capital Budget to be funded with \$96,000 Federal Transit Administration (FTA) grant funds and \$24,000 from District Reserves, subject to the concurrence of the Finance-Auditing Committee at its meeting of May 24, 2007;

with the understanding this project is included in the FY 06/07 Ferry Division Capital Budget.

Summary

The District was awarded a grant through the Transit Security Grant Program of the U.S. Department of Homeland Security. This grant will allow the District to construct a single delivery, storage and inspection station for ferry supplies, outside of the physical security

perimeter and away from ferry passengers and ferry vessels. Located at the Larkspur Ferry Terminal, this project will ensure compliance with 33 CFR 104, et seq. by providing facilities to deliver and inspect vessel supplies before they are placed on board the ferry vessels.

This Storage and Inspection Station will provide one inspection point for all vendor supplied concession goods for the District's ferries. The single delivery and inspection station will be located in Larkspur, away from the congested regional transportation hub at the San Francisco Ferry Terminal. This separate facility will allow Ferry staff to focus on screening incoming passengers at Larkspur and will separate delivery personnel from passengers and vessels. This project is in response to recommendations in a security vulnerability assessment.

Staff prepared the plans and specifications to construct the Storage and Inspection Station and has applied for a permit from the Bay Conservation and Development Commission (BCDC), which is pending. Contract No. 2007-FT-13, *Larkspur Ferry Terminal Storage and Inspection Station*, was advertised for bids on April 17, 2007. On May 15, 2007, the following three bids were received, opened and publicly read:

| | <u>COMPANY</u> | <u>AMOUNT</u> |
|----|--|---------------|
| 1. | Bay Area Structural, Inc. Oakland, CA | \$255,200 |
| 2. | KCK Builders, Inc. San Rafael, CA | \$287,000 |
| 3. | Rubecon General Contracting, Inc. San Francisco, CA | \$378,557 |

The Engineering staff, DBE Program Office and Attorney have evaluated the bids and concluded that the apparent responsive, responsible low bidder is Bay Area Structural, Inc. with a bid price of \$255,200.

No contract-specific Disadvantaged Business Enterprise (DBE) participation 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 and suppliers to ensure that the bidding process was carried out in a nondiscriminatory manner. The DBE Program Administrator has determined that Bay Area Structural, Inc., has complied with the DBE requirements applicable to the Contract and is itself a DBE. At this time, 68.7% DBE participation is anticipated during the performance of this contract.

Fiscal Impact

This project is included in the FY 06/07 Ferry Division Capital Budget in the amount of \$200,000 and is 15% District and 85% Transportation Security Administration funded. To date, approximately \$6,400 has been spent on design, advertisement, mailing and printing. A capital

budget increase in the amount of \$120,000 (80% FTA/20% District) is required to fully fund this project at the estimated total cost of \$320,000. The detailed budget for this project is as follows:

| | |
|--|-------------------|
| Design | \$ 6,000 |
| Contract No. 2007-FT-13 | 255,200 |
| Construction Contingency (10%) | 25,520 |
| Contract administration (staff time) | 25,520 |
| Testing and Inspection (consultant) | 3,000 |
| Miscellaneous (printing, advertising, mailing, etc.) | <u>4,960</u> |
| TOTAL BUDGET | \$ 320,000 |

Award of this contract requires a project budget increase of \$120,000 to be funded with \$96,000 FTA grant funds and \$24,000 from District reserves.