

**PUBLIC WORKS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO**

RESOLUTION NO. 2024-0085

WHEREAS, The work performed under the 13th Street Safety Improvement Project (Sourcing ID No. 0000007339) consists of pedestrian and bicyclist improvements, pavement resurfacing, traffic signal and street lighting upgrades, bulbout construction, curb ramp enhancements, drainage work, traffic control improvements and other associated infrastructure work along 13th Street from Valencia Street to Isis Street in San Francisco (together the “Project”); and

WHEREAS, On August 17, 2022 Planning Department issued a determination (“Statutory Determination”) that the proposed 13th Street Safety Project (Case number 2022-005736ENV) is statutorily exempt from the California Environmental Quality Act (CEQA) pursuant to Senate Bill 288 (SB288) and Public Resources Code Section 21080.25; and

WHEREAS, On October 18, 2022, the San Francisco Municipal Transportation Agency (SFMTA) Board of Directors approved Resolution 221018-097 approving the 13th Street Safety Improvement Project, including the 13th Street protected bicycle lanes, sidewalk widening, and no stopping and no parking signage that comprise part of the Project, and adopted CEQA findings (“CEQA Findings”); and

WHEREAS, On October 10, 2022, California Department of Transportation, issued a categorical exclusion determination concluding that the safety improvements on 13th Street from Valencia Street to Folsom Street to be performed under this contract are categorically excluded under the National Environmental Policy Act (“NEPA”); and

WHEREAS, On January 18, 2024, the Planning Department determined the modified 13th Street Safety Project (Case number 2022- 005736ENV) is statutorily exempt from CEQA pursuant to Public Resources Code Section 21080.25 described in the CEQA determination issued August 17, 2022; and

WHEREAS, On February 26, 2024, California Department of Transportation, issued a re-certification of categorical exclusion determination (“NEPA Determination”) concluding that the safety improvements on 13th Street from Valencia Street to Isis Street to be performed under this contract are categorically excluded under the National Environmental Policy Act (“NEPA”); and

WHEREAS, The Project's cost estimate was \$7,900,000.00, and the contract duration is 650 consecutive calendar days; and

WHEREAS, State of California requires state-aided contracts to subcontract with Small Business Enterprises (SBE) and Disabled Veteran Business Enterprises (DVBE) and on June 7, 2024, the California Department of Transportation (Caltrans) approved the SBE and DVBE subcontracting requirements of 25% and 5%, respectively, for this contract; and

WHEREAS, On July 26, 2024, San Francisco Public Works advertised for bids for the Project, and on August 28, 2024, San Francisco Public Works received two (2) bids; and

WHEREAS, Public Works staff and Contract Monitoring Division (CMD) staff reviewed the bids and application of bid subcontracting requirement and determined that NTK Construction, Inc. is the responsive and responsible bidder that submitted the lowest bid; and

WHEREAS, NTK Construction, Inc. committed to 36.36% SBE participation and 1% DVBE participation and was found by the Contract Compliance Officer to have made adequate good faith efforts to meet DVBE goal in its bid submittal and received Contract Compliance Officer's award recommendation; and

WHEREAS, The Public Works Commission has reviewed the CEQA Findings, the Statutory Exemption, and the NEPA Determination, and the preceding documents are on file with the Public Works Commission Affairs Manager, and are incorporated herein by reference; now, therefore, be it

RESOLVED, That this Commission hereby awards the 13th Street Safety Improvement Project (Sourcing ID No. 0000007339) contract to NTK Construction, Inc. in the amount of \$8,976,980.00 with \$897,698.00 for contingency, and with 710 consecutive calendar days with 71 consecutive calendar days of contingency to complete the Project.

I hereby certify that the foregoing resolution was adopted by the Public Works Commission at its meeting of October 17, 2024.



Commission Affairs Manager
Public Works Commission