

**STAFF REPORT FOR CALENDAR ITEM NO.: 14  
FOR THE MEETING OF: June 14, 2012**

**TRANSBAY JOINT POWERS AUTHORITY**

**BRIEF DESCRIPTION:**

Amending Contract No. 08-04-CMGC-000, authorizing Webcor/Obayashi Joint Venture to award a Trade Subcontract to Bay Area Systems and Solutions, Inc. dba Bass Electric as the responsible bidder submitting the lowest responsive bid in the amount of \$168,528 for TG06.2: Grounding System, and thereby increasing authorized Direct Costs under Contract No. 08-04-CMGC-000 (Section 00 05 20 Agreement, paragraph 5.01B), by \$168,528 and increasing the authorized Construction Services Fixed Fee by \$13,819.30.

**SUMMARY:**

- On April 3, 2012 the CM/GC issued a combination Request for Qualifications/Invitation for Bids (RFQ/IFB) for the TG06.2 Grounding System scope of work to be performed as part of the Transbay Transit Center. The package was set aside for 100 percent Small Business Enterprise (SBE) participation. Two qualification packages were received on April 27, 2012, with one contractor determined to be qualified. Additional qualifications were solicited, and one addendum was issued during the bid period to clarify specifications and respond to question from bidders. An additional firm, Bass Electric, submitted a qualification package with a bid. Bids were received on May 17 from:
  - Bay Area Systems and Solutions, Inc. dba Bass Electric
  - Intermountain Electric
- Bass Electric submitted the low bid and thus their qualifications were evaluated. The firm was determined to be qualified.
- The scope of work for the Grounding System consists of electrical materials and embedded electrical system components.
- Staff recommends awarding Trade Subcontract TG06.2 to Bass Electric as the responsible bidder submitting the lowest responsive bid, in the total amount of \$168,528. Said amount includes a base bid with no allowances.
- Bass Electric is a certified DBE in the California Unified Certification Program.. They will be self-performing all the work to meet the 100% SBE participation requirement.
- This Trade Subcontract will be funded by the American Recovery and Reinvestment Act (ARRA) funding granted to the TJPA by the Federal Railroad Administration.

**EXPLANATION:**

Scope of Work

The scope of work is to provide and install all grounding rods, GECs, connections, Ufers and terminations to provide a completely operational, functional, and fully tested grounding system.

Schedule

Installation of the Grounding system shall start prior to construction of the TG03 BSE Trade Subcontractor's concrete slab.

Request for Qualifications/Invitation for Bids

The RFQ/IFB was issued on April 3, 2012. The engineer's estimate for this scope was indicated at \$170,000. Qualifications were received on April 27 from two contractors, one of whom was determined to be qualified and one of whom was not. One addendum was issued during the bidding period to extend the qualification period, clarify specifications, and respond to questions from bidders.

Bids Received

On May 17, 2012, TJPA received and opened two bids, as follows:

<u>Bidder</u>	<u>Bid Amount (No Allowances)</u>
Bass Electric 856 Folsom Street San Francisco, CA 94107	\$168,528
Intermountain Electric 947 Washington Street San Carlos, CA 94070	\$320,126

No bid protests were received. As Bass Electric was determined to be qualified (and is already a subcontractor on the project as the Trade Subcontractor for TG05.2: Temporary Power Skids), CM/GC, TJPA and PMPC staff is satisfied the company possesses the requisite experience to perform the scope of work for this subcontract. Bass Electric complied with the instructions to bidders and submitted all required forms and certifications, including certification that it is signatory to a recognized apprenticeship and/or training program under Chapter 4 of the California Code as certified by the State of California Division of Apprenticeship Standards.

Funding

This Trade Subcontract will be funded by the American Recovery and Reinvestment Act funding granted to the TJPA by the Federal Railroad Administration.

**RECOMMENDATION:**

Staff recommends that the TJPA Board of Directors authorize amending Contract No. 08-04-CMGC-000, authorizing Webcor/Obayashi Joint Venture to award a Trade Subcontract to Bass Electric as the responsible bidder submitting the lowest responsive bid in the amount of \$168,528 for TG06.2 - Grounding System, and thereby increasing authorized Direct Costs under Contract No. 08-04-CMGC-000 (Section 00 05 20 Agreement, paragraph 5.01B), by \$168,528 and increasing the authorized Construction Services Fixed Fee by \$13,819.30.

**ENCLOSURES:**

1. Resolution
2. Contract Amendment

**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), paragraph 5.01), and (c) authorize the CM/GC to charge a Construction Services Fee invoiced at a rate of 8.2% of Direct Costs; and

WHEREAS, On April 3, 2012, the CM/GC advertised for bids for TG06.2 - Grounding System ("TG06.2"), which is part of the Transbay Transit Center Program and which involves below grade work necessary to facilitate construction of the Transbay Transit Center; and

WHEREAS, Under TG06.2, the Trade Subcontractor will perform all work in connection with installation of a complete, functional and tested grounding system; and

WHEREAS, On May 17, 2012, two bids were received and opened publicly; and

WHEREAS, CM/GC and TJPA have determined that Bay Area Systems and Solutions, Inc. dba Bass Electric of San Francisco, California, is the responsible bidder submitting the lowest responsive bid, with a bid of \$168,528; and

WHEREAS, Funds for this contract are available from the American Recovery and Reinvestment Act grant from the Federal Railroad Administration; and

WHEREAS, The time allowed for completion of the work under this contract is 394 calendar days after issuance of the Notice to Proceed; now, therefore, be it

RESOLVED, That the TJPA Board of Directors authorizes Webcor/Obayashi Joint Venture to award a Trade Subcontract to Bass Electric as the responsible bidder submitting the lowest responsive bid in the amount of \$168,528; and be it

FURTHER RESOLVED, That upon award of TG06.2, the Trade Subcontract shall be deemed part of the Contract Documents under Contract No. 08-04-CMGC-000; and be it

FURTHER RESOLVED, That Contract No. 08-04-CMGC-000 is hereby modified to incorporate the authorized amount of Trade Subcontract for TG06.2: Grounding System, by increasing authorized Direct Costs under Contract No. 08-04-CMGC-000 (Section 00 05 20 Agreement, paragraph 5.01B), by \$168,528 and increasing the authorized Construction Services Fixed Fee by \$13,819.30.

I hereby certify that the foregoing resolution was adopted by the Transbay Joint Powers Authority Board of Directors at its meeting of June 14, 2012.

\_\_\_\_\_  
Secretary, Transbay Joint Powers Authority

**AGREEMENT**  
**AMENDMENT NO. 22**  
**BETWEEN**  
**TRANSBAY JOINT POWERS AUTHORITY**  
**AND**  
**WEBCOR/OBAYASHI, J.V.**

THIS AMENDMENT for AGREEMENT is entered into as of the \_\_\_\_\_ day of June, 2012, by and between the TRANSBAY JOINT POWERS AUTHORITY ("TJPA") and Webcor/Obayashi, J.V. (the "CM/GC"). By this Amendment No. 22, 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. 22. All other terms and conditions of the Agreement, as previously amended, 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 Construction Services Fixed Fee in accordance with Article 5.01 of the Agreement.
- C.** The CM/GC issued an Invitation for Bids for TG06.2: Grounding System on April 3, 2012, and received and publicly opened two bids on May 17, 2012.
- D.** Bay Area Systems and Solutions, Inc. dba Bass Electric was the responsible bidder submitting the lowest responsive bid in the amount of \$168,528.

**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 \$182,347.30 (Trade Package Direct Costs of \$168,528 and CM/GC Fixed Fee, calculated at 8.2 percent of Direct Costs, of \$13,819.30), and the award of Trade Subcontract No. TG06.2 to Bass Electric for performance of TG06.2: Grounding System.
- 2.** The detailed scope of work and schedule incorporated by this Amendment is provided in the Invitation for Bid Documents dated April 3, 2012, and one associated Addendum issued on May 9, 2012.

IN WITNESS WHEREOF, the parties hereto have executed this contract Amendment No. 22 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

WEBCOR/OBAYASHI, JOINT VENTURE

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title