

Commission on Community Investment and Infrastructure

RESOLUTION NO. 40-2013

Adopted August 6, 2013

APPROVING THE AWARD OF CONTRACT NO. HPS 01-13 TO RODAN BUILDERS, INC., A CALIFORNIA CORPORATION, AS THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER, FOR AN AMOUNT NOT TO EXCEED \$69,875, PLUS A CONTINGENCY OF \$6,000, FOR A TOTAL AGGREGATE AMOUNT NOT TO EXCEED \$75,875 FOR CONSTRUCTION OF SITE REPAIRS AT 451 GALVEZ AVENUE ON THE HUNTERS POINT SHIPYARD AND AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE THE CONTRACT; HUNTERS POINT SHIPYARD REDEVELOPMENT PROJECT AREA

WHEREAS, A car accident occurred at the Office of Community Investment and Infrastructure's ("OCII's") property at 451 Galvez Avenue, in the Hunters Point Shipyard. The property damage to the electrical system has rendered the building unusable. There are other damages to pavements and landscaping. Repairs to the property are needed in order to restore the property to its prior condition (the "Site Repairs"). The party causing the accident has accepted responsibility (the "responsible party") for the damages and its insurance carrier has opened a claim for this incident; and,

WHEREAS, As required under the state Public Contract Code, a contract for the repairs is required to be competitively bid and let to the lowest responsible bidder; and,

WHEREAS, OCII staff prepared the bid documents and advertised the project for outreach with the San Francisco Examiner, posted on the City's and OCII's contracting opportunities website, and sent electronic mail invitations to Small Business Enterprise, Minority Business Enterprise, and Women-owned Business Enterprise firms to participate in the bid; and,

WHEREAS, On July 12, 2013, the OCII received four submittals in response to the bid solicitation. The names of the bidders and the bid amounts are below in ascending order:

1. Rodan Builders, Inc.\$69,875.00
2. Plazo Construction.....\$73,900.00
3. Oliver Transbay\$84,154.43
4. Empire Engineering & Const.....\$85,000.00; and,

WHEREAS, Consistent with the OCII procurement policies, OCII staff determined that Rodan Builders, Inc. provided the lowest responsible bid in the amount of \$69,875. Additionally, staff recommends authorizing a \$6,000 contingency budget for repairs, in the event other damages not currently included in the contract are required; and,

WHEREAS, The contract with Rodan Builders, Inc. is an enforceable obligation as defined in California Health and Safety Code Section 34171. The contract is for an operation necessary to maintain an OCII asset prior to disposition. The expense for the repairs is approved on line HPSY 66 of the Recognized Obligation Payment Schedule for July to December 2013 (the "ROPS"), which was approved by the Oversight Board and the Department of Finance. The expense was listed in the

ROPS when it was assumed that the original builder of the property at 451 Galvez Avenue would make the repairs. However, since it was later determined that the repairs must be separately bid under the Public Contracting Code, the "Payee" identified in the ROPS has changed, though the approved cost cap, scope of work and underlying enforceable obligation in the ROPS is unaffected by the change and remains the same; and,

WHEREAS, A copy of the construction contract with Rodan Builders, Inc. is on file with the Secretary of the Commission (the "Contract") and is fully incorporated herein; and,

WHEREAS, The OCII's expenses under the Contract are reimbursable by the responsible party's insurance carrier; now, therefore, be it

RESOLVED, That the Commission on Community Investment and Infrastructure finds that:

The construction contract with Rodan Builders, Inc. provides for site repairs at 451 Galvez Avenue, including replacement of existing facilities. These construction activities are categorically exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Sections 15301(d). The construction activities would not directly cause any change in the physical environment; and, be it further

RESOLVED, That the Commission on Community Investment and Infrastructure hereby approves the award of a construction Contract No. HPS-01-13 to Rodan Builders, Inc., as the lowest responsive and responsible bidder, for an amount not to exceed \$69,875, plus a contingency of \$6,000, for a total aggregate amount not to exceed \$75,875 for construction of Site Repairs at 451 Galvez Avenue on the Hunters Point Shipyard and authorizes the Executive Director to execute a contract with Rodan Builders, Inc. for the Site Repairs substantially in the form of the Contract lodged with the Secretary of the Commission; and, be it further

RESOLVED, That the Commission on Community Investment and Infrastructure hereby authorizes the Executive Director to enter into any and all ancillary documents or take any additional actions necessary to enter into the Contract.

I hereby certify that the foregoing resolution was adopted by the Commission at its meeting of August 6, 2013.

Natasha Jones

Commission Secretary