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June 4, 2018

**The Honorable Members of the Board of Supervisors  
City and County of San Francisco  
1 Dr. Carlton Goodlett Place, Room 244  
San Francisco, CA 94102**

***Subject: Request for Approval – Amendment No. 6 to Contract CS-155-3 with  
HNTB-B&C JV to increase the contract amount***

**Honorable Members of the Board of Supervisors:**

The San Francisco Municipal Transportation Agency (SFMTA) requests that the San Francisco Board of Supervisors approve Amendment No. 6 retroactively to Contract CS 155-3 with HNTB-B&C JV. The purpose of this Amendment is to increase the contract amount by \$1,269,472 to: 1) redesign the trackway alignment and analyze impacts to ventilation systems, and 2) provide design and construction support for specialized communication and video systems, for a total contract amount not to exceed \$34,930,020.

**Background**

On February 26, 2010, the SFMTA Board of Directors awarded Contract CS-155-3 (Contract) to HNTB-B&C JV (Designer), a joint venture between HNTB Engineering and B&C Transit (now called Transit Systems Engineering, Inc.), to design the trackway and control systems for the Central Subway Project, for an amount not to exceed \$32,294,319, for a ten-year term with option to extend the term two years. On April 22, 2010, the Board of Supervisors approved the award of the Contract to the Designer.

Under the Contract, the Designer provides the following services:

1. Design the trackway infrastructure, trackway (rails and ties), crossovers, switch systems, specialty trackwork, train control system, computer aided dispatch system, radio and band data communication systems, and ventilation system, fire detection, alarm and suppression systems, public information signs, and other utility and control systems necessary for the functioning of the Central Subway and the integration of Central Subway systems into existing MUNI systems
2. Validate preliminary (conceptual) designs and complete final designs for each of the systems listed above
3. Prepare bid documents (construction designs and specifications) and provide bid support services including conforming contract drawings and specifications
4. Verify construction costs and schedules

5. Review contract change order requests
6. Review and respond to contractor submittals, requests for information (RFIs), requests for substitution, and contract claims
7. Conduct site visits and observations to verify design compliance and/or assist in resolving issues
8. Update design drawings and specifications as needed to memorialize approved project changes
9. Witness and approve factory testing of manufactured equipment and materials
10. Provide on-going geotechnical investigation and engineering services
11. Provide site surveying
12. Perform (and review others') cost estimates and scheduling
13. Coordinate designs and specifications for the construction of the tunnels and stations by others (under Contracts CS-155-1 and CS-155-2).
14. Prepare systems operations and maintenance manuals specifications
15. Prepare as-built contract specifications and design documents when construction is complete.

Items 1 through 3 described above have been completed. The Designer will continue to provide the engineering services described in Items 4 through 15, through the completion of the Central Subway Project's trackway and systems construction. In addition, the Designer will assemble operations and maintenance manuals, and will prepare as-built contract specifications and design documents when construction is complete.

### **Charter Section 9.118 and Retroactive Approval of Amendment No. 6**

The Contract has been modified seven times to compensate the Designer for additional work required to address unexpected site conditions and design changes required by the City. The seven amendments increased the total contract amount by \$2,635,701, for a total amended contract amount not to exceed \$34,930,020.

Board of Supervisors' approval is required for Amendment No. 6 under Charter section 9.118(b), because the value of the Contract exceeds \$10,000,000, and the value of the contract amendment is greater than \$500,000.

Amendment No. 6 was not presented to the SFMTA Board nor the Board of Supervisors due to staff misunderstanding, which the City Attorney also did not discover until reviewing an amendment on another Central Subway Project design contract. We regret the oversight, and have taken steps to prevent it from occurring again.

## Alternatives Considered

Disapproval of Amendment No. 6 would render that amendment void, which would likely negatively impact the Designer's willingness to continue to provide construction support engineering services to the Central Subway Project, which are necessary for the successful completion of the Project.

## Funding Impact/Budget

The total cost of the Central Subway project is \$1.578 billion. Contract CS-155-3 Amendment No. 6 will not increase the total project budget. Existing funds will be used to pay for the additional cost.

<b>Total Project Cost Summary</b>	<b>Cost</b>
Base Contract Amount, including Options	\$32,294,319
Amendment No. 1 Amount	\$152,882
Amendment No. 2 Amount	\$38,380
Amendment No. 3 Amount	\$304,651
Amendment No. 4 Amount	\$332,779
Amendment No. 5 Amount	\$180,951
Amendment No. 6 Amount	\$1,269,472
Amendment No. 7 Amount	\$356,586
<b>Total Project Cost Amount</b>	<b>\$34,930,020</b>

## Funding Sources

The Central Subway project is funded with Federal Transit Administration (FTA) New Starts, Federal Congestion Management & Air Quality (CMAQ), State Transportation Bond Proposition 1A and 1B, State Regional Improvement Program, State Transportation Congestion Relief Program (TCRP), and Prop K Half-Cent Local Sales Tax funds. The breakdown of the funding sources and their amounts is as follows:

<b>Source</b>	<b>Total</b>
5309 New Starts	\$942,200,000
CMAQ3	\$41,025,000
Prop 1A High Speed Rail Connectivity	\$61,308,000
Prop 1B-MTC	\$87,895,815
Prop 1B -SFMTA	\$219,896,185
RIP-SF/Other	\$74,248,000
TCRP	\$14,000,000
Prop K	\$137,727,000
	<b>\$1,578,300,000</b>

**SFMTA Board Action**

On June 5, 2018, the SFMTA Board of Directors approved Resolution No. \_\_\_\_\_ authorizing the Director of Transportation to execute Amendment No. 6, subject to approval by the Board of Supervisors (see attached).

**Recommendation**

The SFMTA recommends that the San Francisco Board of Supervisors adopt the Resolution approving Amendment No. 6 retroactively to Contract CS-155-3 with HNTB-B&C JV.

Thank you for your consideration of this proposed amendment. Should you have any questions or require more information, please do not hesitate to contact me at any time.

**Sincerely,**



**Edward D. Reiskin**  
**Director of Transportation**