

File No. 140846

Committee Item No. 13

Board Item No. 3

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Budget & Finance Committee

Date September 17 2014

Board of Supervisors Meeting

Date 9/23/14

Cmte Board

<input type="checkbox"/>	<input type="checkbox"/>	Motion
<input type="checkbox"/>	<input type="checkbox"/>	Resolution
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Ordinance
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Legislative Digest
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Budget and Legislative Analyst Report
<input type="checkbox"/>	<input type="checkbox"/>	Youth Commission Report
<input type="checkbox"/>	<input type="checkbox"/>	Introduction Form
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Department/Agency Cover Letter and/or Report
<input checked="" type="checkbox"/>	<input type="checkbox"/>	MOU
<input type="checkbox"/>	<input type="checkbox"/>	Grant Information Form
<input type="checkbox"/>	<input type="checkbox"/>	Grant Budget
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<input type="checkbox"/>	<input type="checkbox"/>	Form 126 – Ethics Commission
<input type="checkbox"/>	<input type="checkbox"/>	Award Letter
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<input type="checkbox"/>	<input type="checkbox"/>	Public Correspondence

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Completed by: Linda Wong **Date** September 12, 2014

Completed by: L.W. Date: 8/18/14

[Contracting Process for the Police Department Traffic Company and Forensic Services Division Project]

Ordinance modifying the requirements of Administrative Code, Section 6.68(H), to authorize the Director of Public Works to issue Requests for Proposals to pre-qualified Construction Managers/General Contractors (CM/GC) and their teams of pre-qualified core trade subcontractors to design-build the mechanical, electrical, plumbing, and exterior building envelope scopes of work for the Traffic Company and Forensic Services Division Project; use cost and non-cost criteria to evaluate the design-build proposals for the core trade work; and award a prime contract to the CM/GC based in part on an evaluation of cost and non-cost criteria for the core trade work; and making environmental findings.

NOTE: Unchanged Code text and uncodified text are in plain Arial font.
Additions to Codes are in single-underline italics Times New Roman font.
Deletions to Codes are in ~~strikethrough italics Times New Roman font~~.
Board amendment additions are in double-underlined Arial font.
Board amendment deletions are in ~~strikethrough Arial font~~.
Asterisks (* * * *) indicate the omission of unchanged Code subsections or parts of tables.

Be it ordained by the People of the City and County of San Francisco:

Section 1. General Background and Findings.

(a) At an election held on June 3, 2014, San Francisco voters approved Proposition A, "Earthquake Safety and Emergency Response Bond," authorizing the City to incur bonded debt in the amount of \$400,000,000 to finance the construction, acquisition, improvement, and seismic retrofitting of, among other things, the facilities of the Police Department's Traffic Company (TC) and Forensic Services Division (FSD).

1 (b) The TC, and the FSD's Administration, Crime Scene Investigation, and
2 Identification units, are currently housed at the Hall of Justice (HOJ), located at 850 Bryant
3 Street. The City's 10-year Capital Plan calls for replacing the HOJ. The HOJ is over 50 years
4 old and seismically deficient. It is not expected to be operational in the event of a major
5 earthquake.

6 (c) The FSD's Crime Laboratory is housed at Building 606 in the Hunters Point
7 Shipyard ("Shipyard"). The U.S. Navy may have to demolish Building 606 as part of its
8 obligation to remove and mitigate the hazardous materials in the soil at the Shipyard before
9 transferring the Shipyard to the City. In any event, the City plans to develop the Shipyard as a
10 residential area and to use the area where Building 606 is located for public open space, as
11 an amenity for nearby residences.

12 (d) In November 2013, the Board of Supervisors approved and the Mayor signed
13 Resolution No. 390-13, authorizing the City to lease, with an option to purchase, a site located
14 at 1995 Evans Street. This site has been identified as a site to construct a proposed new
15 building to house the TC and FSD.

16 (e) The proposed project, called the Traffic Company and Forensic Services
17 Division (TC&FSD) Project, would be a four-story building with approximately 110,000 square
18 feet of floor space and a separate 2-story garage. The TC would occupy approximately
19 30,000 square feet and the FSD would occupy the remaining approximately 80,000 square
20 feet.

21 (f) On November 18, 2013, the Planning Department issued a Final Mitigated
22 Negative Declaration (FMND) for the TC&FSD Project, San Francisco Planning Department
23 Case No. 2013.0342E, which is on file with the Clerk of the Board in File No. 131190. In
24 issuing the FMND, the Planning Department determined that the TC&FSD Project could not
25 have a significant effect on the environment. By Resolution No. 34-14, passed on February 4,

1 2014, this Board approved the TC&FSD Project and, in so doing, adopted the FMND and a
2 Mitigation Monitoring and Reporting Program. The Board finds, on the basis of substantial
3 evidence and in light of the whole record, that since it passed Resolution No. 34-14 there
4 have been no changes in the Project, the circumstances under which the Project will be
5 undertaken, or new information that has become available since preparation of the FMND,
6 that would require additional environmental review.

7 Section 2. Construction Manager/General Contractor and Core Trade
8 Subcontractors Contracting Procedure for the TC&FSD Project.

9 (a) Administrative Code, Section 6.68 allows the City to procure construction
10 services for public work projects by a process known as "integrated project delivery" (IPD)
11 whereby the City retains a construction manager/general contractor (CM/GC) during the
12 design process to review and comment on the constructability of the Architect/Engineer's
13 design within the established budget for the project. Under the IPD process, pre-qualified
14 CM/GCs are invited to submit competitive proposals for the project. Each proposal is ranked
15 to determine which proposal provides the overall best value to the City with respect to non-
16 cost and cost criteria, with the cost criteria constituting not less than sixty-five percent (65%)
17 of the overall evaluation.

18 (b) Under Administrative Code, Section 6.68(H), the selected CM/GC procures
19 subcontracts for the trade work by inviting pre-qualified trade subcontractors to submit
20 competitive bids. Those bids are evaluated on price alone, and the CM/GC awards the
21 subcontract to the lowest responsive bidder. In addition, the Director of Public Works
22 ("Director") may authorize the CM/GC to negotiate subcontracts for trade work up to an
23 amount that does not exceed 7.5% of the total estimated subcontract costs.

24 (c) The Director has determined that neither of these currently authorized methods
25 of procuring trade subcontractors is the optimal solution to deliver the mechanical, electrical,

1 plumbing (MEP) and exterior building envelope work (collectively referred to as the "core
2 trades") for the TC&FSD Project.

3 (d) The current industry standard for delivering laboratories in the San Francisco
4 Bay Area is to procure the MEP and exterior building envelope work on a design-build basis
5 where the prospective core trade subcontractors submit their proposed design and cost to
6 build based on a criteria package developed by the owner's architect and engineering teams.

7 (e) The Director has determined that a hybrid approach to procuring both the
8 CM/GC and the core trade subcontractors that combines elements of IPD and design-build is
9 necessary and appropriate for the TC&FSD Project, and in the best interest of the City. By
10 letter dated May 15, 2014, to City Administrator Naomi Kelly, DPW requested the City
11 Administrator's approval to use this approach. The City Administrator approved DPW's
12 request on May 20, 2014.

13 (f) Under this hybrid approach, the City's architect/engineering team will develop
14 the design for the MEP and exterior building envelope work to the level of 100% schematic
15 design (the "criteria package") that clearly defines the criteria that are essential to ensure that
16 the MEP and exterior building envelope work is designed and constructed to meet the City's
17 needs. The City then will invite pre-qualified CM/GCs (including their teams of pre-qualified
18 core trade subcontractors) to submit proposals. The CM/GC's would submit a proposal to
19 construct the entire project, as they normally would under Administrative Code, Section 6.68,
20 except that the proposals would split out the core trade work portion of the project and submit
21 that on a design-build basis, based on the 100% schematic design/criteria package. The City
22 will evaluate the proposals qualitatively and quantitatively, based on cost (65% of the total
23 score) and non-cost (35% of the total score) factors, and award a contract to the CM/GC
24 whose proposal receives the highest overall score.
25

1 The City would procure the non-core trade subcontractors in the usual way under
2 Administrative Code, Section 6.68(H).

3 (g) There are several advantages to using this hybrid method to procure the CM/GC
4 and core trade subcontractors. One advantage is that it controls risk to the City by assigning
5 the responsibility to design and build the core elements of the Project to the CM/GC and its
6 team of core trade subcontractors. Another advantage is that it provides cost certainty for
7 work that accounts for a large percentage of the overall construction cost, earlier than would
8 be the case if the City waited until the design was fully complete before bidding out the trade
9 work. Third, it minimizes design conflicts (and resulting change orders) by involving the core
10 trades early in the design process where they have an incentive to work together to achieve
11 the shared goal of building with the least amount of disruption, unforeseen cost, and
12 inefficiency, and in the shortest time practicable. In turn, this can improve control of the
13 project schedule. Long lead time materials can be ordered earlier, and the overlap of the
14 design and construction phases can help to reduce the duration of the overall construction
15 schedule.

16 Section 3. Modification of Requirements of Administrative Code, Section 6.68(H).

17 Notwithstanding the provisions of Administrative Code, Section 6.68(H), the Board of
18 Supervisors hereby authorizes the Department of Public Works to take all necessary steps to
19 procure the CM/GC and its core trade work subcontractor team for the TC&FSD Project as
20 described in and in conformance with Section 2(f) of this ordinance.

21 Section 4. Effective Date. This ordinance shall become effective 30 days after
22 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the

23 ///

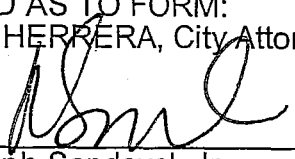
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1 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
2 of Supervisors overrides the Mayor's veto of the ordinance.

3
4
5 APPROVED AS TO FORM:
6 DENNIS J. HERRERA, City Attorney

7 By:


8 Joseph Sandoval, Jr.
9 Deputy City Attorney

10 legana\as2014\1500051\00943158

LEGISLATIVE DIGEST

[Contracting Process for the Police Department Traffic Company and Forensic Services Division Project]

Ordinance modifying the requirements of Administrative Code, Section 6.68(H) to authorize the Director of Public Works to issue Requests for Proposals to pre-qualified Construction Managers/General Contractors (CM/GC) and their teams of pre-qualified core trade subcontractors to design-build the mechanical, electrical, plumbing, and exterior building envelope scopes of work for the Traffic Company and Forensic Services Division Project; use cost and non-cost criteria to evaluate the design-build proposals for the core trade work; and award a prime contract to the CM/GC based in part on an evaluation of cost and non-cost criteria for the core trade work; and making environmental findings.

Existing Law

Administrative Code, Section 6.68 authorizes the City to procure construction services for public work projects by a process known as "integrated project delivery" ("IPD") whereby the City retains a construction manager/general contractor ("CM/GC") during the design phase to review and comment on the constructability of the architect/engineer's design. Pre-qualified CM/GCs submit competitive proposals to construct the project. Each proposal is ranked to determine which proposal provides the overall best value to the City with respect to cost and non-cost criteria, with the cost criteria constituting not less than 65% of the overall evaluation.

After the design is complete, the CM/GC procures subcontracts for the trade work under Administrative Code section 6.68(H) by inviting pre-qualified trade subcontractors to submit competitive bids. Those bids are evaluated on price alone, and the CM/GC awards the subcontract to the lowest responsive bidder.

Amendments to Current Law

This Ordinance authorizes the Department of Public Works ("DPW") to procure the subcontractors for the mechanical, electrical, plumbing ("MEP") and exterior building envelope scopes of work (collectively referred to as the "core trade work") for the Traffic Company and Forensic Services Division ("TC&FSD") Project at the same time that it procures the CM/GC, and to procure that core trade work on a design-build basis.

The City will invite pre-qualified CM/GCs (including their teams of pre-qualified core trade subcontractors) to submit proposals. The CM/GC's would submit a proposal to construct the entire project as they normally would under Administrative Code section 6.68, except that the proposals would split out the core trade work portion of the project and submit that on a design-build basis, where the prospective core trade subcontractors submit their proposed

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Department:
Department of Public Works

EXECUTIVE SUMMARY

Legislative Objectives

- The proposed ordinance would amend Administrative Code Section 6.68(H) for the Traffic Company & Forensic Services Division (TC&FSD) Project to (a) authorize the Director of Public Works to issue RFPs to pre-qualified CM/GCs and their team of pre-qualified core trade subcontractors to design/build only the mechanical, electrical, plumbing and exterior building envelope scopes of work (core trades), (b) use both cost and non-cost criteria to evaluate the proposals for such subcontracted core trade work; (c) award the prime contract to the CM/GC and team of subcontractors based on cost and non-cost criteria; and (d) make environmental findings.

Key Points

- The City plans to build a new facility to house the Police Department's TC&FSD Project in a four-story approximately 110,000 square foot building at 1995 Evans Street. The total budget for the project is \$165,000,000 with direct construction costs of approximately \$100,000,000.
- The City has multiple procurement methods listed in the Administrative Code that may be used to procure construction work, which include Integrated Project Delivery Procurement and Design/Build Procurement models. The proposed ordinance would approve the use of a hybrid method for the TC&FSD Project which would use elements of both Integrated Project Delivery Procurement and Design/Build Procurement models, which would increase use of qualitative, non-cost criteria in selecting subcontractors for the mechanical, electrical, plumbing and exterior envelope aspects of the project.

Fiscal Impacts

- The proposed hybrid procurement model is difficult to quantify because the proposed model has not been previously used on City projects, likely resulting in fiscal impacts which are both positive and negative.

Policy Consideration

- Given that the proposed ordinance would only apply to the TC&FSD project and that there are likely to be both positive and negative fiscal impacts, amending the City's procurement policy for the TC&FSD is a policy consideration for the Board of Supervisors.

Recommendation

Approval of the proposed ordinance is a policy decision for the Board of Supervisors.

MANDATE STATEMENT

Charter Section 2.105 authorizes all legislative acts by written ordinance or resolution, subject to majority vote of the members of the Board of Supervisors.

BACKGROUNDProject History

Currently, the Police Department's Traffic Company and Forensic Services Division's Administration is housed in the Hall of Justice at 850 Bryant Street. The Hall of Justice is over 50 years old and seismically deficient. The City's 10-year Capital Plan calls for replacing the Hall of Justice. The Crime Lab for the Forensic Services Division is currently housed at Building 606 in the Hunters Point Shipyard, which will be demolished prior to the area's development for residential use.

The City plans to build a new facility to house the Police Department's Traffic Company and Forensic Services Division Administration and Crime Lab (TC&FSD Project) in a four-story approximately 110,000 square foot building and a separate 2-story garage at 1995 Evans Street in the southeast portion of San Francisco. The Traffic Company would occupy approximately 30,000 square feet and the Forensic Services Division Administration and Crime Lab would occupy the remaining approximately 80,000 square feet. The total budget for the TC&FSD Project is \$165,000,000 with direct construction costs of approximately \$100,000,000. In November 2013, the Board of Supervisors approved Resolution No. 390-13 authorizing the City to lease the 1995 Evans Street facility, with an option to purchase, at a future date.

On June 3, 2014, San Francisco voters approved Proposition A, the Earthquake Safety and Emergency Response Bond, authorizing the City to incur \$400,000,000 of General Obligation bond debt to finance the construction, acquisition, improvement, and seismic retrofitting of projects and programs, including \$165,000,000 for the TC&FSD.

City Project Procurement Policies

The City has multiple procurement methods to procure construction work. The use of a given procurement method is determined by the department head responsible for that project, based on anticipated cost savings, time efficiencies and the public's best interest. If the proposed project is under the jurisdiction of a commission, then the commission shall first approve the procurement method. If the project is not under the jurisdiction of a commission, such as the Department of Public Works, then the City Administrator must first approve the procurement method.

Integrated Project Delivery Procurement Model

The City may procure design and construction services using a model known as Integrated Project Delivery Procurement Model which is codified in Administrative Code Section 6.68. Through this Integrated Project Delivery Procurement Model, a Construction Manager/General Contractor (CM/GC) is selected during the more detailed design phase to review and provide comments on the City Architect/Engineer's design. The CM/GC constructs the project based on the design developed by the Architect/Engineer.

To select the CM/GC under the Integrated Project Delivery Procurement Model, the City issues a competitive Request for Qualifications (RFQ) inviting CM/GCs to submit their qualifications to construct the project according to the proposed project's design parameters. Evaluative non-cost criteria for these qualifications may include: (1) ability to perform services, (2) financial capacity, (3) experience with similar projects, (4) compliance with City's Administrative Code, (5) ability to deliver projects on time and on budget, (6) litigation history, (7) reputation, (8) prior claims, and (9) Human Rights Commission compliance. The City sets objective scoring criteria and designates a panel to review the competing proposals against the established criteria.

The City then issues a Request for Proposals (RFP) to the pre-qualified CM/GCs identified through the competitive RFQ process. The RFP requests cost information including fees for pre-construction and construction phase services, specifying overhead/profit, general conditions and bond cost.

Under these provisions, CM/GCs are awarded contracts based on a combination of cost (requested during the RFP phase) and qualitative non-cost criteria (requested during the RFQ phase), with the cost criterion representing at least 65% of the overall evaluation and qualitative criteria up to 35%.

In accordance with Administrative Code Section 6.68(H), the CM/GC is required to procure all subcontracts for trade works through a pre-qualification and competitive bid process to award subcontracts to the lowest cost and most responsible bidder. Qualitative non-cost criteria are not currently used to evaluate subcontractor work.

Design/Build Project Delivery Procurement Model

As an alternative to the Integrated Project Delivery Procurement Model as described above, the City may also procure design and construction services through a Design/Build Procurement Model which is specified in Administrative Code Section 6.61. Using Design/Build Procurement Model, the City creates general schematic designs for the project. A design-builder is then

selected to complete the design and construction of the project. Section 6.61 (L) specifies that the design-builder award subcontracts to the lowest responsive bidder.

Hybrid Design and Construction Procurement Model

The Director of DPW has determined that, instead of one of the two currently authorized procurement models, as described above, a Hybrid Design and Construction Procurement Model to procuring both the CM/GC and the core trade subcontractors that combines elements of the Integrated Project Delivery Procurement Model and the Design/Build Procurement Model is preferable and appropriate for the TC&FSD Project. On May 20, 2014, the City Administrator approved DPW's request.

DETAILS OF PROPOSED LEGISLATION

The proposed ordinance would amend Administrative Code Section 6.68(H) for the Traffic Company & Forensic Services Division Administration and Crime Lab Project (TC&FSD Project) to (a) authorize the Director of Public Works to use the Hybrid Design and Construction Procurement Model, as described above, by issuing RFPs to pre-qualified CM/GCs and their team of pre-qualified core trade subcontractors to design/build only the mechanical, electrical, plumbing and exterior building envelope scopes of work (core trades), (b) use both cost and non-cost criteria to evaluate the proposals for such subcontracted core trade work; (c) award the prime contract to the CM/GC and team of subcontractors based in part on an evaluation of cost and non-cost criteria for such subcontracted core trade work; and (d) make environmental findings.

Under this Hybrid Design and Construction Procurement Model, the City would use the existing Integrated Project Delivery Procurement Model to select the CM/GC who would be responsible for constructing the overall project based on the designs developed by the Architect/Engineer. In addition, the CM/GC would be required to procure non-core trade subcontractors based solely on their responsive lowest cost competitive bids.

However, as detailed in Section 2(f) of the proposed ordinance, the City's architect/engineering team will also develop schematic design criteria for the mechanical, electrical, plumbing and exterior building envelope work (core trades). The mechanical, electrical, plumbing and exterior building envelope work would then be put out to bid on a design-build basis, such that each of these core trade subcontractors would submit their cost information, similar to what is requested of the CM/GC, e.g. fees for pre-construction and construction phase services, specifying overhead, profit, and general conditions. According to DPW, the core trades that would be subject to these new provisions for the TC&FSD Project would constitute

approximately 40 percent of the subcontracted work, while non-core trades would constitute 60 percent.

The subcontracted core trade proposals would be separately evaluated and pre-qualified during the RFQ phase, and after receiving their cost proposals during the RFP phase, will be scored using both quantitative (at least 65% of the total score) and qualitative (up to 35% of the total score) criteria.

On November 18, 2013, the Planning Department issued a Final Mitigated Negative Declaration for the TC&FSD and determined that the TC&FSD could not have a significant effect on the environment. On February 4, 2014, the Board of Supervisors approved Resolution No. 34-14 adopting the Final Mitigated Negative Declaration and a Mitigation Monitoring and Reporting Program. The proposed ordinance would find that, based on the Board of Supervisors previous approval of Resolution No. 34-14, and no significant changes to the TC&FSD project since then, no additional environmental review is required.

FISCAL IMPACTS

It is difficult to quantify the specific fiscal impacts of the subject ordinance because the proposed Hybrid Design and Construction Procurement Model has not been previously used by the City. However, amending the Administrative Code to create this hybrid model and changing the selection criteria for specific subcontracted core trades for the TC&FSD would result in the general fiscal impacts discussed below.

- Under current City policy, qualified subcontractors are awarded contracts on the basis of submitting their proposal as the lowest and most responsible bidder. By using the Hybrid Design and Construction Procurement Model, non-cost factors for up to 35% of the total score could result in increased costs to the City.
- By using the Hybrid Design and Construction Procurement Model, more core trades subcontractors may bid on the project, potentially resulting in the City receiving more bids and related lower bid amounts, and fewer potential lawsuits which, overall, could result in reduced costs to the City.
- DPW advises that the Design/Build Procurement Model can provide greater cost assurances by consolidating design, architecture and engineering and construction in the same contract. A report cited by DPW found that design/build projects cost less, were constructed faster with higher delivery speeds and higher quality on average than other project delivery types.¹ This Hybrid Design and Construction Procurement Model can

¹ Matt Konchar, "Comparison of U.S. Project Delivery Systems", *Journal of Construction Engineering and Management*, Vol. 124, Issue 6 (December 1998)

potentially reduce unnecessary change orders which would otherwise add costs to the project.

POLICY CONSIDERATION

The proposed ordinance would create a Hybrid Design and Construction Procurement Model for a single project, the Traffic Company and Forensic Services Division Administration and Crime Lab. According to Mr. Edgar Lopez, Deputy Director and City Architect at DPW, the Design/Build Procurement Model is the current industry standard for procurement of more technical subcontracted work for complex laboratory construction projects, which have specific regulatory and legal requirements. As noted above, of the total 110,000 square foot TC&FSD building, approximately 80,000 square feet or 73% would be for the Forensic Services Division, including their medical and laboratory space.

At the same time, in using the proposed Hybrid Design and Construction Procurement Model, the City would still retain the Integrated Project Delivery Procurement Model to select the CM/GC who would be responsible for constructing the overall TC&FSD project and procuring the remaining subcontractors based on the lowest cost most responsible bids. According to Mr. Lopez, within the next six months, DPW plans to propose further changes to Chapter 6 of the Administrative Code to allow for greater flexibility in the City's design and construction procurement models for other future projects.

Given that the proposed ordinance would only apply to the TC&FSD project and that there are likely to be both positive and negative fiscal impacts, amending the City's procurement policy for the TC&FSD is a policy consideration for the Board of Supervisors.

RECOMMENDATION

Approval of the proposed ordinance is a policy decision for the Board of Supervisors, given that the proposed use of the Hybrid Design and Construction Procurement Model would only apply to the Police Department's Traffic Control & Forensic Services Division Project and, could result in either net increased or decreased costs to the City.

design and cost to build based on a 100% schematic design/criteria package developed by the owner's architect and engineering teams. The City will evaluate the proposals qualitatively and quantitatively, based on cost (65% of the total score) and non-cost (35% of the total score) factors, and award a contract to the CM/GC whose proposal receives the highest overall score.

Background Information

With the passage of Proposition A, "Earthquake Safety and Emergency Response Bond," at the last election on June 3, 2014, the City is authorized to incur bonded debt to finance the construction of a new building to house the Police Department's TC&FSD. The Ordinance would authorize DPW to procure the core trade work for this project on a design-build basis, consistent with the current industry standard for delivering laboratories in the San Francisco Bay Area.

SEC. 6.68. INTEGRATED PROJECT DELIVERY

Integrated project delivery is an approach to the procurement of construction services whereby a construction manager/general contractor ("CM/GC") is retained during the design process to review and provide comments as to the constructability of the Architect/Engineer's design within the established budget. The Department heads authorized to execute contracts for public work projects are authorized to seek proposals from qualified CM/GCs for construction of public work projects using an integrated project delivery under the following conditions:

(A) Before the request for qualifications is issued, the Department head shall determine that an integrated project delivery is necessary or appropriate to achieve anticipated cost savings or time efficiencies, or both, and that such a process is in the public's best interest.

(B) If the proposed public work project is for the use or benefit of a Department that is under the jurisdiction of a commission, then such commission shall first approve the solicitation of integrated project delivery proposals. If the public work is for the use or benefit of a Department not under the jurisdiction of a commission, then the City Administrator must first approve this process.

(C) **Pre-qualification.** Department heads shall require that prospective proposers be pre-qualified to submit proposals on a specific project. The procedure for pre-qualification is as follows:

(1) The Department head shall issue a request for qualifications inviting interested parties to submit their qualifications to perform the project. The request for qualifications shall include criteria by which the prospective proposers shall be evaluated. The evaluation criteria shall be based on qualifications and experience relevant to the services needed for the particular project. The list of criteria may include, but is not limited to the following: (i) ability to perform required pre-construction and construction phase services; (ii) evidence of financial capacity; (iii) experience on projects of similar size and complexity; (iv) commitment to comply with the goals and requirements of Administrative Code Chapters 12 and 14; (v) ability to collaboratively and cooperatively deliver projects on time and on budget; (vi) liquidated damages for delay and other damages paid on prior projects, and prior litigation history; (vii) reputation with owners of prior projects; (viii) claims history with insurance carriers and sureties; and (ix) compliance with all of the requirements established in the request for qualifications and other criteria that the Department head in consultation with the Human Rights Commission may deem appropriate. The Department head shall set objective scoring criteria and incorporate the criteria into any scoring procedure.

(2) The Department head shall designate a panel to review pre-qualification responses and interview and rate respondents with respect to the request for qualifications. Only those respondents found to be qualified will be eligible to submit proposals. The list of pre-qualified respondents shall be valid for not more than two years following the date of initial pre-qualification.

(D) **Request for Proposals and Selection Process.** The Department head shall issue a request for proposals inviting pre-qualified CM/GCs to submit competitive cost proposals for the project. The request for proposals shall include information describing the scope of pre-construction and construction phase services for the project. The request for proposals shall request the following minimum cost information from each proposer: (i) fees for pre-construction services and (ii) fees for construction phase services, including overhead, profit and general conditions, and (iii) the qualitative criteria as described in (1) below.

(1) The Department head shall designate a panel to evaluate integrated project delivery proposals and rank the proposals to determine which provides the overall best value to the City with respect to non-cost and cost criteria. The list of non-cost criteria may include but is not limited to the following: (i) plan for expediency in completing the proposed project; (ii) quality of proposal; (iii) commitment to comply with the goals set by the Human Rights Commission and requirements of Administrative Code Chapters 12 and 14; (iv) commitment to meet City hiring goals (e.g. City Build or First Source Hiring); and (v) compliance with all the requirements and criteria established by the Department head or HRC in the request for proposals. The department head shall set objective scoring criteria and incorporate the criteria into any scoring procedure. The cost criterion shall constitute not less than sixty-five percent (65%) of the overall evaluation.

(2) The Department head shall set forth in the request for proposals and in the contract liquidated damages to be assessed against the successful CM/GC in the event it fails to fulfill the commitments made in its proposal.

(3) The Department head may recommend the award of a contract to the highest-ranked CM/GC whose total proposed fee is not more than twenty percent (20%) greater for contracts the estimated cost of which is \$10 million or less, or is not more than ten percent (10%) greater for contracts the estimated cost of which is in excess of \$10 million, than the total proposed fee of the lowest responsive bid. If award to such CM/GC is not made for any reason, the Department head may recommend the award of a contract to the next highest-ranked CM/GC whose total proposed fee is not more than ten percent (10%) greater than the total proposed fee of the lowest responsive bid, and so forth. In making the final determination, the Department head shall apply the LBE discount to proposals submitted by LBEs, in accordance with Administrative Code Chapter 14B.

(E) Alternate Request for Proposals and Selection Process. If the department head determines that it is in the City's best interest to exclude consideration of non-cost criteria as part of the final selection process, the Department head shall issue a request for proposals inviting pre-qualified CM/GCs to submit integrated project delivery proposals, which will be evaluated based upon project costs only. If the proposed public work project is for the use or benefit of a Department that is under jurisdiction of a commission, then such commission shall approve the use of this alternate process. If the public work is for the use or benefit of a Department not under the jurisdiction of a commission, then the City Administrator must approve the use this alternate process.

(F) The City shall retain the absolute discretion to determine, at any time during the process, not to proceed with any proposed project, which right may be exercised without liability to CM/GCs for costs incurred during the entire pre-qualification, proposal and negotiation process, and such rights shall be reserved in all requests for qualifications and proposals.

(G) The bid security and subcontractor listing requirements of section 6.21 will not apply to the selection of CM/GCs under this section . Any resulting contract with a CM/GC shall comply with section 6.22.

(H) Procurement of Trade Subcontractors. Department heads shall require the selected CM/GC to procure trade work contracts through a pre-qualification and competitive bid process, as follows:

(1) Pre-qualification. The department head shall require the CM/GC to pre-qualify all trade subcontractors, subject to the approval of the Department head. The CM/GC shall attempt to

establish a pool of no fewer than three pre-qualified subcontractors for each trade package, subject to the approval of the department head.

(2) **Competitive Bid.** The Department head shall require the CM/GC to receive sealed bids from the pre-qualified trade subcontractors. The bid security provisions of section 6.21 will not apply. The CM/GC shall award a trade package subcontract to the responsible bidder submitting the lowest responsive bid, except that the CM/GC may negotiate and award a portion of the trade package subcontracts as provided in paragraph (3), below. Only those Administrative Code provisions that normally apply to subcontracts will apply to the trade package subcontracts.

(3) The Department head may authorize the CM/GC to negotiate subcontracts for trade work as appropriate for the project, up to an amount not exceeding seven and one-half percent of the total estimated subcontract costs. The Department head shall establish a maximum dollar value for each negotiated trade subcontract as appropriate for the project.

(J) All actions heretofore taken by a department head consistent with the provisions of this section are hereby approved.

(Added by Ord. 119-08, File No. 080277, App. 7/11/2008; amended by Ord. 96-10, File No. 100332, App. 5/13/2010)

Proposition A

Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, June 3, 2014, for the purpose of submitting to San Francisco voters a proposition to incur the following bonded debt of the City and County:

\$400,000,000 to finance the construction, acquisition, improvement, and seismic retrofitting of Neighborhood Fire and Police Stations, the Emergency Firefighting Water System, seismically secure facilities for the Medical Examiner, the Police Department's Traffic Company, and the Police Department's Forensic Services Division, and other critical infrastructure and facilities for earthquake safety and related costs necessary or convenient for the foregoing purposes; authorizing landlords to pass-through 50% of the resulting property tax increase to residential tenants in accordance with Chapter 37 of the Administrative Code; finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest; prescribing notice to be given of such election; finding that a portion of the proposed bond is not a project under the California Environmental Quality Act (CEQA) and adopting findings under CEQA for the remaining portion of the proposed bond; finding that the proposed bond is in conformity with the eight priority policies of Planning Code, Section 101.1(b), and is consistent with the General Plan; consolidating the special election with the general election; establishing the election precincts, voting places and officers for the election; waiving the word limitation on ballot propositions imposed by Municipal Elections Code, Section 510; complying with the restrictions on the use of bond proceeds specified in Section 53410 of the California Government Code; incorporating the provisions of the Administrative Code, Section 5.30-5.36; and waiving the time requirements specified in Administrative Code, Section 2.34.

Note: Additions are single-underline italics Times New Roman; deletions are ~~strikethrough italics Times New Roman~~.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Findings.

A. This Board of Supervisors (this "Board") recognizes the need to safeguard and enhance the City's earthquake and emergency response and recovery by rehabilitating critical facilities that support the City's first responders.

B. The Earthquake Safety and Emergency Response Bond (the "Bond") will provide funding to construct, improve and rehabilitate earthquake safety and emergency responsiveness facilities and infrastructure (as described below in Section 3).

C. This Board now wishes to describe the terms of a ballot measure seeking approval for the issuance of general obligation bonds to finance all or a portion of the City's earthquake safety and response needs as described below.

Section 2. A special election is called and ordered to be held in the City on Tuesday, the 3rd day of June, 2014, for the purpose of submitting to the electors of the City a proposition to incur bonded indebtedness of the City for the project described in the amount and for the purposes stated:

"SAN FRANCISCO EARTHQUAKE SAFETY AND EMERGENCY RESPONSE BOND, 2014. \$400,000,000 of bonded indebtedness to improve fire, earthquake and emergency response by: improving and/or replacing deteriorating cisterns, pipes, and tunnels, and related facilities to ensure firefighters a reliable water supply for

fires and disasters; improving and/or replacing neighborhood fire and police stations; replacing certain seismically-unsafe police and medical examiner facilities with earthquake-safe buildings; and to pay related costs, subject to independent citizen oversight and regular audits; and authorizing landlords to pass-through to residential tenants in units subject to Chapter 37 of the Administrative Code (the "Residential Stabilization and Arbitration Ordinance") 50% of the increase in the real property taxes attributable to the cost of the repayment of the bonds."

The special election called and ordered shall be referred to in this ordinance as the "Bond Special Election."

Section 3. PROPOSED PROGRAM. All contracts that are funded with the proceeds of bonds authorized hereby shall be subject to the provisions of Chapter 83 of the Administrative Code (the "First Source Hiring Program"), which fosters construction and permanent employment opportunities for qualified economically disadvantaged individuals. In addition, all contracts that are funded with the proceeds of bonds authorized hereby also shall be subject to the provisions of Chapter 14B of the Administrative Code (the "Local Business Enterprise and Non-Discrimination in Contracting Ordinance"), which assists small and micro local businesses to increase their ability to compete effectively for the award of City contracts. The proposed program can be summarized as follows:

A. EMERGENCY FIREFIGHTING WATER SYSTEM. A portion of the Bond shall be allocated to the renovation and seismic upgrading of the emergency firefighting water system (the "EFWS") and related facilities, including but not limited to cisterns, pipes and tunnels, and related facilities (collectively, the "EFWS Project").

B. CRITICAL FIREFIGHTING FACILITIES AND INFRASTRUCTURE. A portion of the Bond shall be allocated to the construction, acquisition, improvement, retrofitting and completion of critical firefighting facilities and infrastructure for earthquake safety and emergency response not otherwise specifically enumerated in this ordinance, including without limitation, neighborhood fire stations and related facilities (collectively, the "Critical Firefighting Facilities and Infrastructure").

C. POLICE FACILITIES AND INFRASTRUCTURE. A portion of the Bond shall be allocated to the construction, acquisition, improvement, retrofitting and completion of police facilities and infrastructure for earthquake safety and emergency response not otherwise specifically enumerated in this ordinance, including without limitation, neighborhood police stations and related facilities (collectively, the "Police Facilities and Infrastructure").

D. MEDICAL EXAMINER FACILITY. A portion of the Bond shall be allocated to design and construct a seismically secure structure for the Medical Examiner to enhance the chief medical examiner's Citywide earthquake safety and emergency response capabilities (the "Medical Examiner Facility").

E. POLICE TRAFFIC COMPANY AND POLICE FORENSICS SERVICES DIVISION FACILITIES. A portion of the Bond shall be allocated to design and construct a seismically secure structure to house both the Police Department's Traffic Company and the Police Department's Forensic Services Division to enhance the police department's Citywide earthquake safety and emergency response capabilities (the "Traffic Company and Forensic Services Division Facility").

F. CITIZEN'S OVERSIGHT COMMITTEE. A portion of the Bond shall be used to perform audits of the Bond, as further described in Section 15.

The proposed uses and amounts described in this Section 3 are estimates only and, with the exception of Section 3F above, are subject, without limitation, to review and revision by the Mayor and the Board.

Section 4. BOND ACCOUNTABILITY MEASURES

The Bond shall include the following administrative rules and principles:

A. OVERSIGHT. The proposed bond funds shall be subjected to approval processes and rules described in the Charter and Administrative Code. Pursuant to Administrative Code Section 5.31,

the Citizen's General Obligation Bond Oversight Committee shall conduct an annual review of bond spending, and shall provide an annual report of the bond program to the Mayor and the Board of Supervisors.

B. **TRANSPARENCY.** The City shall create and maintain a Web page outlining and describing the bond program, progress, and activity updates. The City shall also hold periodic public hearings and reviews on the bond program and its implementation before the Capital Planning Committee, the Police and Fire Commissions, and the Citizen's General Obligation Bond Oversight Committee.

Section 5. The estimated cost of the bond financed portion of the project described in Section 2 above was fixed by the Board by the following resolution and in the amount specified below:

Resolution No. 131189, \$400,000,000.

Such resolution was passed by two-thirds or more of the Board and approved by the Mayor of the City (the "Mayor"). In such resolution it was recited and found by the Board that the sum of money specified is too great to be paid out of the ordinary annual income and revenue of the City in addition to the other annual expenses or other funds derived from taxes levied for those purposes and will require expenditures greater than the amount allowed by the annual tax levy.

The method and manner of payment of the estimated costs described in this ordinance are by the issuance of bonds of the City not exceeding the principal amount specified.

Such estimate of costs as set forth in such resolution is adopted and determined to be the estimated cost of such bond financed improvements and financing, as designed to date.

Section 6. The Bond Special Election shall be held and conducted and the votes received and canvassed, and the returns made and the results ascertained, determined and declared as provided in this ordinance and in all particulars not recited in this ordinance such election shall be held according to the laws of the State of California (the "State") and the Charter of the City (the "Charter") and any regulations adopted under State law or the Charter, providing for and governing elections in the City, and the polls for such election shall be and remain open during the time required by such laws and regulations.

Section 7. The Bond Special Election is consolidated with the General Election scheduled to be held in the City on Tuesday, June 3, 2014. The voting precincts, polling places and officers of election for the June 3, 2014 General Election are hereby adopted, established, designated and named, respectively, as the voting precincts, polling places and officers of election for the Bond Special Election called, and reference is made to the notice of election setting forth the voting precincts, polling places and officers of election for the June 3, 2014 General Election by the Director of Elections to be published in the official newspaper of the City on the date required under the laws of the State of California.

Section 8. The ballots to be used at the Bond Special Election shall be the ballots to be used at the June 3, 2014 General Election. The word limit for ballot propositions imposed by Municipal Elections Code Section 510 is waived. On the ballots to be used at the Bond Special Election, in addition to any other matter required by law to be printed thereon, shall appear the following as a separate proposition:

"SAN FRANCISCO EARTHQUAKE SAFETY AND EMERGENCY RESPONSE BOND, 2014. To improve fire, earthquake and emergency response by: improving and/or replacing deteriorating cisterns, pipes, and tunnels, and related facilities to ensure firefighters a reliable water supply for fires and disasters; improving and/or replacing neighborhood fire and police stations; replacing certain seismically-unsafe police and medical examiner facilities with earthquake-safe buildings and to pay related costs, shall the City and County of San Francisco issue \$400,000,000 in general obligation bonds, subject to citizen oversight and regular audits?"

Each voter to vote in favor of the issuance of the foregoing bond proposition shall mark the ballot in the location corresponding to a "YES" vote for the proposition, and to vote against the proposition shall mark the ballot in the location corresponding to a "NO" vote for the proposition.

Section 9. If at the Bond Special Election it shall appear that two-thirds of all the voters voting on the proposition voted in favor of and authorized the incurring of bonded indebtedness for the purposes set forth in such proposition, then such proposition shall have been accepted by the electors, and bonds authorized shall be issued upon the order of the Board. Such bonds shall bear interest at a rate not exceeding applicable legal limits.

The votes cast for and against the proposition shall be counted separately and when two-thirds of the qualified electors, voting on the proposition, vote in favor, the proposition shall be deemed adopted.

Section 10. For the purpose of paying the principal and interest on the bonds, the Board shall, at the time of fixing the general tax levy and in the manner for such general tax levy provided, levy and collect annually each year until such bonds are paid, or until there is a sum in the Treasury of said City, or other account held on behalf of the Treasurer of said City, set apart for that purpose to meet all sums coming due for the principal and interest on the bonds, a tax sufficient to pay the annual interest on such bonds as the same becomes due and also such part of the principal thereof as shall become due before the proceeds of a tax levied at the time for making the next general tax levy can be made available for the payment of such principal.

Section 11. This ordinance shall be published in accordance with any State law requirements, and such publication shall constitute notice of the Bond Special Election and no other notice of the Bond Special Election hereby called need be given.

Section 12. The Board, having reviewed the proposed legislation, makes the following findings in compliance with the California Environmental Quality Act ("CEQA"), California Public Resources Code Sections 21000 et seq., the CEQA Guidelines, 14 California Code of Regulations Sections 15000 et seq., ("CEQA Guidelines"), and Administrative Code Chapter 31 ("Chapter 31"):

(i) Emergency Firefighting Water System (EFWS) Project. For the reasons set forth in the letter from the Environmental Review Officer of the Planning Department, dated November 25, 2013, a copy of which is on file with the Clerk of the Board in File No. 131190 and incorporated by reference, the Board finds that the bond proposal as it relates to funds for the EFWS Project is not subject to CEQA because as the establishment of a government financing mechanism that does not involve any commitment to specific projects to be constructed with the funds, it is not a project as defined by CEQA and the CEQA Guidelines. The use of bond proceeds to finance any project or portion of any project with funds for the EFWS Project portion of the Bond will be subject to approval of the Board upon completion of planning and any further required environmental review under CEQA for the individual EFWS projects.

(ii) Critical Firefighting Facilities and Infrastructure. For the reasons set forth in the letter from the Environmental Review Officer of the Planning Department, dated November 25, 2013, a copy of which is on file with the Clerk of the Board in File No. 131190 and incorporated by reference, the Board finds that the bond proposal as it relates to funds for Critical Firefighting Facilities and Infrastructure is not subject to CEQA because as the establishment of a government financing mechanism that does not involve any commitment to specific projects to be constructed with the funds, it is not a project as defined by CEQA and the CEQA Guidelines. The use of bond proceeds to finance any project or portion of any project with funds for the Critical Firefighting Facilities and Infrastructure portion of the Bond will be subject to approval of the Board upon completion of planning and any further required environmental review under CEQA for the individual Critical Firefighting Facilities and Infrastructure projects.

(iii) Police Facilities and Infrastructure. For the reasons set forth in the letter from the Environmental Review Officer of the Planning Department, dated November 25, 2013, a copy of which is on file with the Clerk of the Board in File No. 131190 and incorporated by reference, the Board finds that the bond proposal as it relates to funds for Police Facilities and Infrastructure is not subject to CEQA because as the establishment of a government financing mechanism that does not involve any commitment to specific projects to be constructed with

the funds, it is not a project as defined by CEQA and the CEQA Guidelines. The use of bond proceeds to finance any project or portion of any project with funds for the Police Facilities and Infrastructure portion of the Bond will be subject to approval of the Board upon completion of planning and any further required environmental review under CEQA for the individual Police Facilities and Infrastructure projects.

(iv) Medical Examiner Facility. The Environmental Review Officer in the Planning Department determined that the Medical Examiner Facility project is exempt from environmental review as a Class 32 Categorical Exemption, infill development, in a written determination dated May 30, 2013 and contained in Planning Department File No. 2012.1172E and this Board's File No. 131190.

(v) Traffic Company and Forensic Services Division Facility. On November 18, 2013, the Planning Department issued a Final Mitigated Negative Declaration ("FMND") for the Traffic Company and Forensic Services Division Facility project, San Francisco Planning Department Case No. 2013.0342E, which is on file with the Clerk of the Board in File No. 131190 and which is incorporated into this ordinance by this reference. In issuing the FMND the Planning Department determined that the Traffic Company and Forensic Services Division Facility project could not have a significant effect on the environment.

(a) The Board hereby adopts as its own the CEQA findings for the Traffic Company and Forensic Services Division Facility project made by the Planning Department in the FMND.

(b) The Board has reviewed and considered the information contained in the FMND and all other documents referenced in this Ordinance as being on file with the Clerk of the Board in File No. 131190.

(c) The Traffic Company and Forensic Services Division Facility project as reflected in this ordinance is consistent with the project described in the FMND and would not result in any significant impacts not identified in the FMND nor cause significant effects identified in the FMND to be substantially more severe.

(d) In accordance with CEQA, the Board has considered the mitigation measures described in the FMND and hereby requires the mitigation measures and the mitigation monitoring and reporting program ("MMRP") denoted as Exhibit A to this ordinance and on file with the Clerk of the Board in File No. 131190 to be imposed as conditions on the implementation of the Traffic Company and Forensic Services Division Facility project approved by this ordinance.

(e) With the implementation of the mitigation measures required in Exhibit A to this ordinance, the environmental impacts resulting from the Traffic Company and Forensic Services Division Facility project on subsurface cultural resources, air quality emissions, construction hours and operational traffic would be reduced to a less than significant level as described in the FMND.

(f) Based upon the whole record for the FMND, including all written materials and any oral testimony received by the Board, the Board hereby finds that the FMND reflects the independent judgment and analysis of the Planning Department and the Board, is adequate and complete and there is no substantial evidence that the proposed Traffic Company and Forensic Services Division Facility project, given the implementation of the mitigation measures as stated in the FMND and the adoption of the MMRP, could have a significant effect on the environment as shown in the analysis of the FMND. The Board hereby adopts the FMND and the MMRP on file with the Clerk of the Board as Exhibit A to this ordinance.

Section 13. The Board finds and declares that the proposed Bond is (i) in conformity with the priority policies of Section 101.1(b) of the Planning Code, (ii) in accordance with Section 4.105 of the Charter and Section 2A.53(f) of the Administrative Code, and (iii) consistent with the City's General Plan, and adopts the findings of the Planning Department, as set forth in the General Plan Referral Report dated November 26, 2013, a copy of which is on file with the Clerk of the Board in File No. 131190 and incorporates such findings by reference.

Section 14. Under Section 53410 of the California Government Code, the bonds shall be for the specific purpose authorized in this ordinance and the proceeds of such bonds will be applied only for such specific purpose. The City will comply with the requirements of Sections 53410(c) and 53410(d) of the California Government Code.

Section 15. The Bonds are subject to, and incorporate by reference, the applicable provisions of Administrative Code Sections 5.30 – 5.36 (the "Citizens' General Obligation Bond Oversight Committee"). Under Section 5.31 of the Citizens' General Obligation Bond Oversight Committee, to the extent permitted by law, one-tenth of one percent (0.1%) of the gross proceeds of the Bonds shall be deposited in a fund established by the Controller's Office and appropriated by the Board of Supervisors at the direction of the Citizens' General Obligation Bond Oversight Committee to cover the costs of such committee.

Section 16. The time requirements specified in Section 2.34 of the Administrative Code are waived.

Section 17. The appropriate officers, employees, representatives and agents of the City are hereby authorized and directed to do everything necessary or desirable to accomplish the calling and holding of the Bond Special Election, and to otherwise carry out the provisions of this ordinance.

Section 18. Documents referenced in this ordinance are on file with the Clerk of the Board of Supervisors in File No. 131190, which is hereby declared to be a part of this ordinance as if set forth fully herein.

Proposition B

Be it ordained by the People of the City and County of San Francisco:

SECTION 1. Title

This measure shall be known and may be cited as the "Waterfront Height Limit Right To Vote Act"

SECTION 2. Findings and Declarations

The People of the City and County of San Francisco declare their findings and purposes in enacting this Initiative to be as follows:

Whereas, the San Francisco waterfront is an irreplaceable public resource of the highest value;

Whereas, San Francisco holds the waterfront in trust for the People of California;

Whereas, it is in the interest of San Francisco to preserve a unique and vibrant vital waterfront with adequate public views of, and access to, the City and San Francisco Bay;

Whereas reasonable building height limits on the San Francisco waterfront have been instrumental in preventing the historic waterfront from becoming blocked and walled off by luxury high-rises and tall private buildings as has happened on many waterfronts around the country;

Therefore the people of San Francisco declare that it is the policy of the City and County of San Francisco that:

The existing maximum building height limits on the San Francisco waterfront shall be preserved and shall not be increased unless a height limit increase is approved by San Francisco voters.

SECTION 3. Waterfront Height Limit Right To Vote Requirement

Section 61.5.1 is added to the San Francisco Administrative Code as follows:

- (a) No city agency or officer may take, or permit to be taken, any action to permit development located in whole or in part on the waterfront to exceed at any point the building and structure height limits in effect as of January 1, 2014, which are set forth in San Francisco Planning Code Article

City and County of San Francisco



Edwin M. Lee, Mayor
Mohammed Nuru, Director

San Francisco Department of Public Works

Deputy Director for Buildings
30 Van Ness Avenue, 4th Floor
San Francisco, CA 94102
(415) 557-4700 - www.sfdpw.org



Edgar Lopez, Deputy Director and City Architect

May 15, 2014

Ms. Naomi Kelly
City Administrator
Office of the City Administrator
City Hall, Room 362
San Francisco, CA 94102

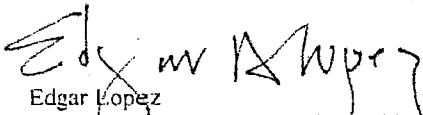
Re: Request for Determination of Integrated Project Delivery - CM/GC
Traffic Company and Forensic Services Division Project

Dear City Administrator Kelly:

DPW is currently leading the planning efforts to build a new facility to house the Traffic Company and Forensic Services Division (TC & FSD). We recommend the use of a Construction Manager/General Contractor (CM/GC) project delivery method for project as we believe it will result in cost savings and time efficiencies by allowing us to integrate the pre-construction services with the design of the new facility. Pursuant to the City Administrative Code, Section 6.68, Integrated Project Delivery, we need your determination and approval that CM/GC is an acceptable delivery for this project.

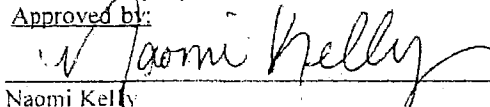
Subject to your approval of this request, we intend to work with the City Attorney's office to draft an ordinance to be approved by the Board of Supervisors to allow us to include a provision within the CM/GC contract to designate the mechanical, electrical and plumbing scopes of work into a Design/Build (D/B) proposal. This provision would allow our contract to follow industry standard with respect to how most laboratories are now delivered across the Bay Area. The contract would still follow of all the pertinent requirements regarding Local Business Enterprises and Local Hiring goals.

Please let me know if you have any inquiries on this approach and request for determination.


Edgar Lopez
DPW Deputy Director and City Architect

Determination of Integrated Project Delivery, CM/GC Delivery Method including D/B MEP Services for the Traffic Company & Forensic Services Division (TC&FSD) Project

Approved by:


Naomi Kelly
City Administrator

5/20/14
Date

cc: Mohammed Nuru, DPW Director
Charles Higuera, DPW Program Manager



San Francisco Department of Public Works
Making San Francisco a beautiful, livable, vibrant, and sustainable city.

TO: Angela Calvillo, Clerk of the Board of Supervisors

FROM: M. Magdalena Ryor
Project Manager
Department of Public Works

DATE: July 21, 2014

SUBJECT: Contracting Process for SFPD TC & FSD Project

ORD. TITLE: Contracting Process for the Police Department
Traffic Company and Forensic Services Division
Project

Attached please find the original* and 2 copies of each of the following:

- ___ Proposed grant resolution; original* signed by Department, Mayor, Controller
- ___ Grant information form, including disability checklist
- ___ Grant budget
- ___ Grant application
- ___ Grant award letter from funding agency
- ___ Ethics Form 126 (if applicable)
- ___ Contracts, Leases/Agreements (if applicable)
- x Other (Explain): Ordinance and related legislative digest

RECEIVED
BOARD OF SUPERVISORS
CLERK'S OFFICE
JUL 21 AM 11:45

Special Timeline Requirements: None.

Departmental representative to receive a copy of the adopted resolution:

Name: Edgar Lopez

Phone: 415-557-4675

Interoffice Mail Address: edgar.lopez@sfdpw.org

Certified copy required Yes ☐

No ☒

(Note: certified copies have the seal of the City/County affixed and are occasionally required by funding agencies. In most cases ordinary copies without the seal are sufficient).

