

CITY AND COUNTY OF SAN FRANCISCO

**CONTRACT ORDER**

CONTRACT WITH:

**PGH WONG & PARTNERS JV**

**182 2<sup>ND</sup> STREET, SUITE 500**  
**SAN FRANCISCO, CA 95105**

Original

Modification - Increase

- Decrease

Other

Department: 27 Airport Commission		Controller No.: 0000159674 & 0000320412 0000378083
*	Department Contact: KRIS OPBROEK	Tel. No: (650) 821-5316
PS Contract No. 1000009229		Date: 11/09/2020 Page <u>1</u> of <u>1</u>
Category Code 95877	Supplier No. 0000029434	Job No. CT 10072.41
Period Covered: 3/13/2018 – 3/12/2022		Amount: \$619,000.00

**FOR THE PURPOSE OF: MODIFICATION NO. 5 FOR CT10072.41 - PROGRAM MANAGEMENT SUPPORT SERVICES (PMSS) FOR THE COURTYARD 3 CONNECTOR PROJECT**

TO PROVIDE OVERALL MANAGEMENT EXPERTISE AND OVERSIGHT OF THE COURTYARD 3 CONNECTOR PROJECT FOR A TOTAL NOT TO EXCEED AMOUNT OF \$9,750,000. MODIFICATION NO. 5 INCREASE THE CONTRACT AMOUNT BY \$7,500,000 FOR A NEW TOTAL NOT TO EXCEED AMOUNT OF \$17,250,000.

PSC 47501-16/17 APPROVED AMOUNT: \$280,000,000  
 PSC FORM 2 (7/1/2017 - 06/30/2020) : \$17,250,000

PREVIOUS ENCUMBRANCE:	\$ 2,882,900.00	(0000159674)
PREVIOUS ENCUMBRANCE	2,086,100.00	(0000320412)
PREVIOUS ENCUMBRANCE	4,781,000.00	(0000378083)
<b>THIS ENCUMBRANCE:</b>	<b>619,000.00</b>	<b>(0000378083)</b>
TOTAL ENCUMBRANCE:	\$10,369,000.00	

**CONTRACT PERIOD:** 03/18/2018-03/12/2022

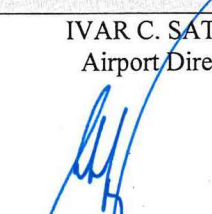
**CONTRACT AWARD:** \$3,250,000 PER COMMISSION RESOLUTION NO. 17-0321.  
 \$5,000,000 PER COMMISSION RESOLUTION NO. 19-0030.  
 \$1,500,000 PER COMMISSION RESOLUTION NO. 20-0028  
 \$7,500,000 PER COMMISSION RESOLUTION NO. 20-0029

Insurance Required	PGH Wong	Avila & Ass.
Worker's Comp.	09/01/2021	02/20/2021
Comp. Gen. Liab.	12/18/2020	02/20/2021
Automobile	12/18/2020	02/20/2021
Umbrella	12/18/2020	02/20/2021
Professional Liab.	12/15/2020	02/20/2021

Mail Invoice to:  
 Kris Opbroek – Planning, Design & Construction

San Francisco Airport Commission  
 P.O. Box 8097  
 San Francisco, CA 94128

**RECOMMENDED AND APPROVED**

By: 	IVAR C. SATERO Airport Director	Chief Administrative Officer, Board of Supervisor	Materials, Supplies & Services Purchaser Real Property Leases & Rents Director of Property	Certification Date:  NOV 09 2020
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Ln.	Document	Amount	Account	Fund	Dept	Authority	Project	Activity
1	0000378083	\$619,000.00	527990	18521	109722	19698	10004227	0033

**City and County of San Francisco  
Airport Commission  
P.O. Box 8097  
San Francisco, California 94128**

**Modification No. 5**

**Contract No. 10072.41  
Project Management Support Services for  
the Courtyard 3 Connector Project**

THIS MODIFICATION (this "Modification") is made effective as of July 3, 2020, in San Francisco, California, by and between **PGH Wong & Partners JV**, a joint venture between PGH Wong Engineering, Inc. and Avila and Associates Consulting Engineers, Inc. ("Contractor"), and the City and County of San Francisco, a municipal corporation ("City"), acting by and through its Airport Commission, hereinafter referred to as "**Commission.**"

RECITALS

- A. City and Contractor have entered into the Agreement for the San Francisco International Airport (the "Airport" or "SFO") (as defined below); and
- B. The Commission is authorized to enter into all contracts which relate to matters under its jurisdiction; and
- C. On December 19, 2017, by Resolution No. 17-0321, the Commission awarded this Agreement to the Contractor for an amount not to exceed \$3,250,000 for the first year of services; and
- D. On September 1, 2018, City and Contractor administratively modified the Agreement to update the Contractor's overhead rates through Modification No. 1; and
- E. On February 19, 2019, by Resolution No. 19-0030, the Commission approved Modification No. 2 to increase the contract amount by \$5,000,000, for a new not-to-exceed amount of \$8,250,000, to extend the term of the contract through March 12, 2020; and
- F. On August 1, 2019, City and Contractor administratively modified the Agreement to amend Appendix B, Calculation of Charges and to update the direct labor rates through Modification No. 3; and
- G. On November 5, 2019, by Resolution No. 19-0273, the Commission approved Modification No. 4 to increase the contract amount by \$9,000,000, for a new total not-to-exceed amount of \$17,250,000, to extend the term of the contract for services through June 30, 2022, and to seek Board of Supervisors approval of Modification No. 4; and
- H. After the Commission adopted Resolution No. 19-0273, PGH Wong & Partners JV informed the Airport that CFWright Consulting, LLC had resigned from the joint venture, and therefore, Staff neither executed nor sought Board of Supervisors approval of Modification No. 4; and
- I. On February 18, 2020, by Resolution No. 20-0028, the Commission approved a revised Modification No. 4 to increase the contract amount by \$1,500,000, for a new total not-to-exceed amount of \$9,750,000 and to extend the term of the contract for services through June 30, 2022, and to recognize

CFWright Consulting, LLC withdrawal as a member of the joint venture that is the Contractor for this Agreement; and

J. City and Contractor desire to modify the Agreement on the terms and conditions set forth herein to increase the contract amount; and

K. On February 18, 2020, by Resolution No. 20-0029, the Commission approved this Modification No. 5 to increase the contract amount by \$7,500,000, for a new total not-to-exceed amount of \$17,250,000, and to seek Board of Supervisors approval of Modification No. 5; and

L. On June 23, 2020, by Resolution No. 279-20, the Board of Supervisors approved this Modification No. 5 under San Francisco Charter Section 9.118; and

M. Approval for this Agreement was obtained when the Civil Service Commission approved PSC No. 47501-16/17 on August 7, 2017; and

N. The Contractor represents and warrants that it is qualified to perform the services required by City under this Agreement;

Now, THEREFORE, City and the Contractor agree as follows:

**1. Article 1. Definitions** are amended as follows:

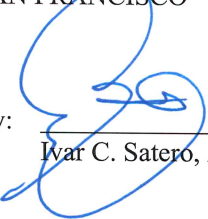
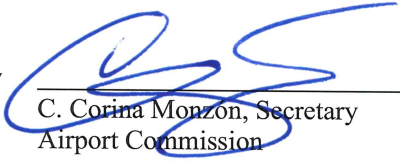
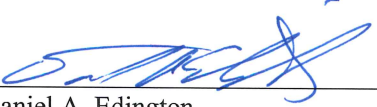
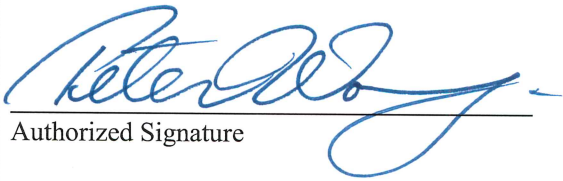
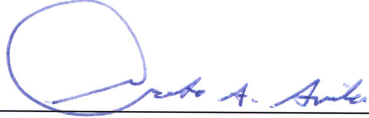
**a. Section 1.1. Agreement** has been revised. The definition “Agreement” shall mean the Agreement dated December 19, 2017, between Contractor and City, as amended by the:

Modification No. 1,	dated September 1, 2018,
Modification No. 2,	dated February 19, 2019,
Modification No. 3,	dated August 1, 2019, and
Modification No. 4,	dated March 1, 2020.

**2. Article 3. Financial Matters, 3.3. Compensation, Section 3.3.1 Payment** is hereby amended to increase the total compensation payable by Seven Million Five Hundred Thousand Dollars **(\$7,500,000)** for a new total not-to-exceed amount of Seventeen Million Two Hundred Fifty Thousand Dollars **(\$17,250,000)**.

**3. Legal Effect.** Except as expressly changed by this Modification, all of the terms and conditions of the Agreement shall remain unchanged and in full force and effect.

IN WITNESS WHEREOF, Contractor and City have executed this Modification as of the date first referenced above.

<p><b>CITY</b> AIRPORT COMMISSION CITY AND COUNTY OF SAN FRANCISCO</p> <p>By:  Ivar C. Satero, Airport Director</p> <p>Attest:</p> <p>By  C. Corina Monzon, Secretary Airport Commission</p> <p>Resolution No: 20-0029</p> <p>Adopted on: <u>February 18, 2020</u></p> <p>Approved as to Form:</p> <p>Dennis J. Herrera City Attorney</p> <p>By  Daniel A. Edington Deputy City Attorney</p>	<p> Authorized Signature</p> <p>Peter Wong Chief Executive Officer PGH Wong Engineering, Inc. 182 2<sup>nd</sup> Street, Suite 500 San Francisco, California 94105 (415) 566-0800</p> <p> Authorized Signature</p> <p>Ernesto A. Avila President Avila and Associates Consulting Engineers, Inc. 490 Post Street, Suite 1415 San Francisco, CA 94102 (415) 576-1230</p> <p>City Supplier Number: 0000029434</p> <p>Federal Employer ID Number: 82-3487026</p>
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