

Meeting Date: May 19, 2023

To: Public Works Commission

Through: Carla Short, Interim Public Works Director

Albert Ko, City Engineer and Deputy Director for Public Works

From: Ellen Lai, Public Works Project Manager

Subject: 27 Bryant Transit Reliability Project (MUNI Forward), Contract No.

1000024775 – Contract Modification

Director's Recommendation: Approve an increase of 174 calendar days to the contract duration contingency of 26 calendar days for a revised total of 200 calendar days for the 27 Bryant Transit Reliability Project (MUNI Forward) contract with Bay Area Lightworks, Inc.; and authorize the Director of Public Works to approve future modifications to the contract for a total contract duration of up to 460 consecutive calendar days.

Contract Background: The 27 Bryant Transit Reliability Project (MUNI Forward) consists of pavement renovation, curb ramp construction, sewer and drainage work, environmental work, traffic signal work, traffic control, and all related work along Leavenworth Street from Pine Street to Post Street in San Francisco.

On December 30, 2021, Public Works awarded Bay Area Lightworks, Inc. (Contractor) a construction contract for the 27 Bryant Transit Reliability Project (MUNI Forward) (Project).

On May 6, 2022, the Notice-to-Proceed was issued for construction services and the Contractor was directed to begin construction on June 1, 2022, and would have up to 200 calendar days for substantial completion and up to 60 calendar days for final completion.

Explanation of Requested Change: The Project team has been able to successfully work with the Contractor to mitigate challenges encountered during construction. Due to impacts with utility coordination and unforeseen conditions encountered during construction, the project's contract duration has been impacted by 200 calendar days. The additional contingency reserve requested is due to the following unforeseen condition and unforeseen utility coordination:

Unforeseen Condition - Sutter and Leavenworth

During construction, the Contractor's paving subcontractor damaged the Muni trolley wire (OCS) line while paving the intersection of Sutter and Leavenworth. The project team paused construction work to investigate the OCS incident with Facility Owner, MTA. Both Public Works and the MTA determined that the Contractor failed to abide by its on-site safety procedures and caused a direct strike between paving equipment and the Muni trolley wire (OCS) line.

27 Bryant Transit Reliability Project (MUNI Forward), Contract No. 0000005624 – Approval of Increase to Construction Duration Contingency
Public Works Commission meeting: May19, 2023

The Contractor was required to revise and resubmit its Health and Safety plans to improve work practice procedures near MTA OCS facilities prior to resuming construction.

The project was paused for 59 Calendar Days for incident investigation, safety plan resubmittal, review, and approval.

<u>Unforeseen Utility Coordination - Leavenworth at Bush and Leavenworth at Pine</u>
Water utility relocation work (at three locations) by PUC crews were required as predecessor work coordinated during construction to complete contract surface improvements (bus passenger bulb-outs, curb ramps, sidewalks, street base, and final asphalt paving).

Water facility relocation (coordination and work) required an extensive amount of time beyond the typical standard timeframe of 15 calendar days.

Coordination with PUC crews resulted in 110 calendar days for completion of relocation work which impacted the Contractors ability to proceed with its contract surface work.

Unforeseen Utility Coordination - Leavenworth at Pine

The project encountered an unforeseen utility conflict with a new storm sewer catch basin and a deactivated and abandoned PG&E gas line. The project team coordinated with PG&E to verify if the facility is safe to remove. While time delays due to this added coordination were concurrent with the delays detailed above, ongoing coordination work with PG&E impacted the contractor's ability to proceed with contract surface work at this location. PG&E resolved this conflict on March 31, 2023.

Staff proposes to increase the contract duration by 174 non-compensable consecutive calendar days for a revised total contract duration contingency of 200 calendar to address unforeseen utility impacts and utility coordination.

Contract Details:

Contract Title:	27 Bryant Transit Reliability Project (MUNI Forward)
Contract Original Award Amount:	\$1,699,805.00
Contract Original Duration:	260 days
Contractor Name:	Bay Area Lightworks, Inc.

Summary of Contract Value:

Contract Cost Amount	Amounts
Original Contract Amount:	\$1,699,805.00
Original 10% Cost Contingency:	\$169,980.50
Requested Additional Cost Contingency:	-
(Unchanged) Total Contract Cost Limit:	\$1,869,785.50

Contract Duration	Days
Original Contract Duration (Substantial &	260
Final Completion):	
Original 10% Duration Contingency:	26
Requested Additional Duration Contingency:	174
Total Revised Contract Duration Limit:	460

Contract Funding Sources:	MTA Transit Funds, Public Works Paving Program General Fund
Compliance Information:	14B Local Business Enterprise and Non-Discrimination Ordinance
Environmental Determination (if applicable):	The activities encompassed under the proposed contract modification were determined to be Categorically Exempt (Class 1, Existing Facilities) in accordance with the Planning Department's written determination dated March 8, 2019 (Planning Department Case No. 2019-001882ENV)
Related Commission Actions:	N/A
Additional Information:	N/A
Attachments:	Attachment 1: Commission Resolution Attachment 2: CEQA Exemption Determination (Case No. 2019-001882ENV)

PUBLIC WORKS COMMISSION CITY AND COUNTY OF SAN FRANCISCO

RESOLUTION NO.
WHEREAS, On December 30, 2021, San Francisco Public Works awarded Contract No. 1000024775 under DPW Order No 205,906 for the 27 Bryant Transit Reliability Project (MUNI Forward) to Bay Area Lightworks, Inc. in the amount of \$1,699,805.00 with a contract duration of 260 calendar days; and
WHEREAS, On January 24, 2019, the San Francisco Municipal Transportation Agency Board of Directors approved the transit bulbs installation, upgrade signals, and traffic modifications associated with the 27 Bryant Transit Reliability Project (MUNI Forward); and
WHEREAS, On March 8, 2019, the San Francisco Planning Department issued a CEQA Categorical Exemption Determination (Case No. 2019-001882ENV or "CEQA Determination") finding that the project is exempt from the California Environmental Quality Act ("CEQA") under the Class 1 categorical exemption (CEQA Guidelines Section 15301); and
WHEREAS, An increase of 174 calendar days to the original contract duration is requested for the Bryant Transit Reliability Project (MUNI Forward); and
WHEREAS, The duration modification approved by this action would cover the longer construction duration impacts due to required utility coordination and unforeseen conditions encountered during construction; now, therefore, be it
RESOLVED, That this Commission hereby approves an increase of 174 calendar days to the original contract duration contingency of 26 calendar days for the 27 Bryant Transit Reliability Project (MUNI Forward) contract with Bay Area Lightworks, Inc.; and be it
FURTHER RESOLVED, That this Commission hereby authorizes the Director of Public Works to approve future modifications to the contract for a total contract duration of up to 460 consecutive 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

CEQA Categorical Exemption Determination

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address			Block/Lot(s)	
SFMTA - 27 Bryant Transit Reliability Project		nsit Reliability Project	N/A	
Case No.			Permit No.	
2019-001882ENV			N/A	
Ac	ldition/	Demolition (requires HRE for	New	
Al	teration	Category B Building)	Construction	
The S stop I direct opera would The p transi outbo more Jones There	Project description for Planning Department approval. The San Francisco Municipal Transportation Agency proposes to install transit bulbs, upgrade traffic signals, implement stop stop removals and relocations, and realign a segment of the current routing of the 27 Bryant Muni bus line in the outbound direction through the 27 Bryant Transit Reliability Project to improve the reliability of the line and promote safer transit operations. The project would also include sidewalk extensions (bulb outs) at intersection corners and signal changes that would improve pedestrian visibility in the Tenderloin and Nob Hill neighborhoods. The project primarily consists of a realignment to a segment of the current 27 Muni Bus route, which would make it safer for transit operations by reducing four required turns to two intersections near the route's approach to Market Street. In the outbound direction instead of turning left on O'Farrell Street from Jones Street, the 27 Bryant would continue south for two more blocks on Jones Street and turn left on Eddy Street. It would stop at the existing 31 Balboa bus stop on Eddy Street at Jones Street and then continue three more blocks to serve the outbound Cyril Magnin (5th Street) stop at Market Street. There is no realignment proposed for the inbound direction. No changes are proposed to the existing number and direction of travel lanes on the current 27 Bryant route. The proposed stop changes would not affect the current operations of other Muni bus routes including the 31 Balboa and the 38/38R Geary Rapid. CONTINUED ON PAGE 5			
STEP 1: EXEMPTION CLASS *Note: If neither class applies, an Environmental Evaluation Application is required.*				
	Class 1 - Existing Facilities. Interior and exterior alterations; additions under 10,000 sq. ft.			
	Class 3 - New Construction. Up to three new single-family residences or six dwelling units in one building; commercial/office structures; utility extensions; change of use under 10,000 sq. ft. if principally permitted or with a CU.			
	10,000 sq. ft. and meets the conditions described below: (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations. (b) The proposed development occurs within city limits on a project site of no more than 5 acres substantially surrounded by urban uses. (c) The project site has no value as habitat for endangered rare or threatened species. (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality. (e) The site can be adequately served by all required utilities and public services. FOR ENVIRONMENTAL PLANNING USE ONLY			
	Class			

STEP 2: CEQA IMPACTS

TO BE COMPLETED BY PROJECT PLANNER

If any box is checked below, an Environmental Evaluation Application is required.		
	Air Quality: Would the project add new sensitive receptors (specifically, schools, day care facilities, hospitals, residential dwellings, and senior-care facilities within an Air Pollution Exposure Zone? Does the project have the potential to emit substantial pollutant concentrations (e.g., backup diesel generators, heavy industry, diesel trucks, etc.)? (refer to EP_ArcMap > CEQA Catex Determination Layers > Air Pollution Exposure Zone)	
	Hazardous Materials: If the project site is located on the Maher map or is suspected of containing hazardous materials (based on a previous use such as gas station, auto repair, dry cleaners, or heavy manufacturing, or a site with underground storage tanks): Would the project involve 50 cubic yards or more of soil disturbance - or a change of use from industrial to residential? If yes, this box must be checked and the project applicant must submit an Environmental Application with a Phase I Environmental Site Assessment. Exceptions: do not check box if the applicant presents documentation of enrollment in the San Francisco Department of Public Health (DPH) Maher program, a DPH waiver from the Maher program, or other documentation from Environmental Planning staff that hazardous material effects would be less than significant (refer to EP_ArcMap > Maher layer).	
	Transportation: Does the project create six (6) or more net new parking spaces or residential units? Does the project have the potential to adversely affect transit, pedestrian and/or bicycle safety (hazards) or the adequacy of nearby transit, pedestrian and/or bicycle facilities?	
	Archeological Resources: Would the project result in soil disturbance/modification greater than two (2) feet below grade in an archeological sensitive area or eight (8) feet in a non-archeological sensitive area? (refer to EP_ArcMap > CEQA Catex Determination Layers > Archeological Sensitive Area)	
	Subdivision/Lot Line Adjustment: Does the project site involve a subdivision or lot line adjustment on a lot with a slope average of 20% or more? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography)	
	Slope = or > 20%: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography) If box is checked, a geotechnical report is required.	
	Seismic: Landslide Zone: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) If box is checked, a geotechnical report is required.	
	Seismic: Liquefaction Zone: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) If box is checked, a geotechnical report will likely be required.	
If no boxes are checked above, GO TO STEP 3. If one or more boxes are checked above, an Environmental Evaluation Application is required, unless reviewed by an Environmental Planner.		
Comments and Planner Signature (optional): The project meets the criteria for a Class 1 categorical exemption, for existing facilities as minor alterations to existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities. The March 7, 2019 SFMTA – 27 Bryant Transit Reliability Project memorandum (evaluation memorandum) on file in Planning Department case 2019-001882ENV provides an evaluation of the project's effects on transportation topics under CEQA. Planning Department has reviewed SFMTA's analysis and concurs with the assessment. On February 19, 2019 Planning Department Archeology Staff determined that the proposed excavation and soils disturbance related to construction activities would have no effect on archaeological resources. CONTINUED ON PAGE 5		

STEP 3: PROPERTY STATUS - HISTORIC RESOURCE TO BE COMPLETED BY PROJECT PLANNER PROPERTY IS ONE OF THE FOLLOWING: (refer to Parcel Information Map) Category A: Known Historical Resource. GO TO STEP 5. Category B: Potential Historical Resource (over 45 years of age). GO TO STEP 4. Category C: Not a Historical Resource or Not Age Eligible (under 45 years of age). GO TO STEP 6. STEP 4: PROPOSED WORK CHECKLIST TO BE COMPLETED BY PROJECT PLANNER Check all that apply to the project. 1. Change of use and new construction. Tenant improvements not included. 2. Regular maintenance or repair to correct or repair deterioration, decay, or damage to building. 3. Window replacement that meets the Department's Window Replacement Standards. Does not include storefront window alterations. 4. Garage work. A new opening that meets the Guidelines for Adding Garages and Curb Cuts, and/or replacement of a garage door in an existing opening that meets the Residential Design Guidelines. 5. Deck, terrace construction, or fences not visible from any immediately adjacent public right-of-way. 6. Mechanical equipment installation that is not visible from any immediately adjacent public right-of-way. 7. Dormer installation that meets the requirements for exemption from public notification under Zoning Administrator Bulletin No. 3: Dormer Windows 8. Addition(s) that are not visible from any immediately adjacent public right-of-way for 150 feet in each direction; does not extend vertically beyond the floor level of the top story of the structure or is only a П single story in height; does not have a footprint that is more than 50% larger than that of the original building; and does not cause the removal of architectural significant roofing features. Note: Project Planner must check box below before proceeding. Project is not listed. GO TO STEP 5. Project does not conform to the scopes of work. GO TO STEP 5. Project involves four or more work descriptions. GO TO STEP 5. Project involves less than four work descriptions. GO TO STEP 6. STEP 5: CEQA IMPACTS - ADVANCED HISTORICAL REVIEW TO BE COMPLETED BY PROJECT PLANNER Check all that apply to the project. 1. Project involves a known historical resource (CEQA Category A) as determined by Step 3 and conforms entirely to proposed work checklist in Step 4. 2. Interior alterations to publicly accessible spaces. 3. Window replacement of original/historic windows that are not "in-kind" but are consistent with existing historic character. 4. Façade/storefront alterations that do not remove, alter, or obscure character-defining features.

5. Raising the building in a manner that does not remove, alter, or obscure character-defining

6. Restoration based upon documented evidence of a building's historic condition, such as historic

中文詢問請電: 415.575.9010

photographs, plans, physical evidence, or similar buildings.

features.

	7. Addition(s) , including mechanical equipment that are minimally visible from a public right-of-way and meet the <i>Secretary of the Interior's Standards for Rehabilitation</i> .		
	8. Other work consistent with the Secretary of the Interior Stand Properties (specify or add comments):	lards for the Treatment of Historic	
	Other work that would not materially impair a historic district (s	specify or add comments):	
	(Requires approval by Senior Preservation Planner/Preservation	Coordinator)	
	10. Reclassification of property status . (Requires approval by S	Senior Preservation	
	Reclassify to Category A Reclass	sify to Category C	
	a. Per HRER dated (attach HRE	ER)	
	b. Other (specify):		
	Note: If ANY box in STEP 5 above is checked, a Preservation Planner MUST check one box below.		
	Further environmental review required. Based on the information provided, the project requires an Environmental Evaluation Application to be submitted. GO TO STEP 6.		
	Project can proceed with categorical exemption review. The project has been reviewed by the Preservation Planner and can proceed with categorical exemption review. GO TO STEP 6.		
Comm	ents (<i>optional</i>):		
l			
Preser	vation Planner Signature:		
STE	Property of the Planner Signature: EP 6: CATEGORICAL EXEMPTION DETERMINATION BE COMPLETED BY PROJECT PLANNER		
STE	EP 6: CATEGORICAL EXEMPTION DETERMINATION BE COMPLETED BY PROJECT PLANNER Further environmental review required. Proposed project does	not meet scopes of work in either	
STE	EP 6: CATEGORICAL EXEMPTION DETERMINATION BE COMPLETED BY PROJECT PLANNER Further environmental review required. Proposed project does (check all that apply): Step 2 - CEQA Impacts	not meet scopes of work in either	
STE	EP 6: CATEGORICAL EXEMPTION DETERMINATION BE COMPLETED BY PROJECT PLANNER Further environmental review required. Proposed project does (check all that apply): Step 2 - CEQA Impacts Step 5 - Advanced Historical Review	not meet scopes of work in either	
STE	EP 6: CATEGORICAL EXEMPTION DETERMINATION BE COMPLETED BY PROJECT PLANNER Further environmental review required. Proposed project does (check all that apply): Step 2 - CEQA Impacts		
STE	EP 6: CATEGORICAL EXEMPTION DETERMINATION BE COMPLETED BY PROJECT PLANNER Further environmental review required. Proposed project does (check all that apply): Step 2 - CEQA Impacts Step 5 - Advanced Historical Review STOP! Must file an Environmental Evaluation Application.	tegorically exempt under CEQA.	
STE	EP 6: CATEGORICAL EXEMPTION DETERMINATION BE COMPLETED BY PROJECT PLANNER Further environmental review required. Proposed project does (check all that apply): Step 2 - CEQA Impacts Step 5 - Advanced Historical Review STOP! Must file an Environmental Evaluation Application. No further environmental review is required. The project is call there are no unusual circumstances that would result in a real	tegorically exempt under CEQA.	
STE	EP 6: CATEGORICAL EXEMPTION DETERMINATION BE COMPLETED BY PROJECT PLANNER Further environmental review required. Proposed project does (check all that apply): Step 2 - CEQA Impacts Step 5 - Advanced Historical Review STOP! Must file an Environmental Evaluation Application. No further environmental review is required. The project is car There are no unusual circumstances that would result in a rea effect. Project Approval Action:	tegorically exempt under CEQA. sonable possibility of a significant Signature:	

Full Project Description (Continued from Page 1)

In addition, 8 transit bulbs and 2 pedestrian bulbs would be constructed to improve pedestrian safety. The proposed project would not remove any commercial or passenger loading zones. The relocation of an existing commercial loading zone and existing passenger loading zones is proposed, however the relocated zones would be installed along the same block or on nearby intersecting streets. Other project components include the installation of new signage, new transit signal heads, relocation of an existing street light at Essex Street, installation of curb ramps, changes to railing at an existing median on Essex and Folsom streets.

The March 7, 2019 SFMTA - 27 Bryant Transit Reliability Project Memorandum (evaluation memorandum) on file in Planning Department case 2019-001882ENV provides further details on the proposed project.

CEQA Impacts Continued

The project meets the criteria for a Class 1 categorical exemption, for existing facilities as minor alterations to existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities. The March 7, 2019 SFMTA – 27 Bryant Transit Reliability Project memorandum (evaluation memorandum) on file in Planning Department case 2019-001882ENV provides an evaluation of the project's effects on transportation topics under CEQA. Planning Department has reviewed SFMTA's analysis and concurs with the assessment.

The project is a transit re-route project that would improve transit travel through the area and would include elements that would facilitate safer transit connections by relocating stops to areas with other transit service. As articulated in the evaluation memorandum, the project would not remove any existing travel lanes and would not substantially alter travel patterns for vehicles and bicycles within the project vicinity. The project would relocate transit bus service to a nearby street which also has an existing bus service in operation, while this would slightly alter travel patterns near the affected intersections, but not such that hazardous conditions to pedestrian, bicyclists, or transit would result.

The project would not affect other transit routes operating within the vicinity nor would there be a transit delay impact to nearby transit routes. The project would not include the removal of any existing commercial or passenger loading spaces. The project may include the excavation of approximately 10-12 feet below existing ground surface. Preliminary archaeological review was conducted on February 19, 2019. There would be no significant archaeological effects.

There are no exceptions as described in CEQA Guidelines section 15300.2 Exceptions that would prevent the project from being exempt under CEQA as follows. The project would not affect a scenic highway or historical resource. The project site is not located on a site included on a list compiled pursuant to section 65962.5 of the California Government Code. The project would not result in a significant effect due to unusual circumstances.

During construction of the project by San Francisco Public Works, the project would be subject to the implementation of Public Works Standard Archeological Measure I (Discovery during Construction), and implementation of Standard Archeological Measures II (Monitoring) and/or III (Testing/ Data Recovery) in the event of a discovery during construction. As described in the evaluation memorandum, due to the scope and nature of the project, the project in combination with other reasonably foreseeable project would not result in a significant cumulative impact.

STEP 7: MODIFICATION OF A CEQA EXEMPT PROJECT

TO BE COMPLETED BY PROJECT PLANNER

In accordance with Chapter 31 of the San Francisco Administrative Code, when a California Environmental Quality Act (CEQA) exempt project changes after the Approval Action and requires a subsequent approval, the Environmental Review Officer (or his or her designee) must determine whether the proposed change constitutes a substantial modification of that project. This checklist shall be used to determine whether the proposed changes to the approved project would constitute a "substantial modification" and, therefore, be subject to additional environmental review pursuant to CEQA.

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address (If different than front page)			Block/Lot(s) (If different than front page)	
SFMTA - 27 Bryant Transit Reliability Project			I	
Case	No.	Previous Building Permit No.	New Building Permit No.	
2019-001882PRJ				
Plans	s Dated	Previous Approval Action	New Approval Action	
	Modified Project Description:			
		CONSTITUTES SUBSTANTIAL MODIF		
	ompared to the approved project, would the modified project:			
H	Result in expansion of the building envelope, as defined in the Planning Code; Result in the change of use that would require public notice under Planning Code			
	Sections 311 or 312;			
	Result in demolition as defined under Planning Code Section 317 or 19005(f)?			
	Is any information being presented that was not known and could not have been known at the time of the original determination, that shows the originally approved project may no longer qualify for the exemption?			
If at I	east one of the above boxes is	checked, further environmental review	is required.	
DETERMINATION OF NO SUBSTANTIAL MODIFICATION				
	The proposed modification would not result in any of the above changes.			
If this box is checked, the proposed modifications are categorically exempt under CEQA, in accordance with prior project approval and no additional environmental review is required. This determination shall be posted on the Planning Department website and office and mailed to the applicant, City approving entities, and anyone requesting written notice.				
Plan	ner Name:	Date:		