



Meeting Date: April 8, 2024

To: Public Works Commission

Through: Carla Short, Public Works Director
Ron Alameida, Deputy Director & City Architect

From: Olivia Lee, Contract Manager

Subject: As-Needed Project Controls and Construction Management Services No. 1, Contract ID 1000024509 – Contract Modification

Director’s Recommendation: Approve Modification No. 2 to As-Needed Project Controls and Construction Management Services No. 1, Contract ID 1000024509 with Design & Construction Management Services (DCMS) to increase the not-to-exceed contract amount by \$1,500,000 for a new not-to-exceed amount of \$4,500,000.

Contract Background: Design & Construction Management Services (DCMS), with its team of sub-consultants, shall provide project controls and construction management services, and other related services on an as-needed basis. Services to be performed include but are not limited to, project scheduling, cost estimating, constructability review, construction inspection, training, public and community relations, public affairs, dispute resolution, report investigations, technical advice, and other related services. Consultant may be required to provide the requested services for an entire project or for a portion of a project or for any project phase.

Reason for Modification: The proposed modification would increase the contract amount by \$1,500,000. The additional contracting capacity will be used to award additional contract service orders under the As-Needed Project Controls and Construction Management Services No. 1 on as-needed basis. These as-needed contract service orders are necessary to support Public Works staff with their workload and to harness the consultant’s specialized services.

Contract Details:

Contract Title:	As-Needed Project Controls and Construction Management Services No. 1
Personal Services Contract No. (Required for Professional Services Only):	The Civil Service Commission approved the original contract on July 19, 2021 (48865-20/21), and the Department of Human Resources approved the increased contract amount on August 24, 2022.
Contract Original Award Amount:	Up to \$3,000,000
Contract Original Duration:	1,825 days

Contractor Name:	Design & Construction Management Services (DCMS)
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Summary of Total Amounts:

	Contract Amount	Contract Duration	Contract Dates
Original Contract Amount:	\$3,000,000.00	1,825 Days	4/7/2022 – 4/6/2027
Previous Approved Modifications:	-	-	-
Proposed Modification:	\$1,500,000.00	0 days	4/7/2022 – 4/6/2027
Total Contract Values:	\$4,500,000.00	1,825 Days	4/7/2022 – 4/6/2027

Previously Approved Modifications:

Modification	Amount	Extension (days)	Description
1	\$0.00	0	Add new job classifications

Contract Funding Sources:	Client funding, depending on the project
Compliance Information:	<p>Public Works Contract Administration staff verified that the Consultant complies with the Equal Benefits Provisions of Chapter 12B of the City’s Administrative Code.</p> <p>Contract Monitoring Division (CMD) established a Local Business Enterprise (LBE) subcontracting requirement of 25% for this contract.</p> <p>Consultant Design & Construction Management Services (DCMS) committed to LBE subconsultant participation of 35% in its proposal.</p>
Related Commission Actions:	N/A
Additional Information:	N/A
Attachments:	<p>Attachment 1: CMD Approval of MA Mod 2</p> <p>Attachment 2: Resolution</p>

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

RESOLUTION NO. _____

WHEREAS, On March 16, 2022, San Francisco Public Works awarded As-Needed Project Controls and Construction Management Services No. 1, Contract ID 1000024509 to Design & Construction Management Services (DCMS) in the amount of \$3,000,000 with a contract duration of 1,825 calendar days; and

WHEREAS, On October 4, 2023, the Public Works Director approved modification no. 1 to add new job classifications; and

WHEREAS, An increase to the not-to-exceed contract amount by \$1,500,000 is requested for As-Needed Project Controls and Construction Management Services No. 1; and

WHEREAS, On August 24, 2022, CSC approved the modification of Professional Service Contract (PSC) 48865-20/21 to increase the contract amount by \$1,500,000; and

WHEREAS, This \$1,500,000 increase to the contract will still be within the approved Personal Services Contract (PSC) amount; now, therefore, be it

RESOLVED, That this Commission hereby approves modification No. 2, an increase to the not-to-exceed contract amount by \$1,500,000, for a new not-to-exceed amount of \$4,500,000, for As-Needed Project Controls and Construction Management Services No. 1, with Design & Construction Management Services (DCMS).

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: February 1, 2024
 To: Olivia Lee, Contract Manager, SF Public works
 From: Ivan Oldenkamp, Contract Compliance Officer, CMD
 Subject: 100024509 As-Needed Project Controls and CM Services Amendment No. 1 – Design and Construction Management Services, Inc.

SF Public Works has requested an amendment for the above referenced contract by increasing the contract amount by \$1,500,000 for a total agreement amount of \$4,500,000. Per the Department, the scope of work for Amendment No. 2 consists of continuing to provide project controls and construction management on an as-needed basis.

LBE Subconsulting Participation

The Micro/Small-LBE subconsulting participation requirement established for this contract is 25%. 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 Proposer’s, Design and Construction Management Services, Inc.’s (“DCMS”), CMD Form 2A at the time of proposal is as follows:

Subcontractor	Scope of Work	Status, Type and Size	LBE Credited Participation
M. DeFreitas Construction and Project Management, LLC (“MDCPM”)	Construction management and project controls	SF LBE-OBE (Micro)	35%
		TOTAL	35%

As of December 21, 2023, DCMS invoiced \$724,169.84. The Micro/Small-LBE participation achieved by DCMS is as follows:

Subcontractor	Scope of Work	Status, Type and Size	Credited LBE Participation	LBE Participation To-Date (NOT including Amendment No. 1)	
				Invoiced	
M. DeFreitas Construction and Project Management, LLC (“MDCPM”)	Construction management and project controls	SF LBE-OBE (Micro)	0%	\$0	0%
TOTAL			0%	\$0	0%

DCMS stated that they have worked to get MDCPM on four CSOs with Public Works since November 2023, but they have not been billed yet so are not reflected in their CMD Form 7. MDCPM was listed at time of proposal to cover Public Works Infrastructure projects which have thus far not been plentiful. In addition, MDCPM has not had staff with the qualifications that match the department's needs. DCMS is confident that they will be able to utilize MDCPM for their entire commitment. DCMS informed the CMD that it anticipates meeting its 35.0% Micro/Small-LBE commitment, as follows:

Subcontractor	Scope of Work	Status, Type and Size	Amount Invoiced To-Date	Projected LBE Participation for entire contract including this Amendment No. 1	
M. DeFreitas Construction and Project Management, LLC ("MDCPM")	Construction management and project controls	SF LBE-OBE (Micro)	\$0	\$1,575,000	35%
TOTAL			\$0	\$1,575,000.00	35%

Going forward, SF Public Works staff and DCMS 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, SF Public Works and DCMS must notify CMD of any changes to the scope of work as well as any changes to information provided to CMD. 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.