



Meeting Date: September 11, 2025

To: Public Works Commission

Through: Carla Short, Public Works Director
Scott Anderson, Deputy Director for Project Delivery

From: Joe Chin, Program Manager

Subject: Materials Testing and Special Inspection Services for the 2016 Public Health and Safety Bond Program, Contract ID 1000009258 - Contract Modification No.6

Director's Recommendation: Approve Modification No. 6 to the Materials Testing and Special Inspection Services for the 2016 Public Health and Safety Bond Program, Contract ID 1000009258, with Smith Emery of San Francisco and RES Engineers, Joint Venture to increase the contract duration by 550 calendar days for a new contract duration of 2,937 calendar days and to increase the not-to-exceed contract amount by \$1,000,000 for a new not-to-exceed amount of \$3,000,000.

Contract Background: Public Works issued a Request for Qualification (RFQ) on March 14, 2018 seeking to select a Consultant Team that would provide materials testing and special inspection services (MTSI) to satisfy the requirements of the California Building Code and/or San Francisco Building Code. This contract was structured to provide material testing and special inspection services for all projects/components included under the 2016 Public Health and Safety (PHS) Bond Program. Public Works formally awarded the contract to Smith Emery of San Francisco and RES Engineers, Joint Venture under DPW Order No. 187,725 on September 5, 2018 with a not-to-exceed contract amount of \$2,000,000 and an overall duration of 2,190 calendar days. The notice-to-proceed (NTP) was issued on December 17, 2018.

The PHS program bond project/components that would be utilizing this contract include the following:

- Zuckerberg San Francisco General Hospital (ZSFG), Building 5 Component (over 10 separate projects)
- Community Health Center Component (Southeast, Castro Mission, and Maxine Hall) (three separate projects)
- Ambulance Deployment Facility Project
- Neighborhood Fire Station Component
- Homeless Service Sites Component

The permitted project drawings and specifications and building code requirements typically stipulate the types of structural-related work that will require material testing and special inspection to ensure that the materials and field installation are in compliance with established code standards and requirements and as part of the Authority Having Jurisdiction (AHJ) (i.e. San

Francisco Building Department and Office of Health Planning and Development acceptance of the work. Relevant code standards include the California Building Code, American Concrete Institute (ACI), American Welding Society, Concrete Reinforcing Steel Institute, and American Society for Testing and Materials. Material and inspection test reports provided by the MTSI Team are also essential documentation required as part of the final AHJ approval and sign-off of the project to allow for beneficial occupancy. Examples of scopes of work that will require materials testing and special inspection include but not limited to the following: concrete; bolts installed in concrete; special moment resisting frames; reinforcing steel; post-tensioned tendons; structural welding; high strength bolts; sprayed-on fireproofing; pilings, drilled piers, and caissons; shotcrete; excavation and backfill; structural masonry; shear walls; shoring and underpinning; firestopping; fiber reinforced polymer wrapping system; non-structural system inspection and testing; and non-destructive testing. In addition to the material testing and inspection, Consultant Team will also be required to provide timely review of material testing related submittals and reports to the AHJ.

Reason for Modification: The proposed modification would increase the contract duration by 550 calendar days and the contract amount by \$1,000,000. The time extension and contract amount increase will allow the MTSI Team to continue supporting the PHS bond projects that are currently under construction and to avoid any disruption of the essential and ongoing materials testing and special inspection that are needed through project completion. These services ensure that the quality of work complies with contract and code requirements.

When the MTSI Contract was awarded, Public Works anticipated that all projects utilizing this contract would be completed by the middle of 2025. Since the inception of this contract seven years ago, the MTSI Team has provided materials testing and special inspection services for the following completed projects: (1) Community Health Center projects (Maxine Hall Health Center, Southeast Health Center, and Castro Mission Health Center); (2) Ambulance Deployment Facility Project; (3) Fire Stations 37 and 44; and (4) ZSFG Building 5 Projects (Urgent Care Clinic, 6H Surge Space, the Rehabilitation Department Relocation (Phases 1, 2, and 3), and Roof Replacement). At this point, Public Works is anticipating that only the ZSFG Building 5 component will continue utilizing this contract, which includes the following projects: Seismic Upgrade, Dialysis Relocation, Public Health Laboratory, IT Infrastructure, Family Health Center, and Psychiatric Emergency Services. Public Works anticipates the completion of Building 5 by late 2026.

Contract Details:

Contract Title:	Materials Testing and Special Inspection Services for the 2016 Public Health and Safety Bond Program
Personal Services Contract No. (Required for Professional Services Only):	<ul style="list-style-type: none">• DHRPSC0001742 (Legacy PSC #43604 16/17) (Approved in 2/6/2017)• PSC Modification #1 (Approved in 8/9/2018)
Contract Original Award Amount:	\$2,000,000

Contract Original Duration:	2,190 calendar days
Contractor Name:	Smith Emery of San Francisco and RES Engineers, Joint Venture

Summary of Total Amounts:

	Contract Amount	Contract Duration	Contract Dates
Original Contract Amount:	\$2,000,000.00	2,190 days	12/17/2018 – 12/13/2024
Previous Approved Modifications:	-	198 days	12/14/2018 – 6/30/2025
Proposed Modification:	\$1,000,000.00	Add 550 days	7/1/2025 – 12/31/2026
Total Contract Values, if approved	\$3,000,000.00	2,937 days	12/17/2018 – 12/31/2026

Previously Approved Modifications:

Modification	Amount	Extension (Calendar Days)	Description
#1	\$0	0 days	Update billing rates based on the annual Consumer Price Index (CPI) 3.10% wage and prevailing wage adjustments for selected job classifications and update standard contractual clauses
#2	\$0	0 days	Update billing rates based on the annual Consumer Price Index (CPI) 1.5% wage and prevailing wage adjustments for selected job classifications
#3	\$0	0 days	Update billing rates based on the annual Consumer Price Index (CPI) 4.1% wage and prevailing wage adjustments for selected job classifications
#4	\$0	0 days	Update billing rates based on the annual Consumer Price Index (CPI) 6.3% wage and prevailing wage adjustments for selected job classifications
#5	\$0	198 days	Extend contract duration by 198 calendar days with a revised contract end date of June 30, 2025; update “Appendix D-4, MTSI Contract Billable Rates; and update standard contractual clauses

Contract Funding Sources:	2016 Public Health and Safety GO Bond Program 2020 Health and Recovery GO Bond Program SFGH Foundation Grant Funds
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	General Funds Other Client Funding (TBD)
Compliance Information:	<p>Contract Monitoring Division (CMD) established a Local Business Enterprise (LBE) subcontracting requirement of 20% for this contract.</p> <p>Contractor committed to LBE subconsultant participation of [%] for this contract</p>
Related Commission Actions:	N/A
Additional Information:	N/A
Attachments:	Attachment 1: CMD Approval of Mod #6

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

RESOLUTION NO. _____

WHEREAS, On September 5, 2018, San Francisco Public Works awarded the Materials Testing and Special Inspection Services for the 2016 Public Health and Safety Bond Program, Contract ID 1000009258, to Smith Emery of San Francisco and RES Engineers, Joint Venture; and

WHEREAS, The original contract amount was for a not-to-exceed amount of \$2,000,000, and the original contract duration was 2,190 calendar days; and

WHEREAS, An increase of 198 calendar days to the contract duration was previously approved in Modification #5 for this contract; and

WHEREAS, An increase to the not-to-exceed contract amount by \$1,000,000 is requested for this contract; and

WHEREAS, An increase of 550 calendar days to the contract duration is being requested for this contract; and

WHEREAS, This \$1,000,000 increase to the contract amount and the 550 calendar days increase to the contract duration will still be within the approved Personal Services Contract, DHRPSC0001742 (Legacy PSC #43604 16/17 Modification 1); now, therefore, be it

RESOLVED, That this Commission hereby approves Modification No. 6, a \$1,000,000 increase to the not-to-exceed contract amount, for a new total not-to-exceed amount of \$3,000,000, and an increase of 550 calendar days to the contract duration with a revised total contract duration of 2,937 calendar days, for Materials Testing and Special Inspection Services for the 2016 Public Health and Safety Bond Program, with Smith Emery of San Francisco and RES Engineers, Joint Venture.

I hereby certify that the foregoing resolution was adopted by the Public Works Commission at its meeting of _____.

Commission Affairs Manager
Public Works Commission



MEMORANDUM

Date: September 2, 2025

To: Joe Chin, SF Public Works

CC: Patrick Morrison, Smith-Emery of San Francisco
Ross Esfandiari, RES Engineers Inc.

From: Ivan Oldenkamp, Contract Monitoring Division

Subject: CMD Review: Smith-Emery of San Francisco/RES Engineers JV 2016 Public Health and Safety Bond Material Testing and Special Inspection Services – Amendment #1 (PeopleSoft ID # 1000009258)

The Department of Public Works ("PW") has requested an amendment for the above referenced contract to increase the contract amount by \$1,000,000.00 for a total agreement amount of \$3,000,000.00. Per PW, the scope of work for Amendment No. 1 consists of continuing to provide materials testing and special inspection services at Zuckerberg San Francisco General Hospital.

LBE Subconsulting Participation

The Micro/Small-LBE subconsulting participation requirement established for this contract is 20%. The Micro/Small-LBE subconsulting participation requirement applies to the entire contract including any modifications, change orders and amendments. The Micro/Small-LBE participation reflected on the prime's, Smith-Emery of San Francisco/RES Engineers JV's ("SE/RES JV"), CMD Form 2A at the time of proposal is as follows:

Subcontractor	Scope of Work	Status	LBE Credited Participation
CM Pros	Materials testing & inspection	SF LBE (Small)	15.00%
Dabri, Inc.	Materials testing & inspection	SF LBE (Micro)	5.00%
TOTAL			20.00%

As of August 18, 2025, SE/RES JV invoiced \$1,739,086.16. The Micro/Small-LBE participation achieved by SE/RES JV is as follows:

Subcontractor	Scope of Work	Status	Credited LBE Participation	LBE Participation To-Date (NOT including Amendment No. 1)	
				Invoiced	
CM Pros	Materials testing & inspection	SF LBE (Small)	15.00%	\$0	0.00%

Dabri, Inc.	Materials testing & inspection	SF LBE (Micro)	5.00%	\$0	0.00%
TOTAL			20.00%	\$0	0.00%

SE/RES JV explained that it has reached out to its LBE subconsultants for testing services continuously since the contract was awarded, and the LBEs have not been able to provide the requested services. As recently as August 2025, SE/RES JV had worked with CM Pros to get their special inspector added to the project team through PW's established process. However, the special inspector suddenly decided to pursue other work rather than relocating to San Francisco. As a result, SE/RES JV has not had any LBE participation yet.

SE/RES JV's Projected Micro/Small-LBE Utilization

CMD, PW, and SE/RES JV met on August 22, 2025 to discuss this modification request and the prime's past efforts to get LBE subconsultants working on the project. SE/RES JV stated that they are committed to increasing their LBE subconsultant participation, but they are not confident that their current LBEs will be able to perform. CMD requested that SE/RES JV reach out to other LBE testing firms to find an LBE subconsultant. CMD sent SE/RES JV the list of all LBEs with a current LBE certification in Laboratory Services (Materials Testing) PS047. SE/RES JV is currently in negotiation with Norcon LLC and hopes to bring them onboard the project team.

LBE Joint Venture Partner Participation

The Joint Venture was awarded a 7.5% rating bonus during the proposal evaluation phase for this contract because they listed RES Engineers Inc. ("RES"), the LBE joint venture partner, to perform 40% of the prime level work. To date, RES's portion of the joint venture's work is only 13.60%. RES has stated that the Inspector of Record at ZSFGH has singled out Smith-Emery of San Francisco for more of the work on the contract but they have stated that they can increase their percent of the joint venture's work with this requested amendment.

SE/RES JV is currently failing to meet the 20% LBE subconsulting requirement and the joint venture LBE partner participation as required by San Francisco Administrative Code Chapter 14B. The LBE subconsulting requirement must be met by the end of the contract. Penalties for non-compliance with Chapter 14B may include suspension of other City contracts, debarment, liquidated damages paid to subconsultants of 5% of subcontracts and/or liquidated damages paid to the City in the amount of 25% of the prime's total contract.

Going forward, PW staff and SE/RES JV will obtain CMD approval for each subconsultant addition and LBE substitution according to established procedures. Additionally, in order to ensure compliance with the LBE ordinance and requirements, PW staff and SE/RES JV must notify CMD of any changes to the scope of work. Contingent on the conditions set forth above, CMD approves the subject amendment.

Should you have any questions, please contact Ivan Oldenkamp at ivan.oldenkamp@sfgov.org.