



MEMORANDUM

September 13, 2024

TO: MEMBERS, PORT COMMISSION
Hon. Kimberly Brandon, President
Hon. Gail Gilman, Vice President
Hon. Willie Adams
Hon. Stephen Engblom
Hon. Steven Lee

FROM: Elaine Forbes
Executive Director 

SUBJECT: Request Authorization to Advertise for Competitive Bids for Construction Contract No. 2871, Pier 80 Mooring and Berthing Improvements.

DIRECTOR'S RECOMMENDATION: Approve the Attached Resolution No. 24-38

EXECUTIVE SUMMARY

Port staff requests the Port Commission authorize the advertisement for competitive bids for Construction Contract No. 2871, Pier 80 Mooring and Berthing Improvements (the "Project"). Pier 80 is located in the southern at the end of Cesar Chavez Street (see Exhibit "A" for the Area of Work Location Map).

The Project scope is to improve the mooring and fendering system at Pier 80 to allow increased flexibility in vessel berthing to include cargo movements and larger ocean-going cruise ship berthing on the southern waterfront.

The Port applied for and was awarded a Port and Freight Infrastructure Program (PFIP) grant from the California State Transportation Agency (CalSTA) in the amount of \$6,320,000 to fund construction of the Project.

The existing fender system at Pier 80 is dilapidated and presents operational safety hazards reducing the effectiveness of the terminal. Improvements will result in increased

safety, capacity, efficiency, and reliability of goods movement and overall terminal operations.

STRATEGIC OBJECTIVES

The proposed Pier 80 Mooring and Berthing Improvements Project supports the Port's 2021-2025 Strategic Plan through the following goals:

Productivity:

Attract and retain tenants to build an economically successful and vibrant waterfront. The improved fendering system will reduce downtime related to maintenance and repair issues. Tenants will be provided with reliable infrastructure.

Sustainability:

Advance environmental stewardship to limit climate change and protect the Bay. The Project will improve bay health by removing creosote-treated wood fender piles and tires used as fenders to reduce contaminants from the bay.

Evolution:

Evolve the waterfront to respond to changing public and Port needs. Improving the mooring and fendering system at Pier 80 will allow increased flexibility in vessel berthing. This will allow the Port to utilize this space for mixed uses that include cargo movements and cruise ship berthing.

PROJECT BACKGROUND AND SCOPE

The current fendering infrastructure serving Pier 80 requires improvements to maintain cargo vessel operations and to increase the flexibility to serve multiple types of vessels and industries. The Port will replace its existing makeshift fender system of oversized tires hung from aging and deteriorating marine hardware with a new fendering system. Additional mooring bollards will also be installed at select locations to supplement existing mooring points.

The type of fendering and their locations were designed to maximize the type of vessels able to berth. It will be able to accommodate the current Roll-on-Roll-off ship types and future larger cargo vessels. They will also be able to support cruise ship berths.

The scope of work includes:

- Remove the deteriorated fendering system from the pier deck
- Remove dilapidated timber fender piles
- Installation of a new fendering system and associated hardware; and
- Installation of mooring bollards and associated hardware.

LOCAL BUSINESS ENTERPRISE ROLE/OPPORTUNITIES

The Contract Monitoring Division (CMD) is empowered to implement and enforce the City's Administrative Code Chapter 14B, the Local Business Enterprise Utilization and Non-

Discrimination in Contracting Ordinance. CMD works to improve the ability of LBEs, particularly micro LBEs, to compete effectively for the award of City contracts. CMD oversees and assists City departments in using Discounts/Rating bonuses, set-asides, and LBE subcontracting participation requirements, and CMD provides information and training in order to reach the Mayor's established small and micro local business contracting goals.

CMD staff have reviewed the Contract scope and funding sources for this Contract and established a 15% LBE subcontractor participation goal. (Refer to Exhibit B – CMD Memorandum). This percentage is lower than some other recent contracts due to the specialized nature of overwater work. Materials are also specialized to be able to withstand the marine environment and skew the typical ratio of material to labor costs, resulting in relatively low labor costs.

Port staff will work with CMD staff on outreach to construction contractors located in San Francisco to encourage bidding by LBE contractors. Staff outreach will include phone calls and emails to LBE contractors, newspaper advertisements, and facilitating introductions at the pre-bid meeting.

REGULATORY PERMITS & APPROVALS

Below is a table of the regulatory permits and approvals applicable to work for this Project:

Table 1: Permitting & Approval Summary

Agency	
San Francisco Planning Department (CEQA)	CEQA Categorical Exemption Determination filed by the San Francisco Planning Department on June 4, 2021 (2021-003773ENV) for the Portwide Repair and Maintenance Program.
San Francisco Bay Regional Water Quality Control Board (RWQCB)	RWQCB Order R2-2016-0039, Waste Discharge Requirements, and Water Quality Certification issued September 16, 2016, for the Port of San Francisco General Maintenance Program, as extended through December 31, 2028.
Bay Conservation and Development Commission (BCDC)	BCDC Permit No. M1977.017.20 for Port of San Francisco General Maintenance and Repairs, issued June 22, 2023.
US Army Corps of Engineers (USACE)	USACE Regional General Permit (RGP) SPN-2015-00016S for the Port of San Francisco General Maintenance Program is expected to be issued in late September 2024.
Port of San Francisco Building Permit	Permit to be secured before issuance of the Notice to Proceed.

SCHEDULE

The anticipated contract schedule is as follows:

Port Commission Authorization to Advertise Contract	September 2024
Advertise for Bids	October 2024
Port Commission Approval of Award of Contract	December 2024
Substantial Completion	August 2025

BUDGET AND FUNDING

The construction phase of the Pier 80 Mooring and Berthing Improvements Project will be funded by the following sources.

Source	Amount
CalSTA Grant	\$6,320,000
Port Local Match	\$1,580,000
Total	\$7,900,000

The engineer's estimate for construction is \$5,900,000. The Project costs also include a 10% contingency of \$590,000 for a total of \$6,490,000. The remaining \$1,410,000 of funds available will be used to cover soft costs including construction management, engineering support, inspections, and permits.

SUMMARY AND RECOMMENDATION

Port staff is prepared to seek bids for the Pier 80 Mooring and Berthing Improvements and therefore respectfully recommends that the Port Commission authorize the advertisement of Construction Contract No. 2871 for competitive bids.

Prepared by: Noel Aquino, Project Manager

For: Wendy Proctor, Deputy Director
Engineering

Attachments: Exhibit A - Area of Work Location Map
Exhibit B - Contract Monitoring Division (CMD) Memorandum

**PORT COMMISSION
CITY AND COUNTY OF SAN FRANCISCO**

RESOLUTION NO. 24-38

WHEREAS, Port staff seeks Port Commission authorization to solicit competitive bids for construction Contract No. 2871, Pier 80 Mooring and Berthing Improvements (the "Contract"); and

WHEREAS, The scope of work for Contract No. 2871 includes the removal of the existing dilapidated fendering system, installation of new mooring bollards and fendering system; and

WHEREAS, The Engineer's construction cost estimate, including a 10% contingency, is \$6,490,000; and

WHEREAS, The estimated construction cost, including a 10% contingency, and construction oversight, will be funded by the California State Transportation Agency Port Freight Infrastructure Program, and Port matching funds; and

WHEREAS, The Port obtained a CEQA Categorical Exemption Determination filed by the San Francisco Planning Department on June 4, 2021 (2021-003773ENV) for the Portwide Repair and Maintenance Program; and

WHEREAS, The Port obtained the San Francisco Regional Water Quality Control Board Order R2-2016-0039, Waste Discharge Requirements, and Water Quality Certification, issued September 16, 2016, and extended through December 31, 2028, the San Francisco Bay Conservation and Development Commission Permit No. M1977.017.20, issued June 22, 2023, and the U.S. Army Corps of Engineers Regional General Permit SPN-2015-00016S is expected to be issued in late September 2024. The Port Building Permit will be obtained before Notice to Proceed; and

WHEREAS, Contract Monitoring Division staff have reviewed the Contract scope and funding sources for this Contract, and established a 15% LBE subcontractor participation goal; now, therefore be it

RESOLVED, That the Port Commission hereby authorizes Port staff to advertise for and accept competitive bids for construction Contract No. 2871, Pier 80 Mooring and Berthing Improvements; and be it further

RESOLVED, That the Port Commission authorizes Port staff to take further actions in connection with the advertisement as necessary to achieve the purposes described in this Resolution.

I hereby certify that the foregoing resolution was adopted by the Port Commission at its meeting of September 17, 2024.

Secretary

EXHIBIT A
Area of Work Location Map



EXHIBIT B
Contract Monitoring Division Memorandum (CMD)

City & County of San Francisco
London N. Breed, Mayor



Office of the City Administrator
Carmen Chu, City Administrator

Contract Monitoring Division
Stephanie Tang, Director

MEMORANDUM

Date: August 28, 2024
To: Noel Aquino, Project Manager I, Port of San Francisco
From: Melinda Kanios, Contract Compliance Officer, CMD
Subject: Pier 80 Marine Fendering and Mooring Combined Micro/Small LBE Sub Participation Requirement

The Contract Monitoring Division ("CMD") has completed its review of the Project Manager's/Engineer's Estimate for subconsulting opportunities on the above referenced project. Based on this review and the Local Business Enterprise ("LBE") availability data, the LBE subconsulting requirement is 15.00% for this project. The LBE subconsulting requirement can only be met with San Francisco CMD Certified Small and/or Micro-LBEs.

The LBE subconsulting participation requirement for this RFP is 15.00%. The LBE subcontracting participation requirement is less than 20% due to marine equipment costs totaling nearly half the contract and the requirement for USL&H insurance.

In accordance with Section 14B.8(B) of the Administrative Code, in order for the Proposer to be exempt from meeting the "Good Faith Outreach" requirements described in Part IV of CMD Attachment 2, the total amount of the LBE participation must equal or exceed 20.25% (this percentage is the LBE sub requirements plus the 35% good faith exemption percentage).

Pursuant to Section 14B.9 of the Administrative Code, proposers are hereby advised that the availability of Minority Business Enterprises ("MBE"), Woman Business Enterprises ("WBE") and Other Business Enterprises ("OBE") to perform subconsulting work on this project is as follows:

5.9% MBE; 2.0% WBE; and 7.1% OBE.

This availability information should be conveyed in the RFP and proposers are further advised that they may not discriminate in the selection of subconsultants on the basis of race, gender, or other basis prohibited by law, and that they shall undertake all required good faith steps in such a manner as to ensure that neither MBEs nor WBEs nor OBEs are unfairly or arbitrarily excluded from the required good faith efforts.

Should you have any questions please feel free to contact me at Melinda.Kanios@sfgov.org.