

GOLDEN GATE BRIDGE, HIGHWAY AND TRANSPORTATION DISTRICT

RESOLUTION NO. 2013-082

**APPROVES ACTIONS RELATIVE TO
STRUCTURAL MODIFICATIONSTO THE M.V. NAPA**

August 9, 2013

WHEREAS, the Board of Directors (Board) of the Golden Gate Bridge, Highway and Transportation District (District), by Resolution No. 2013-076 at its meeting of July 26, 2013, authorized the execution of Change Order (CO) No. 2 to Contract 2013-FT-10, *Routine Dry-Docking of the M.V. Golden Gate Ferry* (Contract No. 2013-FT-10); and,

WHEREAS, work under CO No. 2 will complete United States Coast Guard required structural modifications that have recently been mandated and must be completed before August 20, 2013, in order for the ferryboat to be certified for service; and,

WHEREAS, the same structural modifications with the same August 20th deadline must also be completed on the *M.V. Napa* once work on the *M.V. Golden Gate* is complete and it is returned to service, estimated to be on or around August 12, 2013; and,

WHEREAS, since the District has only one spare back-up ferryboat, service will inevitably be disrupted if more than one ferry is out of service at one time; and,

WHEREAS, the *M.S. San Francisco* is entering the shipyard on September 2, 2013, for a long-scheduled major refurbishment that will take it out of service for at least one year, leaving the District without a back-up ferryboat and with limited flexibility; and,

WHEREAS, because the work on the *M.V. Napa* can only begin once the work on the *M.V. Golden Gate* is returned to service, and must be completed before September 2, 2013, there is only a two-week time period to complete the work; and,

WHEREAS, there are only three companies with the qualifications necessary to perform the necessary services in the Bay Area; and,

WHEREAS, although state law requires advertisement of a formal competitive solicitation for ferryboat alteration work like this, the courts recognize an exception from competitive bidding requirements under limited circumstances when compliance is deemed unavailing and would serve no public purpose; and,

WHEREAS, such is the case in the present circumstance, given both the limited number of qualified potential bidders and the significant constraints to complete the work in time to avoid service disruption; and,

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WHEREAS, staff intends to seek competitive bids from all three qualified companies on an informal basis, and the bid process will still be competitive in all respects and will comply with federal procurement rules; and,

WHEREAS, staff intends to recommend award of a contract to the lowest responsible bidder and, based upon the work on the *M.V. Golden Gate* presently underway, the work will likely cost between \$100,000.00 and \$120,000.00; and,

WHEREAS, the *M.V. Napa Engine/Ferry Improvements* project, which includes other ferry improvements, in addition to the structural modifications, is included in the FY 13/14 Ferry Transit Division Capital Budget, in the total amount of \$500,000.00, to be financed with \$400,000.00 (80%) Federal Transit Administration (FTA) grant funds and \$100,000.00 (20%) District funds; and,

WHEREAS, the Building and Operating Committee at its meeting of August 9, 2013, has so recommended; now, therefore, be it

RESOLVED that the Board of Directors (Board) of the Golden Gate Bridge, Highway and Transportation District hereby approves actions relative to structural modifications to the *M.V. Napa*, as follows:

1. Authorizes the General Manager (GM) to conduct a competitive informal procurement process to secure the services necessary to perform required structural modifications to the *M.V. Napa*; and,
 2. Authorizes the GM to award a contract for the required structural modifications with the lowest responsible bidder pursuant to the above-referenced informal procurement process, in an estimated amount not to exceed \$120,000.00;
- and, be it further

RESOLVED that requisite funds are available in the FY 13/14 Ferry Transit Division Capital Budget.

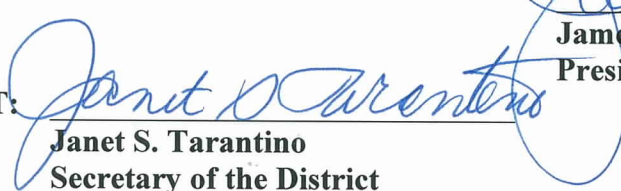
ADOPTED this 9th day of August 2013, by the following vote of the Board of Directors:

AYES (15): Directors Arnold, Belforte, Breed, Cochran, Fredericks, Moylan, Pahre, Rabbitt, Reilly, Sears, Snyder, Sobel and Theriault; Second Vice President Stroeh; President Eddie

NOES (0): None

ABSENT (4): Directors Campos, Wiener and Yee; First Vice President Grosboll


James C. Eddie
President, Board of Directors

ATTEST: 
Janet S. Tarantino
Secretary of the District