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Memorandum

TO: BATA Oversight Committee

DATE: April 7, 2010

FR: Executive Director

W. I. 1251

RE: Contract: Construction of San Francisco-Oakland Bay Bridge Toll Administration Building:
Swinerton Builders

Background

The existing Toll Operations Building at the San Francisco-Oakland Bay Bridge (SFOBB) poses a seismic risk because of its outdated design and location on liquefiable soil. After the Loma Prieta earthquake, retrofit was deemed infeasible because of the high cost and the need for continued operations during construction. Caltrans and BATA agreed that BATA would issue and award a construction contract for the project and that both agencies would participate in the management of the project. In October 2009, design for the building was completed. The required permits (Caltrans Encroachment, State Fire Marshal Fire/Life Safety, and Division of State Architect Accessibility) have been obtained. Less contingency, the engineer's estimate for the building construction is approximately \$17 Million.

Invitation for Bid

On October 31, 2009 BATA issued an Invitation for Bid (IFB) for construction of the new toll building. On January 13, 2010, BATA Oversight authorized the award to Roebbelen Contracting, Inc., who had the lowest bid at \$13,787,028. A protest was submitted by the second low bidder, Alten Construction, Inc. A review panel of three Commissioners from this Committee recommended that all bids be rejected and the project be rebid. The project was rebid on March 10, 2010.

The reissued IFB stated that the contract would be awarded to the responsible bidder submitting the lowest responsive bid. Six bids were opened on April 6, 2010, as follows:

Bidder	Location	Amount
Swinerton Builders	San Francisco, CA	\$13,660,000
Alten Construction, Inc.	Richmond, CA	\$13,697,140
Roebbelen Contracting, Inc.	El Dorado Hills, CA	\$13,740,851
S.J. Amoroso Construction Co., Inc.	Redwood Shores, CA	\$13,987,000
Zovich and Sons, Inc. dba Zovich Construction	Hayward, CA	\$14,357,555
Geney/Gassiot-Overaa, a Joint Venture	Richmond, CA	\$14,398,000

As set forth above, Swinerton Builders is the apparent low bidder.

Contingency

The project budget includes \$1,600,000 in contingency funds to cover the following work not included in the scope of work, if needed: traffic flagging, micropiling in the existing basement, additional foundation work due to differing site conditions, and partnering. The project budget also includes a standard contingency of \$2,100,000, 12.5% of the engineer's estimate, to cover unknown project costs not included in the scope of work. The contingency amounts, totaling \$3,700,000, are separate from the contract amount of \$13,660,000 and are to be used at BATA's sole discretion for changes in the work.

Recommendation

Staff recommends that:

- This Committee authorize the Executive Director or his designee to award the contract for construction of the SFOBB Toll Operations Building to Swinerton Builders in the amount of \$13,660,000, pending staff's review of responsiveness and responsibility.
- Should staff determine that Swinerton Builders is not responsive or responsible, this Committee authorize the Executive Director or his designee to award the contract for construction of the SFOBB Toll Operations Building to Alten Construction, Inc. in the amount of \$13,697,140.
- Should staff determine that Alten Construction, Inc. is also not responsive or responsible, this Committee authorize the Executive Director or his designee to award the contract for construction of the SFOBB Toll Operations Building to Roebbelen Contracting, Inc. in the amount of \$13,740,851.
- That this Committee give the Executive Director, or his designee, authority to use contingency funds in the amount of \$3,700,000.

Steve Heminger

SH:SW

REQUEST FOR COMMITTEE APPROVAL

Summary of Proposed Contract

Work Item No.: 1251

Contractor: Swinerton Builders, Alten Construction, Inc., or Roebbelen Contracting, Inc., pending determination of responsiveness and responsibility.

Work Project Title: Construction Contract for SFOBB Toll Operations Building

Purpose of Project: Construct a new Toll Operations Building in Oakland for SFOBB

Brief Scope of Work: Construct a new Toll Operations Building directly east of the existing building in the Toll Plaza median. Partially demolish the existing building, and retrofit and renovate the existing basement. Complete demolition of the existing building, and provide landscaping and related site improvements.

Project Cost Not to Exceed:

- \$13,660,000 if Swinerton Builders is awarded;
- \$13,697,140 if Alten Construction, Inc. is awarded; or
- \$13,740,851 if Roebbelen Contracting, Inc. is awarded;
- Plus contingency totaling \$3,700,000 (not included in the contract).

Funding Source: Toll Bridge Rehabilitation Program Funds

Fiscal Impact: Project costs will be consistent with funds programmed and budgeted.

Motion by Committee: That the Executive Director or his designee be authorized to award the contract for construction of the SFOBB Toll Operations Building as follows:

- To Swinerton Builders in the amount of \$13,660,000, subject to staff's determination that Swinerton Builders is responsible and has submitted a responsive bid;
- Should staff determine that Swinerton Builders is not responsible or responsive, to Alten Construction, Inc. in the amount of \$13,697,140; or
- Should staff determine that Alten Construction, Inc. is not responsible or responsive, to Roebbelen Contracting, Inc. in the amount of \$13,740,851;

Further, that the Executive Director, or his designee, be authorized to use contingency funds in the amount of \$3,700,000 as follows: \$1,600,000 for traffic flagging, micropiling in the existing basement, additional foundation work related to differing site conditions, and partnering and \$2,100,000 for any other changes not included in the scope of work, and that the Chief Financial Officer is directed to set aside funds for such contract and for the contingency.

BATA Oversight Chair

Bill Dodd, Chair

Approved: Date: April 14, 2010