

**STAFF REPORT FOR CALENDAR ITEM NO.: 12
FOR THE MEETING OF: June 9, 2011**

TRANSBAY JOINT POWERS AUTHORITY

BRIEF DESCRIPTION:

Authorizing Webcor/Obayashi Joint Venture to execute a Subcontract Agreement for Traffic Control Services with the firm of SANDIS for seven years and a maximum compensation of \$2,000,000 increasing authorized Direct Costs under Contract No. 08-04-CMGC-000 by \$2,000,000 and the authorized Construction Services Fixed Fee by \$164,000.

EXPLANATION:

On January 7, 2011, Webcor/Obayashi Joint Venture (“W/O”) released a Request for Proposals (“RFP”) for Traffic Control Professional Services. The scope of work under this package is provision of ‘on-call’ Traffic Control engineering services to review, coordinate, incorporate all project Trade Subcontract Traffic Control plans into a global traffic control management plan. This will include traffic control design oversight, master planning between various Trade Subcontract traffic control phases, as needed field engineering logistical support, and Code/Ordinance compliance oversight.

Three proposals were received on or by the due date of February 18; proposals were scored and two firms were invited to interviews. However, due to a scheduling issue with interviews, TJPA directed W/O to reissue the RFP and seat a new selection committee to ensure the fairness and integrity of the selection process. The RFP was re-issued on April 6, 2011, with proposals due on May 4. Three proposals were received from:

- AE3 Partners
- CMC Traffic Control
- SANDIS

A selection committee made up of the following project representatives was convened:

- Robert Beck, TJPA Senior Program Manager
- Todd Mercer, Webcor/Obayashi Senior Project Manager
- Phil Sandri, TJPA PMPC Project Manager

On May 9, the selection committee reviewed the proposals for technical merit and shortlisted two firms, AE3 Partners and SANDIS, both of which were interviewed on May 13. Based on the evaluation of the proposals and the interviews, the selection committee recommended that an agreement be negotiated with SANDIS. Scores are shown below.

Firm	Panelist A	Panelist B	Panelist C	Total Evaluation Score
AE3 Partners	114	119	119	352
CMC Traffic Control	105	112	116	333

SANDIS	125	122	122	369
Firm	Panelist A	Panelist B	Panelist C	Total Interview Score
AE3 Partners	85	92	94	271
SANDIS	82	83	93	258
				Total Combined Score
AE3 Partners	199	211	213	623
SANDIS	207	205	215	627

SANDIS is a Small Business Enterprise (SBE) certified by the California Department of General Services; this subcontract will have 100 percent SBE participation.

Specific work will be authorized as needed and shall be compensated on an hourly basis at fixed hourly rates for the seven-year life term of the subcontract. The subcontract direct cost will not exceed \$2,000,000.

RECOMMENDATION:

TJPA staff recommends that the TJPA Board authorize Webcor/Obayashi Joint Venture to execute a Subcontract Agreement for Traffic Control Professional Services with the firm of SANDIS, for seven years and a maximum compensation of \$2,000,000, increasing authorized Direct Costs under Contract No. 08-04-CMGC-000 by \$2,000,000 and the authorized Construction Services Fixed Fee by \$164,000.

ENCLOSURES:

1. Resolution
2. Contract Modification

**TRANSBAY JOINT POWERS AUTHORITY
BOARD OF DIRECTORS**

Resolution No. _____

WHEREAS, On March 12, 2009, the TJPA awarded a contract to Webcor/Obayashi Joint Venture as Construction Manager/General Contractor (“CM/GC”) for the Transbay Transit Center Building and Related Structures (Contract No. 08-04-CMGC-000 (the “Contract”). Under the Contract, the CM/GC must competitively procure Trade Subcontractors. The Contract provides for the incorporation of Trade Packages by amendment to (a) authorize award of a Trade Subcontract, (b) authorize the associated increase in allowable Direct Costs under the Contract (Agreement (Section 00 05 20), ¶5.01), and (c) authorize the CM/GC to charge a Construction Services Fixed Fee invoiced at a rate of 8.2% of Direct Costs; and

WHEREAS, On April 6, 2011, the CM/GC issued Request for Proposals TG05.4R: Traffic Control Professional Services for the entire Transbay Transit Center Program for establishing, coordinating, maintaining and incorporating Trade Subcontract traffic control plans into a global Traffic Control master plan; and

WHEREAS, Under TG05.4R, the Trade Subcontractor will perform all master Traffic Control plan related activities relative to Code and Ordinance compliance for the entire Transbay project; and

WHEREAS, On May 4, 2011, three proposals were received from firms meeting all minimum qualifications in response to the RFP, and a Selection Committee convened to evaluate the proposals for technical merit; and

WHEREAS, Two firms were shortlisted and invited to an interview; and

WHEREAS, The Selection Committee ranked the firm of SANDIS the highest and found that SANDIS is well qualified to perform the scope of services; and

WHEREAS, Based on the Selection Committee’s recommendation, the Webcor/Obayashi Joint Venture has negotiated an agreement with SANDIS to serve as Traffic Control engineering & planning consultant as required for a seven year term and a maximum compensation of \$2,000,000; now, therefore, be it

RESOLVED, That the TJPA Board of Directors authorizes the Webcor/Obayashi Joint Venture to execute a Subcontract Agreement for Traffic Control Professional Services with the firm of SANDIS, for seven years and a maximum compensation of \$2,000,000, increasing authorized Direct Costs under Contract No. 08-04-CMGC-000 by \$2,000,000 and the authorized Construction Services Fixed Fee by \$164,000.

I hereby certify that the foregoing resolution was adopted by the Transbay Joint Powers Authority Board of Directors at its meeting of June 9, 2011.

Secretary, Transbay Joint Powers Authority

AGREEMENT
AMENDMENT NO. 19
BETWEEN
TRANSBAY JOINT POWERS AUTHORITY
AND
WEBCOR/OBAYASHI, J.V.

THIS AMENDMENT for AGREEMENT is entered into as of the _____ day of _____, 2011 by and between the TRANSBAY JOINT POWERS AUTHORITY ("TJPA") and Webcor/Obayashi, J.V. (the "CM/GC"). By this Amendment No. 19 the TJPA and the CM/GC hereby modify the Agreement No. 08-04-CMGC-000 dated March 17, 2009 (the "Agreement"), only to the extent expressly provided in this Amendment No. 19. All other terms and conditions of the Agreement shall remain in full force and effect.

Recitals

A. On March 12, 2009, the TJPA Board awarded the Agreement to the CM/GC to perform pre-construction and construction services for the Transbay Transit Center Building and Related Structures Project (the "Project").

B. As detailed in the Agreement CM/GC is required to procure construction services through the award of Trade Packages, at which time the TJPA shall adjust the value of the Contract Sum to reflect the amount of the awarded Trade Work Subcontract plus the proportionate CM/GC's Construction Services Fixed Fee in accordance with Article 5.01 of the Agreement.

C. The CM/GC issued a Request for Proposals for TG05.4R: Traffic Control Professional Services on April 6, 2011, and received three proposals on May 4, 2011.

D. A selection committee reviewed the proposals for technical merit and determined SANDIS ("Trade Subcontractor") to be the highest-ranked respondent to the RFP and the CM/GC invited the Trade Subcontractor to exclusive negotiations.

E. A Trade Subcontract has been negotiated for a term of seven years and maximum compensation of \$2,000,000.

Terms and Conditions

1. By this Amendment the TJPA authorizes an increase in the CM/GC scope of work and the value of the Contract Sum by \$2,164,000 (Trade Package Direct Costs of \$2,000,000 and CM/GC Fixed Fee, calculated at 8.2 percent of Direct Costs, of \$164,000), and the award of Trade Subcontract No. TG05.4R to SANDIS for performance of TG05.4R: Traffic Control Professional Services.

2. The detailed scope of work and schedule incorporated by this Amendment is provided in the Request for Proposal Documents dated April 6, 2011.

IN WITNESS WHEREOF, the parties hereto have executed this contract Amendment No. 19 on the day first mentioned above.

TRANSBAY JOINT POWERS AUTHORITY

Maria Ayerdi-Kaplan
Executive Director

Transbay Joint Powers Authority
Board of Directors
Resolution No. _____
Adopted: _____
Attest:

Secretary, TJPA Board

Approved as to Form:

TJPA Legal Counsel

By: _____

WEBCOR/OBAYASHI, JOINT VENTURE

Authorized Signature

Printed Name

Title