



Meeting Date: July 22, 2024

To: Public Works Commission

Through: Carla Short, Public Works Director
Albert Ko, Deputy Director and City Engineer
Nicolas Huff, Bureau Manager – Street-Use & Mapping

From: Michael Lennon, Manager – Street-Use & Mapping

Subject: General As-Needed Contract (G27) - Sidewalk Inspection and Repair Program (SIRP) – Contract Award

Director’s Recommendation: Approve the proposed resolution adopting findings pursuant to the California Environmental Quality Act (CEQA) regarding the Final Mitigated Negative Declaration issued by the Planning Department on September 17, 2010 (Case No. 2007.138E) (“FMND”) and January 30, 2017 Directive; approve negotiations with the sole bidder, and award Contract General As-Needed 27 Sidewalk Inspection and Repair Program (GAN 27) to LC General Engineering & Construction, Inc. in the amount of \$3,316,774 with a total contract duration of 730 calendar days. The proposed award of the contract is the required Approval Action defined in S.F. Administrative Code Chapter 31.

Contract Background: The Sidewalk Inspection and Repair Program (SIRP) is designed to proactively inspect and repair all sidewalks in San Francisco on a 25-year rolling basis. Sidewalk repairs, and other related work completed as part of the SIRP, are core elements of San Francisco Public Works’s citywide maintenance and repair efforts. The scope of repairs completed as part of SIRP is broad and the intent is to abate all identified deficiencies meeting established criteria for repair within the boundaries of a given SIRP phase, which generally encompass 12 to 16 square blocks. Repairing sidewalk defects and vertical displacement caused by sub-surface root growth and trunk diameter expansion is a central focus of SIRP. However, unlike other Public Works contracts limited to repairing defects associated with city-maintained street trees, the SIRP also identified and repairs defects for which property owners and other entities are responsible. The GAN 27 contract will enable Public Works to resume performing proactive inspections while providing an efficient and cost-effective method for addressing potentially dangerous conditions of public property and allowing for the safe use and enjoyment of public spaces.

On February 7, 2024, San Francisco Public Works solicited Bids in search of Contractors with the necessary qualifications and pricing necessary to perform the specified scope of work for the project, and one (1) bid was received from LC General Engineering & Construction, Inc. (LC General). The project was re-advertised on May 2, 2024, and re-bid on May 15, 2024. LC General was, again, the sole bidder with a bid price of \$3,316,774.00, and the Engineer’s Estimate for the contract was \$3,069,820.00.

San Francisco Administrative Code section 6.23(c)(2) outlines the required procedures when a Public Works project is advertised and only one responsive bid is received from a responsible contractor. When a department receives only one responsive bid from a responsible contractor,

the Director may recommend awarding the contract to the sole bidder provided that the bid price does not exceed the Engineer’s Estimate. If the sole bid does exceed the Engineer’s Estimate, then the Commission may authorize the Director to negotiate with the sole bidder if the Director determines (a) further outreach efforts nor (b) removal or modification of certain contract requirements would result in more than one bid being received at bid prices substantially lower than the bid price received.

Explanation of Request to Approve Contract Negotiation and Contract: Public Works has determined that further outreach and/or scope changes are not likely to result in additional bids being received at substantially lower bid prices for the reasons below:

- Good faith efforts were made to alert the largest number of qualifying contractors of both the initial bid and re-bid opportunities.
- Modification of the scope of work is not advised and would not likely result in additional bidders.
 - Completing concrete replacement, root pruning, tree and hedge trimming, and other abatement work on the streets of San Francisco on a large scale is specialized work. This limits the pool of available contractors as few have the experience, knowledge, and scale necessary to perform the full scope of work.
- The initial Engineer’s Estimate was developed as an approximation of the contract cost based on available information.
 - Prior SIRP Contracts, which were issued pre-pandemic, provided the baseline for cost estimating. Given the age of the previous contracts and inflationary pressures occurring since then, it is likely the Engineer’s Estimate underestimated the cost of performing the scope of work reflected in the contract as of today. Commission authorization will allow the Department to establish a final price for the contract.

Contract Details:

Contract Title:	General As-Needed Contract G27 Sidewalk Inspection and Repair Program (SIRP) (Sourcing ID No. 0000009512)
Engineer’s Estimate:	\$3,069,820.00
Contract Bid:	\$3,316,774.00
Contract Duration:	730 days
Contractor Name:	LC General Engineering & Construction, Inc.

Contract Funding Sources:	General Fund, Tree Maintenance Fund, Special Revenue
Compliance Information:	N/A
Related Commission Actions:	N/A
Additional Information:	N/A

Environmental Determination:	Better Streets Plan Final Mitigated Negative Declaration issued September 17, 2010 (Case No. 2007.1238E), Planning Commission Motion No.18211 adopted October 28, 2010), February 8, 2017 CEQA Determination; Extension of Directive of January 30, 2017 and associated CEQA Determination.
Attachments:	Sourcing ID No. 0000009512 – Tabulation of Bids Resolution

Attachments:

- Attachment 1: Resolution
- Attachment 2: Tabulation of Bids (0000009512)
- Attachment 3: Annual Street Repair Program
- Attachment 4: Better Streets Plan Mitigated Negative Declaration
- Attachment 5: June 2024 Extension of Directive of January 30, 2017

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

RESOLUTION NO. _____

WHEREAS, On July 28, 2010, the Planning Department prepared and published for public review the Draft Mitigated Negative Declaration for the San Francisco Better Streets Plan (Case No. 2007.1238E or “BSP”), which included adoption of a set of citywide streetscape and pedestrian goals, objectives, policies, and design guidelines, as well as future strategies to improve the San Francisco pedestrian realm including sidewalks, crosswalks, and portions of the roadway, and the Draft Mitigated Negative Declaration for the BSP was available for public comment; and,

WHEREAS, On September 17, 2010, the Planning Department adopted the Final Mitigated Negative Declaration (“FMND”) pursuant to the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.) (“CEQA”) and determined the BSP would not have a significant effect on the environment based on the criteria of and Sections 15064 (Determining Significant Effect), 15065 (Mandatory Findings of Significance), and 15070 (Decision to Prepare a Negative Declaration) of the CEQA Guidelines (14 California Code of Regulations Sections 1500 et seq.) and the reasons documented in the FMND; and

WHEREAS, On October 28, 2010, the Planning Commission, in Resolution No. 18211 (“Planning Commission Resolution”), adopted findings under CEQA, the CEQA Guidelines, and Chapter 31 of the Administrative Code (“CEQA Findings”), and adopted a Mitigation Monitoring and Reporting Program associated with the Better Streets Plan; and

WHEREAS, Sidewalk, curb, and other right of way repairs are a core element of San Francisco Public Works’s citywide maintenance and repair efforts, and,

WHEREAS, The GAN 27 Sidewalk Inspection and Repair Program (SIRP) contract will provide an efficient and cost-effective means for reducing potential pedestrian hazards; and,

WHEREAS, On January 3, 2024, Public Works issued an Advertisement for Bids in search of Contractors with the necessary qualifications and pricing to perform the SIRP contract scope of work; and,

WHEREAS, On February 7, 2024, Public Works received one Bid submitted by LC General Engineering & Construction, Inc. in the amount of \$3,316,774.00 which is above the Engineer’s Estimate of \$3,069,820.00 for the contract; and

WHEREAS, On May 2, 2024, Public Works issued an Advertisement for Re-Bid in search of Contractors with the necessary qualifications and pricing to perform the contract scope of work; and,

WHEREAS, On May 15, 2024, Public Works received one Bid submitted by LC General Engineering & Construction, Inc. in the amount of \$3,316,774.00 which is above the Engineer’s Estimate of \$3,069,820.00 for the contract; and

WHEREAS, San Francisco Administrative Code Chapter 6, Section 6.23(c)(2) allows the Commission to authorize the Director to negotiate with the sole bidder if the Director determines further outreach efforts and/or removal or modification of certain contract requirements would result in more than one bid being received at bid prices substantially lower than the bid price received; and,

WHEREAS, San Francisco Public Works has determined that further outreach and/or scope changes are not likely to result in additional bidders at substantially lower bid prices since good faith efforts were made to alert the largest number of qualifying contractors of the Bid Opportunities and modification of the contract scope of work is not advised given the large volume of City sidewalks requiring repair and the intent of the Sidewalk Inspection and Repair Program to make holistic repairs; and,

WHEREAS, On January 30, 2017, the City Engineer issued a directive describing the program of construction activities necessary to maintain City streets and sidewalks in good repair and maintain ADA standards for street facilities as required by law, and an accompanying internal process of mitigation-measure implementation and historic-resource screening; and,

WHEREAS, on February 8, 2017, the San Francisco Planning Department issued a determination (“CEQA Determination”) that the Sidewalk Inspection and Repair Program is within the scope of the FMND and would not require the preparation of a subsequent negative declaration under CEQA Guidelines Sections 15162 and 15168 during the effective dates of February 2027 through June 2022; and,

WHEREAS, on June 6, 2024, the Directive of January 30, 2017 concerning Roadway Resurfacing, As-Needed Sidewalk Repair, and Curb Ramp Programs was extended June 2024 to December 2024; and,

WHEREAS, The Public Works Commission has reviewed the FMND, the Planning Commission Resolution, the CEQA Findings, and the CEQA 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 finds the Sidewalk Inspection and Repair Program would not cause new, significant impacts or a substantial increase in the severity of impacts identified and analyzed in the FMND, no changes have occurred in the BSP since the adoption of the FMND that would cause new, significant impacts or a substantial increase in the severity of impacts identified and analyzed in the FMND, and no new information has emerged that would materially change the analysis or conclusions set forth in the FMND; and that the actions approved herein would not necessitate implementation of additional or considerably different mitigation measures than those identified in the FMND; and be it

FURTHER RESOLVED, That in compliance with Chapter 31 of the San Francisco Administrative Code, this Commission adopts as its own the CEQA Findings and the Planning Department’s determination in the CEQA Determination that there is no substantial evidence that work performed as part of the Sidewalk Inspection and Repair Program could have a significant effect on the environment; and, be it

FURTHER RESOLVED, That this Commission hereby approves the negotiation with the sole bidder, LC General Engineering & Construction, Inc.; and, be it

FURTHER RESOLVED, The San Francisco Public Works Commission approves award of the General As-Needed G 27 Sidewalk Inspection and Repair Program contract to LC General Engineering & Construction, Inc. in the amount of \$3,316,774.00 with a total contract duration of 730 calendar days.

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

Commission Affairs Manager
Public Works Commission