



Meeting Date: October 20, 2023

To: Public Works Commission

Through: Carla Short, Interim Public Works Director
Ronald Alameida, City Architect and Deputy Director for Buildings

From: Teenchee Le, Job Order Contract (JOC) Program Manager

Subject: JOC-J57 General Engineering Services [Micro-LBE Set-Aside] – Contract Award

Director’s Recommendation: Award Job Order Construction contract JOC-J57 General Engineering Services [Micro-LBE Set-Aside] with a not-to-exceed amount of \$5,000,000 for 730 consecutive calendar days to Hernandez Engineering, Inc. \Also, authorize the Director of Public Works to approve future modifications to increase the contract duration by up to 1,095 calendar days, to a new total duration of up to 1,825 calendar days, and to increase the not-to-exceed amount by up to \$2,500,000, for a new total not-to-exceed amount of \$7,500,000.

Contract Background: Work is accomplished by issuing Task Orders during the term of the contract. The scope of work may include repair, alteration, modernization, maintenance, rehabilitation, demolition and construction of infrastructure, rights-of-way, retaining walls, parks, playgrounds, medians and other similar works, structures, or other real property. The work is performed on an “if-and-as-needed” basis in accordance with the San Francisco Administrative Code Section 6.62 requirements. The initial master agreement term is two years and not-to-exceed amount of \$5,000,000. Per San Francisco Administrative Code section 6.62(g), the Contract Term may be extended up to 5 years but no new Task Orders will be issued after the first 4 years. Per San Francisco Administrative Code section 6.62(f) the not-to-exceed amount of the Contract can be increased to 150% of the original contract amount to a not-to-exceed amount of \$7,500,000.

Solicitation Process: The Department advertised the project on May 12, 2023, and received two bids on June 7, 2023. Staff evaluated the low bid proposal from Ground Control Inc. and deemed it non-responsible due to bidder not meeting the minimum experience qualifications. Staff then evaluated bid from Herandez Engineering, Inc. and it was determined that:

1. The bid was deemed responsive by Public Works Contract Administration staff
2. The bidder was deemed responsible by Public Works Project Controls and Services
3. The bid received Contract Monitoring Division’s award recommendation

Contract Details:

Contract Title:	JOC-J57 General Engineering Services [Micro-LBE Set-Aside]

Contract Award Amount:	Initial not-to-exceed amount of \$5,000,000 with the option to increase the not-to-exceed amount by \$2,500,000, resulting in a total not-to-exceed amount of \$7,500,000
Cost Estimate:	N/A, as-needed contract
Contract Funding Sources:	Depends on the task order
Anticipated Project Schedule:	N/A, as-needed contract
Contract Duration:	Initial duration of 730 consecutive calendar days with the option to extend the contract duration by up to 1,095 calendar days, to 1,825 consecutive calendar days
Contractor Name:	Hernandez Engineering, Inc.
Compliance with Chapter 14B Local Business Enterprise Ordinance:	Contract Monitoring Division (CMD) determined that bidder is a certified micro-LBE firm and this solicitation is a Micro-LBE Set-Aside contract
Environmental Determination (if applicable):	N/A, as-needed contract
Other Compliance:	12B Equal Benefits Ordinance Compliant
Additional Information:	N/A
Attachments:	Attachment 1: Resolution Attachment 2: Bid Tabulations Attachment 3: CMD Award Memo Attachment 4: Chapter 6.23 Request to Award

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

RESOLUTION NO. _____

WHEREAS, On May 12, 2023, San Francisco Public Works (Public Works) advertised as-needed Job Order Contracting (JOC) JOC-J57 General Engineering Services [Micro-LBE Set-Aside] contract; and

WHEREAS, The Work is accomplished by issuing Task Orders during the term of the contract. The scope of work may include repair, alteration, modernization, maintenance, rehabilitation, demolition and construction of infrastructure, rights-of-way, retaining walls, parks, playgrounds, medians and other similar works, structures, or other real property; and

WHEREAS, The work is performed on an “if-and-as-needed” basis in accordance with the San Francisco Administrative Code Section 6.62 requirements; and

WHEREAS, The initial not-to-exceed contract amount is \$5,000,000; and

WHEREAS, The initial contract duration is 730 calendar days; and

WHEREAS, On June 7, 2023, Public Works received and opened publicly two bids; and

WHEREAS, Public Works staff and Contract Monitoring Division (CMD) staff reviewed the bids and determined that Hernandez Engineering, Inc. is a responsive and responsible bidder that submitted the lowest responsive bid; and

WHEREAS, The Director recommends the Commission’s approval of the initial not-to-exceed contract amount and the initial contract duration referenced above as well as the Commission’s approval of an increase of up to 1,095 calendar days to the contract duration contingency and an increase of up to \$2,500,000 to the not-to-exceed amount contingency; now, therefore, be it

RESOLVED, That this Commission hereby awards Public Works Construction Contract, JOC-J57 General Engineering Services [Micro-LBE Set-Aside], in the not-to-exceed amount of \$5,000,000 for 730 consecutive calendar days to Hernandez Engineering, Inc.; and be it

FURTHER RESOLVED, That this Commission hereby authorizes the Director to approves an increase of up to 1,095 calendar days to the contract duration contingency and to increase the not-to-exceed amount contingency by up to \$2,500,000.

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

Commission Affairs Manager
Public Works Commission



CONTRACT MONITORING DIVISION OFFICE OF THE CITY ADMINISTRATOR



London N. Breed, Mayor
Carmen Chu, City Administrator

Stephanie Tang, Director

MEMORANDUM

Date: June 27, 2023

To: Ben Washington, Contract Administration, SF Public Works
Robert Loftus, Contract Administration, SF Public Works
Teenchee Le, Project Manager, SF Public Works

From: Ivan Oldenkamp, Contract Monitoring Division

Subject: Sourcing ID: 0000007491 JOC J57 General Engineering Services – CMD
Review Memo

The Contract Monitoring Division (“CMD”) has reviewed the bids submitted for the above referenced master contract, applied the appropriate bid discounts, and determined responsiveness to the Chapter 14B pre-award requirements. Below is a summary of CMD’s review.

Bidder	Status	Award Criteria Figure
Ground Control, Inc.*	SF LBE - MBE (Micro)	1.1655
Hernandez Engineering	SF LBE - MBE (Micro)	1.2645

* SF Public Works determined the bid from Ground Control, Inc. to be non-responsible.

The next lowest responsive bidder is Hernandez Engineering (“Hernandez”). CMD recommends awarding JOC J57 to Hernandez.

As a Micro Set-Aside contract, there is no LBE subcontracting requirement, however Hernandez must self-perform at least 25% of the contract.

Based on the foregoing, CMD has determined that Hernandez has complied with the Chapter 14B pre-award requirements. Should you have any questions, please contact Ivan Oldenkamp at ivan.oldenkamp@sfgov.org



Jun Caranto, PE, Acting Bureau Manager | Project Controls & Services

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Date: August 28, 2023

To: Carla Short, Interim Director of Public Works

From: Teenchee Le, Job Order Contracting (JOC) Manager

RE: Request to Recommend Award of Contract to Sole Responsive Bidder
Sourcing Event ID 000007491
Job Order Contract J57 General Engineering Services
[Micro-LBE Set Aside]

Director Short:

In accordance with Chapter 6, Section 6.23(c)(3) of the San Francisco Administrative Code (SFAC), I am requesting your approval to recommend Award of Contract to the sole responsive bidder for Job Order Contract J57 General Engineering Services (Sourcing Event ID. 000007491).

On May 12, 2023, San Francisco Public Works (Public Works) advertised a formal contract for general engineering construction services via the Job Order Contracting Program. The work on this contract will be accomplished by issuing task orders to the successful contractor during the term of the contract. The scope of work may include repair, alteration, modernization, maintenance, rehabilitation, demolition and construction of infrastructure, rights-of-way, retaining walls, parks, playgrounds, medians and other similar works, structures, or other real property. One responsive bid and one nonresponsive bid were received on June 7, 2023 from Hernandez Engineering Inc. (Hernandez) and Ground Control Inc. (GCI), respectively. GCI did not meet the minimum experience requirements for the contract and therefore, bidder was deemed nonresponsible.

SFAC 6.23(c)(3) "One Responsive Bid Received; Other Nonresponsive Bids Received" states: *If only one Responsive Bid is received from a Responsible Bidder and other, nonresponsive Bids and/or Bids by nonresponsible Bidders are submitted for the same work, the Department Head may recommend the Award of a Contract to the sole Responsive, Responsible Bidder at the bid price received, provided that the bid price does not exceed the engineer's estimate for the work. If the Responsive bid price received exceeds the engineer's estimate, the Department Head shall determine (A) whether the qualifications for Bidders were too onerous and not necessary for the work and/or (B) whether one or more of the nonresponsive Bids could be easily cured and*

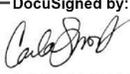
whether the Bidders that submitted such Bids are still interested in bidding on the work. If the Department Head determines that steps (A) and/or (B), above, would likely result in more than one Responsive Bid by Responsible Bidders, at bid prices substantially lower than the bid price received, then the Department Head shall re-bid the work. If the Department Head determines that neither step (A) nor (B), above, would result in more than one Responsive Bid by Responsible Bidders at bid prices substantially lower than the bid price received, then the Department Head, with the approval of the Mayor or the board or commission concerned, as appropriate, may negotiate with the sole Responsible Bidder or any qualified Contractor, or may order the work to be executed by the City. The cost of negotiated work or the cost of work executed by the City shall not exceed any bid price received for the same work.”

This contract is a Job Order Contract (JOC) with no predetermined work. Therefore, no engineer’s estimate was provided. The required qualifications for Bidders were similar to those in previous solicitations of JOC contracts and are necessary to perform the work. SFPW performed outreach via SF City Partner and Public Works websites approximately four weeks prior to the bid opening; a pre-bid meeting was held on May 24, 2023 where several potential bidders attended. Attached is the pre-bid attendance sign-in sheet. Hence, neither steps (A) nor (B) of SFAC 6.23(c)(3) would result in more bids.

Given the above information, Public Works recommends award of contract to the sole responsive bidder.

If you have any questions regarding this matter, please feel free to direct them to Teenchee Le, JOC Program Manager – Teenchee.Le@sfdpw.org.

My determination is to adopt the recommendation above.

DocuSigned by:

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Carla Short
San Francisco Public Works
Acting Director

8/31/2023 | 11:02:38 AM PDT

Date

Attachments: Bid tabulations
Pre-Bid Sign-In Sheet
Ground Control, Inc. Nonresponsible Memo
Hernandez Engineering Bid Package

