

## PEP 2.1.1. Claims Benchmarking Survey Summary

### Year claims were filed from 2011 - 2016

	2011	2012	2013	2014	2015	2016
SF PUC			1			
SF Public Works	1	1		2		3
SF Rec & Park					1	
SF Port			3			
SFO						
SFMTA		1	2	1		

### Total claims and timing of claims filings

	Total claims (2011 - 2016)	Total claims initiated while construction was ongoing (2011 - 2016)
SF PUC	1	1
SF Public Works	7	5
SF Rec & Park	1	1
SF Port	3	2
SFO	0	0
SFMTA	4	3
	<b>16</b>	<b>12</b>

### Year claim was filed, \$ amount claimed against department and final \$ settlement

	2011	2012	2013	2014	2015	2016
SFPUC Claimed			\$ 10,000,000.00			
SFPUC Settlements			\$ 3,031,440.00			
Public Works Claimed	-	\$ 505,200.00		\$ 1,397,389.00		\$ 1,317,818.00
Public Works Settlements	-	\$ 198,979.00		\$ 536,561.00		\$ 834,934.00
SF Rec & Park Claimed					\$ 754,000.00	
SF Rec & Park Settlements					TBD	
SF Port Claimed			\$ 4,827,730.00			
SF Port Settlements			\$ 1,464,514.00			
SFO Claimed (N/A)						
SFO Settlements (N/A)						
SFMTA Claimed		\$ 140,000.00	\$ 7,420,000.00			\$ 1,980,000.00
SFMTA Settlements		\$ 25,000.00	\$ 1,450,000.00			\$ 175,000.00

### Number of days required to settle claim once it was filed

Department	Project No.	No. days required to settle the claim
SFPUC	WD-2542	492
SFPW	2570J	269
	1912J	369
	7253A	132
	1931J	730
SF Port	2727	145
	2777	145
	2759	227
SFMTA	1250	425
	1251	355
	MR-1206R	1299
	MR-1206R	702

Total Days 5290  
Average Days 441

Totals	
Total dollars claimed against all departments (2011 – 2016)	\$ 23,244,319.00
Total dollars in claims settled (2011 – 2016)	\$ 7,635,494.00
Total dollars involved in unresolved claims (estimated)	\$ 2,071,818.00
Average number of days required to resolve a claim	441

## SFCPSC Performance Measures Subcommittee

### SF Public Utilities Commission

#### Claims Benchmarking Survey Details

San Francisco Department:

Total Number of construction claims per year for all project types over the past 5 years.

SFPUC

1

Ratio: 0.2 per year

Percent of Projects: 1/811 or 0.12%

Project detail for projects involving claims

- Project Awarding Entity (Owner)
- Project ID Number
- Project Name
- Contractor
- Designer
- Project NTP Date
- Project Completion Date
- Date claim was filed (or project completion date if unknown)
- Date claim was resolved
- Project Delivery Method
- Construction Type for projects with claims (infrastructure, building, municipal, etc.)
- Dollar value of claim made by contractor (to the nearest \$10,000)
- Dollar value of final settlement (to the nearest \$10,000)
- Dollar Value of the "Construction Budget" for each project involving a Claim or Claims – to the nearest \$10,000
- Methodology for resolving the Claim: Direct Negotiation, Mediation, Non-Binding Arbitration, Binding Arbitration, or Judgement

<b>Project 1</b>
SFPUC
WD-2542
BDPL 5 Peninsula Reaches
Mountain Cascade Inc.
SFPUC - EMB
3/10/2010
10/16/2015
6/11/2013
10/16/2015
Design-Bid- Build
Infrastructure
\$10,000,000
\$3,031,440
\$55,442,980
Mediation

#### SF Department Detail (SF PUC)

Fiscal Year

- Number infrastructure projects
  - Water Enterprise Projects (WSIP and AWSS)
  - Hetch Hetchy Water and Power
  - SSIP Phase 1
  - Wastewater Enterprise CIP Interim Projects

#### Total construction projects per year

- Total Construction Budget for infrastructure projects
  - Water Enterprise Projects (WSIP and AWSS)
  - Hetch Hetchy Water and Power
  - SSIP Phase 1
  - Wastewater Enterprise CIP Interim Projects

#### Total construction budget per year

	2017/2016	2016/2015	2015/2014	2014/2013	2013/2012
	97	95	115	82	81
	32	32	32	47	51
	12	7	5	3	
	5	11	15	29	24
	<b>146</b>	<b>145</b>	<b>167</b>	<b>161</b>	<b>156</b>
\$	181,798,639.00	\$ 224,200,638.00	\$ 399,685,411.00	\$ 465,496,248.00	\$ 593,919,308.00
\$	17,236,693.00	\$ 14,003,952.00	\$ 12,636,572.00	\$ 9,634,004.00	\$ 21,886,239.00
\$	13,718,876.00	\$ 13,897,311.00	\$ 28,426,191.00	\$ 9,328,928.00	
\$	8,719,789.00	\$ 13,733,226.00	\$ 15,876,480.00	\$ 54,779,067.00	\$ 53,244,666.00
\$	<b>221,473,997.00</b>	<b>\$ 265,835,127.00</b>	<b>\$ 456,624,654.00</b>	<b>\$ 539,238,247.00</b>	<b>\$ 669,050,213.00</b>

## SFCPSC Performance Measures Subcommittee

### San Francisco Public Works

#### Claims Benchmarking Survey Details

San Francisco Department:

#### San Francisco Public Works

Total Number of construction claims per year for all project types over the past 5 years.

**7**

**Ratio: 1.4 per year**

**Percent of Projects: 7/2403 or 0.29%**

Project detail for projects involving claims

- o Project Awarding Entity (Owner)
- o Project ID Number
- o Project Name
- o Contractor
- o Designer
- o Project NTP Date
- o Project Completion Date
- o Date claim was filed (or project completion date if unknown)
- o Date claim was resolved
- o Project Delivery Method
- o Construction Type for projects with claims (infrastructure, building, municipal, etc.)
- o Dollar value of claim made by contractor (to the nearest \$10,000)
- o Dollar value of final settlement (to the nearest \$10,000)
- o Dollar Value of the "Construction Budget" for each project involving a Claim or Claims – to the nearest \$10,000
- o Methodology for resolving the Claim: Direct Negotiation, Mediation, Non-Binding Arbitration, Binding Arbitration, or Judgement

SF Public Works	SF Public Works	SF Public Works	SF Public Works	SF Public Works	SF Public Works	SF Public Works
2570 J			1912J	7253A	1931J	
As needed curb ramp construction Paving Program No. 1	SF General Hospital Rebuild	Haight and Hayes	San Jose Ave Pavement Renovation & Sewer Replacement Project	SFGH Building 80/90 Elevator Accessibility Upgrade	San Bruno & Bayshore Blvd. Pavement Renovation & Sewer Replacement Project	Public Safety Building Project
AnVil Builders, Inc.	Bullard's Heating & Air / Weisberg & Miller	Synergy Project Management	Synergy Project Management	Trico	Synergy Project Management	Avar Construction
SF Public Works	Fong and Chan Architects	SF Public Works	SF Public Works	TEF	SF Public Works	
8/3/2015	7/10/2008	4/27/2015	10/15/2012	9/3/2013	8/5/2012	
	7/21/2016	Pending	10/21/2015	12/23/2013	10/21/2015	
8/1/2016	2/12/2016	1/8/2016	6/27/2014	1/30/2014	3/14/2012	12/15/2011
4/27/2017	ongoing	ongoing	7/1/2015	6/1/2014	7/1/2015	
Design-Bid-Build	CM/GC	Design-Bid-Build	Design-Bid-Build	Design-Bid-Build	Design-Bid-Build	Design-Bid-Build
Infrastructure	Building	Infrastructure	Infrastructure	Building	Infrastructure	
\$217,818	\$1,100,000	TBD	\$1,160,000	\$237,389.54	\$505,200	
\$0	Est. \$834,934	TBD	\$501,561.80 and 74 days	\$35,000	\$198,979 and 53 days	Claim Denied
\$ 1,410,000	\$ 707,600,000	\$ 14,880,000	\$ 1,790,000	\$ 2,273,000	\$ 5,470,000	no info
Direct Negotiation	Paid in final quantities - Direct Negotiation	Mediation	Direct Negotiation	Direct Negotiation	Direct Negotiation during litigation	
Claim for disputed payment & quantities was resolved when CO #1 for Final Quantities signed on 4/27/17.	Breach of Contract Compensation for services non-payment for work performed	(2 legal actions) Writ petition following hearing on Synergy's subcontractor removal - Government Claim with writ	Settled in July 2015 - disputed change order work.	Terminated for convenience	2 Actions: Disputed Quantities and Extra Work Claim and Litigation	Disputed Quantities and Extra Work

Comments

#### SF Department Detail

- o Number buildings projects
  - o Number infrastructure projects
  - o Number mechanical projects
  - o Number of other construction project types
- Total construction projects per year**

2016/2015	2015/2014	2014/2013	2/12/2013	2012/2011
149	143	134	139	125
362	350	383	345	273
<b>511</b>	<b>493</b>	<b>517</b>	<b>484</b>	<b>398</b>
\$ 2,210,000,000	\$ 2,109,000,000	\$ 2,720,000,000	\$ 2,511,000,000	\$ 1,654,000,000
\$ 1,589,000,000	\$ 1,490,000,000	\$ 1,585,000,000	\$ 670,000,000	\$ 709,000,000
\$ -	\$ -	\$ -	\$ -	\$ -
\$ -	\$ -	\$ -	\$ -	\$ -
<b>\$ 3,799,000,000</b>	<b>\$ 3,599,000,000</b>	<b>\$ 4,305,000,000</b>	<b>\$ 3,181,000,000</b>	<b>\$ 2,363,000,000</b>

- o Total Construction Budget for buildings projects
- o Total Construction Budget for infrastructure projects
- o Total Construction Budget for mechanical projects
- o Total Construction Budget for other projects

**Total construction budget per year**

**Notes:**  
 Numbers of projects based on reporting date close to year-end for each year. For example, 2016 counts are as of 12/28/2016.  
 Projects are considered Building or Infrastructure based on the responsible division.

We have some counts of projects led by the Mechanical section, but we don't have separate budget information, so we included them in Infrastructure.  
 Budget numbers are based on the project budget entered in EPM, or the JOA budget if greater. We applied a factor of 75% to estimate construction budget.  
 For 2012, we did not have a project budget breakdown between building and infrastructure projects. We pro-rated the total to 70% building and 30% infrastructure.

## SFCPSC Performance Measures Subcommittee

### San Francisco Rec & Park

#### Claims Benchmarking Survey Details

Total Number of construction claims per year for all project types over the past 5 years.

1

Ratio: 0.2 per year

Percentage of Projects: 1/106 - 0.94%

Project detail for projects involving claims

- Project Awarding Entity (Owner)
- Project ID Number
- Project Name
- Contractor
- Designer
- Project NTP Date
- Project Completion Date
  
- Date claim was filed (or project completion date if unknown)
- Date claim was resolved
- Project Delivery Method
- Construction Type for projects with claims (infrastructure, building, municipal, etc.)
- Dollar value of claim made by contractor (to the nearest \$10,000)
- Dollar value of final settlement (to the nearest \$10,000)
  
- Dollar Value of the "Construction Budget" for each project involving a Claim or Claims – to the nearest \$10,000
- Methodology for resolving the Claim: Direct Negotiation, Mediation, Non-Binding Arbitration, Binding Arbitration, or Judgement

<b>Project 1</b>
RPD
3204V
Mountain Lake Playground
CF Contracting
Bohlin Cywinski Jackson
9/21/2015
2/28/2017 (expected)
12/23/2015 (first of 5 claims)
March 2017 (expected)
Design-Bid-Build
Park/Playground
\$754,000
tbd
\$1,970,000
Direct Negotiation (through attorneys)

#### SF Department Detail

- Number buildings projects
  - Number infrastructure projects
  - Number mechanical projects
  - Number of other construction project types
- Total construction projects per year**

	2016/2015	2015/2014	2014/2013	2/12/2013	2012/2011
	0	0	0	0	0
	0	0	0	0	0
	0	0	0	0	0
	14	30	21	19	22
<b>Total construction projects per year</b>	<b>14</b>	<b>30</b>	<b>21</b>	<b>19</b>	<b>22</b>
○ Total Construction Budget for buildings projects	\$ -				
○ Total Construction Budget for infrastructure projects	\$ -				
○ Total Construction Budget for mechanical projects	\$ -				
○ Total Construction Budget for other projects	\$ 23,427,000.00	\$ 35,350,000.00	\$ 38,294,000.00	\$ 52,712,000.00	\$ 42,614,000.00
<b>Total construction budget per year</b>	<b>\$ 23,427,000.00</b>	<b>\$ 35,350,000.00</b>	<b>\$ 38,294,000.00</b>	<b>\$ 52,712,000.00</b>	<b>\$ 42,614,000.00</b>

# SFCPSC Performance Measures Subcommittee

## Port of San Francisco

### Claims Benchmarking Survey Details

San Francisco Department:

Total Number of construction claims per year for all project types over the past 5 years.

Project detail for projects involving claims

- Project Awarding Entity (Owner)
- Project ID Number
  
- Project Name
  
- Contractor
  
- Designer
- Project NTP Date
- Project Completion Date
  
- Date claim was filed (or project completion date if unknown)
- Date claim was resolved
- Project Delivery Method
  
- Construction Type for projects with claims (infrastructure, building, municipal, etc.)
- Dollar value of claim made by contractor (to the nearest \$10,000)
- Dollar value of final settlement (to the nearest \$10,000)
- Dollar Value of the "Construction Budget" for each project involving a Claim or Claims – to the nearest \$10,000
  
- Methodology for resolving the Claim: Direct Negotiation, Mediation, Non-Binding Arbitration, Binding Arbitration, or Judgement

### Port of San Francisco

**3** Ratio: **0.6 Claims per year** Percentage of Projects: **3/32 - 9%**

Project 1	Project 2	Project 3
Port	Port	Port
2727	2777	2759
Pier 43 Bay Trail Link	Pier 43 Bay Trail Link	Pier 23 Electrical Upgrade Project
Vortex Marine Construction, Inc.	Mission Bay Rebar (Subcontractor)	Anvil Builders
Ben C. Gerwick (Consultant Prime)	Ben C. Gerwick (Consultant Prime)	SF Public Works
6/3/2011	6/3/2011	12/31/2012
5/25/2014	5/25/2014	4/26/2013
12/19/2013	12/19/2013	4/29/2013 (Date of Contract Claim)
5/14/2014	5/14/2014	12/12/2013
Design-Bid-Build	Design-Bid-Build	Design-Bid-Build
Marine Infrastructure (Pier/Wharf, Seawall, Roadway)	Marine Infrastructure (Pier/Wharf, Seawall, Roadway)	Building
\$4,427,000	\$212,050	\$94,340
\$1,414,514	\$0	\$25,000
\$7,606,973	\$7,606,973	\$500,000
Mediation	Tendered to prime contractor for payment	Mediation

### SF Department Detail

- Number buildings projects
- Number infrastructure projects
- Number mechanical projects
- Number of other construction project types

#### Total construction projects per year

- Total Construction Budget for buildings projects
- Total Construction Budget for infrastructure projects
- Total Construction Budget for mechanical projects
- Total Construction Budget for other projects

#### Total construction budget per year

2016/2015	2015/2014	2014/2013	2/12/2013	2012/2011
7	2	2	1	5
1	0	0	2	0
0	0	1	0	0
2	1	0	1	7
<b>10</b>	<b>3</b>	<b>3</b>	<b>4</b>	<b>12</b>
\$ 7,853,000.00	\$ 604,140.00	\$ 2,691,855.00	\$ 412,200	\$ 1,248,650.00
\$ 3,529,900.00	\$ -	\$ -	\$ 870,405	\$ -
\$ -	\$ -	\$ -	\$ -	\$ -
\$ 32,983,500.00	\$ 1,149,500.00	\$ 4,034,718.00	\$ 1,151,700.00	\$ 24,151,448.00
<b>\$ 44,366,400.00</b>	<b>\$ 1,753,640.00</b>	<b>\$ 6,726,573.00</b>	<b>\$ 2,434,305.00</b>	<b>\$ 25,400,098.00</b>



## SFCPSC Performance Measures Subcommittee

### San Francisco Municipal Transportation Agency

**San Francisco Department:**

**SFMTA**

Total Number of construction claims per year for all project types

**4**

**Ratio: 0.8 per year**

**Percentage of Projects: 4/24 17%**

Project detail for projects involving claims

- Project Awarding Entity (Owner)
- Project ID Number
  
- Project Name
  
- Contractor
- Designer
- Project NTP Date
- Project Completion Date
  
- Date claim was filed (or project completion date if unknown)
- Date claim was resolved
- Project Delivery Method
- Construction Type for projects with claims (infrastructure, building, municipal, etc.)
- Dollar value of claim made by contractor (to the nearest \$10,000)
- Dollar value of final settlement (to the nearest \$10,000)
- Dollar Value of the "Construction Budget" for each project involving a Claim or Claims – to the nearest \$10,000 \*\*
- Methodology for resolving the Claim: Direct Negotiation, Mediation, Non-Binding Arbitration, Binding Arbitration, or Judgement

Project 1	Project 2	Project 3	Project 4
SFMTA	SFMTA	SFMTA	SFMTA
1250	1251	MR-1206R	MR-1206R
Third Street Light Rail Program, Phase 2 Central Subway - Moscone Station and Portal Utilities Relocation	Third Street Light Rail Program, Phase 2 Central Subway - Union Square/Market Street Station Utilities Relocation	Islais Creek Motor Coach Facility, Phase I - Site Development and Fuel/Wash Buildings	Islais Creek Motor Coach Facility, Phase I - Site Development and Fuel/Wash Buildings
Synergy Project Management, Inc.	Synergy Project Management, Inc.	S.J. Amoroso Construction Company, Inc.	S.J. Amoroso Construction Company, Inc.
SFMTA	SFMTA	SFMTA/SF Public Works	SFMTA/SF Public Works
1/4/2010	1/12/2011	2/28/2011	2/28/2011
5/23/2011		6/1/2013	6/1/2013
9/28/2013	9/12/2013	6/12/2012	7/31/2014
8/31/2015	4/4/2017	5/13/2014	8/12/2016
Design-Bid-Build	Design-Bid-Build	Design-Bid-Build	Design-Bid-Build
Infrastructure	Infrastructure	Building	Building
\$3,640,000	\$3,780,000	\$140,000	\$1,980,000
\$790,000	\$660,000	\$25,000	\$175,000
\$9,270,000	\$16,830,000	\$24,980,000.00	\$24,980,000.00
Mediation	Mediated Settlement	Negotiated Settlement	Mediation

**SF Department Detail**

- Number buildings projects
  - Number infrastructure projects
- Total construction projects per year\***

2016/2015	2015/2014	2014/2013	2012/2013	2012/2011
			1	
3	5	5	7	3
<b>3</b>	<b>5</b>	<b>5</b>	<b>8</b>	<b>3</b>
\$ 40,684,459.00	\$ 266,915,097.00	\$ 22,128,378.09	\$ 891,546,554.64	\$ 38,634,157.85
<b>\$ 40,684,459.00</b>	<b>\$ 266,915,097.00</b>	<b>\$ 22,128,378.09</b>	<b>\$ 891,546,554.64</b>	<b>\$ 38,634,157.85</b>

- Total Construction Budget for buildings projects
  - Total Construction Budget for infrastructure projects
- Total construction budget per year\*\***

\*Based on Year Contract was Awarded  
 \*\* Contract Amount at the time of Award (Not Construction Budget)