

RESOLUTION NO. 55-2008

Adopted June 3, 2008

**AWARDING CONTRACT RPSB 001-08, AUTHORIZING THE EXECUTION OF
A CONSTRUCTION CONTRACT WITH BCCI CONSTRUCTION COMPANY,
A CALIFORNIA CORPORATION, IN AN AMOUNT NOT TO EXCEED
\$5,255,856 FOR THE PIER 40 SHED AND STRUCTURE IMPROVEMENTS,
AND ADOPTING ENVIRONMENTAL FINDINGS PURSUANT TO THE
CALIFORNIA ENVIRONMENTAL QUALITY ACT AND THE MITIGATION
MONITORING AND REPORTING PROGRAM; RINCON POINT - SOUTH
BEACH REDEVELOPMENT PROJECT AREA**

BASIS FOR RESOLUTION

1. On February 29, 2008, the Redevelopment Agency of the City and County of San Francisco (the "Agency") issued invitations to bid for Construction Contract RPSB 001-08, Pier 40 Shed and Structure Improvements.
2. Under the California Public Contracts Code, the Agency must award this contract to the lowest responsible bidder.
3. On April 8, 2008, the Agency received one bid proposal.
4. The lowest responsible bidder is BCCI Construction, Inc. who submitted a bid in the amount of \$5,435,856. The Agency elects to accept a bid alternate substituting a pre-cast concrete wall for a pneumatically place one while being credited \$180,000. With the bid alternate and credit, the construction contract value is \$5,255,856.
5. The Agency has budgeted sufficient funds to carry out the contract.
6. Pursuant to the California Environmental Quality Act ("CEQA") Guidelines Section 15063, an Initial Study was prepared by Agency staff on February 2, 2000 for the proposed South Beach Harbor Expansion Project, which included improvements to the Pier 40 shed and structure. The Initial Study was based on a prior June 1997 Initial Study for an earlier proposal to expand South Beach Harbor, and on the Environmental Impact Report/Environmental Impact Statement ("EIR/EIS") prepared for the Rincon Point – South Beach Redevelopment Plan that was certified by the Agency and Planning Commissions on November 5, 1980, the Supplemental Environmental Impact Report ("SEIR") that was certified by the Agency and Planning Commissions on August 22, 1991, and the San Francisco Giants Ballpark at China Basin Environmental Impact Report ("Ballpark EIR") that was certified by the Agency and Planning Commissions on June 26, 1997.
7. The February 2000 Initial Study included an assessment of changes in the environmental conditions in the South Beach Project Sub-Area and potential

environmental effects associated with the proposed expansion of South Beach Harbor. Agency staff concluded in the Initial Study that the proposed expansion was within the scope of the redevelopment program analyzed in the 1980 EIR/EIS, 1991 SEIR and 1997 Ballpark EIR and, pursuant to CEQA Guidelines Sections 15063(b) and 15168(c), no additional environmental review was required.

8. The proposed Pier 40 improvements consist of: demolition and replacement of the front façade of the Pier 40 shed; repair of the pier substructure to extend the pier's service life including repair of caissons, beams and girders; superstructure work, such as shotcrete walls, metal guardrails, cast-in-place concrete walkway, wood clad entry doors and miscellaneous metal gates and fences, and construction of new restrooms. Agency staff considers the proposed improvement of the Pier 40 shed and structure under the Construction Contract to be an Implementing Action of the South Beach Harbor Expansion Project and the Rincon Point – South Beach Redevelopment Plan. The Implementing Action is within the scope of the project analyzed in the February 2000 Initial Study and, pursuant to CEQA Guidelines Sections 15063(b) and 15168(c), no additional environmental review is required. The February 2000 Initial Study and the related, background EIR documents have been and continue to be available for review by the Agency Commission and the public and are part of the record before the Agency Commission.
9. Pursuant to CEQA Guidelines Section 15091(d), the Agency Commission will need to adopt a Mitigation Monitoring and Reporting Program that applies mitigation measures, to preclude significant impacts or reduce such impacts to less than significant levels, from the 1990 EIR/EIS and 1991 SEIR to the Implementing Action. There are no mitigation measures in the 1997 Ballpark EIR that apply to the Implementing Action. Applicable mitigation measures include measures that address construction traffic and construction-related emissions. The Mitigation Monitoring and Reporting Program is attached to the Construction Contract.

FINDINGS

The Agency finds and determines that the improvement of the Pier 40 shed and structure under the Construction Contract is an Implementing Action within the scope of the South Beach Harbor Expansion Project analyzed in the February 2000 Initial Study and requires no additional environmental review pursuant to CEQA Statutes Section 21090 and CEQA Guidelines Sections 15063(b) and 15168(c) for the following reasons:

1. The Implementing Action is within the scope of the Project analyzed in the February 2000 Initial Study, the November 1980 Environmental Impact Report/Environmental Impact Statement prepared for the Rincon Point – South Beach Redevelopment Plan, the August 1991 Supplemental Environmental Impact Report, and the June 1997 San Francisco Giants Ballpark at China Basin Environmental Impact Report, and no major revisions are required due to the involvement of new significant environmental effects or a substantial increase in

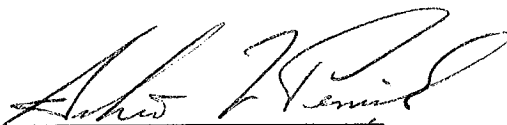
the severity of significant effects previously identified in the 1980 EIS/EIR, 1991 SEIR, and 1997 Ballpark EIR.

2. No substantial changes have occurred with respect to the circumstances under which the Project analyzed in the 1980 EIS/EIR, 1991 SEIR, and 1997 Ballpark EIR was undertaken that would require major revisions to the 1980 EIS/EIR, 1991 SEIR, and 1997 Ballpark EIR due to the involvement of new significant environmental effects, or a substantial increase in the severity of effects identified in the 1980 EIS/EIR, 1991 SEIR, and 1997 Ballpark EIR.
3. No new information of substantial importance to the Project analyzed in the 1980 EIS/EIR, 1991 SEIR, and 1997 Ballpark EIR has become available which would indicate that (a) the Implementing Action will have significant effects not discussed in the 1980 EIS/EIR, 1991 SEIR, and 1997 Ballpark EIR; (b) significant environmental effects will be substantially more severe; (c) mitigation measures or alternatives found not feasible which would reduce one or more significant effects have become feasible; or (d) mitigation measures or alternatives which are considerably different from those in the 1980 EIS/EIR, 1991 SEIR, and 1997 Ballpark EIR will substantially reduce one or more significant effects on the environment.

RESOLUTION

ACCORDINGLY, IT IS RESOLVED by the Redevelopment Agency of the City and County of San Francisco that (1) it has reviewed and considered the February 2000 Initial Study and finds that the Initial Study reflects the independent judgment and analysis of the Agency, and hereby adopts the CEQA findings set forth herein and the Mitigation Monitoring and Reporting Program included herein as Attachment A; and (2) the Executive Director is authorized to award Construction Contract RPSB 001-08 and execute a Construction Contract with BCCI Construction Company, a California corporation, in an amount not to exceed \$5,255,856, for the construction of the Pier 40 Shed and Structure Improvements in the Rincon Point - South Beach Redevelopment Project Area, substantially in the form lodged with the Agency General Counsel.

APPROVED AS TO FORM:


for James B. Morales 5/27/08
Agency General Counsel

ATTACHMENT A

PIER 40 SHED AND STRUCTURE IMPROVEMENTS MITIGATION MONITORING AND REPORTING PROGRAM

May 19, 2008

INTRODUCTION

Public Resources Code section 21081.6 requires public agencies to adopt a reporting or monitoring program whenever a public agency adopts an environmental impact report to mitigate or avoid a project's significant effects on the environment. The purpose of this requirement is to ensure that such mitigation measures are implemented in a timely manner and in accordance with the terms of project approval.

The Pier 40 Shed and Structure Improvements Mitigation Monitoring and Reporting Program (MMRP), pursuant to AB 3180, CEQA Section 21081.6 and CEQA Guidelines Section 15091(d), provides the basic framework through which adopted mitigation measures will be monitored to ensure implementation.

ORGANIZATION

The MMRP is attached as Exhibit 1 and organized in a table format. For each measure, the table: (1) lists the mitigation measure; (2) specifies the party responsible for implementing the measure; (3) establishes a schedule for mitigation implementation; (4) assigns mitigation monitoring responsibility; and (5) establishes monitoring actions and a schedule for mitigation monitoring.

For ease of reference the measures listed in Exhibit 1 are arranged in the order in which they are discussed in the Supplemental Environmental Impact Report for the Rincon Point – South Beach Redevelopment Project, certified by the San Francisco Redevelopment Agency and Planning Commissions on August 22, 1991.

IMPLEMENTATION

While the MMRP generally outlines the actions, responsibilities and schedule for mitigation monitoring, it does not attempt to specify the detailed procedures to be used to verify implementation (e.g., interactions between the construction contractors, the Redevelopment Agency and City of San Francisco departments, use of private consultants, sign-off on plans, site inspections, etc.). Specific monitoring procedures are either contained in approval documents or will be developed at a later date, closer to the time the mitigation measures will actually be implemented.

EXHIBIT 1
PARCEL G DEVELOPMENT
MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Responsibility for Mitigation	Mitigation Schedule	Monitoring Responsibility	Monitoring Actions/Schedule
Construction Traffic				
During the construction period, construction truck movement shall be permitted only between 9:00 AM and 3:30 PM to minimize peak-hour traffic conflicts and to accommodate queuing of MUNI buses prior to peak hours. The Redevelopment Agency and construction contractor shall meet with the Department of Parking and Traffic, the Bureau of Engineering with the Department of Public Works, the Port, the Fire Department, MUNI and the Planning Department to determine feasible traffic mitigation measures to reduce traffic congestions during construction of this project and other nearby projects. To minimize cumulative traffic impacts due to lane closures during construction, the Redevelopment Agency would coordinate with construction contractors for any concurrent nearby projects that are planned for construction or which later become known.	Redevelopment Agency, contractor(s)	Prior to and during construction	Redevelopment Agency, Department of Parking and Traffic	Redevelopment Agency to require evidence of compliance through completion of construction

Mitigation Measure	Responsibility for Mitigation	Mitigation Schedule	Monitoring Responsibility	Monitoring Actions/Schedule
Construction-Related Emissions				
All construction contracts shall require watering twice daily with complete site coverage; the frequency of watering should increase if wind speeds exceed 15 mph. Dust emissions related to construction can be reduced approximately 50 percent by watering exposed earth surfaces during excavation, grading and construction activities. Require daily cleanup of mud and dust carried onto street surfaces by construction vehicles. Throughout construction activities, haul trucks shall use tarpaulins or other effective covers.	Redevelopment Agency, contractor(s)	During construction	Redevelopment Agency, Department of Building Inspection	DBI to require evidence of compliance through site permit process
To reduce the potential of spot violations of CO standards and odors from construction equipment exhaust, all construction contracts shall require the contractor to maintain and operate construction equipment so as to minimize exhaust emissions of particulates and other pollutants, by such means as a prohibition on unnecessary idling of construction equipment including trucks waiting in queues; and specific maintenance programs (to reduce emissions) for equipment in frequent use for much of a construction period.	Redevelopment Agency, contractor(s)	During construction	Redevelopment Agency, Department of Building Inspection	DBI to require evidence of compliance through site permit proces