

RESOLUTION NO. 114-2008

Adopted October 7, 2008

AUTHORIZING A FIRST AMENDMENT TO THE PERSONAL SERVICES CONTRACT WITH FORSTER & KROEGER LANDSCAPE MAINTENANCE, INC., A CALIFORNIA CORPORATION, TO EXTEND THE TERM FOR TWO MONTHS TO DECEMBER 31, 2008 AND INCREASE THE CONTRACT AMOUNT BY \$14,428, FOR A TOTAL AGGREGATE AMOUNT NOT TO EXCEED \$291,648 TO PROVIDE LANDSCAPE MAINTENANCE AND RELATED SERVICES FOR COMMUNITY FACILITIES DISTRICT NO. 1; RINCON POINT - SOUTH BEACH REDEVELOPMENT PROJECT AREA

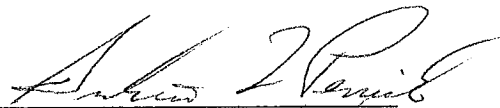
BASIS FOR RESOLUTION

1. The Redevelopment Agency of the City and County of San Francisco (the "Agency") acts as manager of Community Facilities District No. 1 (South Beach) ("CFD1" or the "District") in the Rincon Point - South Beach Redevelopment Project Area. CFD1 was established in 1988 in accordance with the Mello-Roos Community Facilities Act of 1982 to fund construction and maintenance of certain improvements, including streetscape improvements in the District. On July 25, 2005, staff issued a Request for Proposals ("RFP") for landscape maintenance and related services in the District. Staff completed the competitive negotiations process and selected a contractor to perform the services.
2. On November 1, 2005, by Resolution No. 180-2005, the Agency Commission approved a Personal Services Contract with Forster & Kroeger Landscape Maintenance, Inc., a California corporation, for landscape maintenance and related services for a term of 36 months from November 2, 2005 to November 1, 2008, for an amount not to exceed \$277,220, all paid with non-Agency funds (the "Contract"). The Contract was funded through assessments from the property owners in the District.
3. Staff is now requesting a First Amendment to the Contract to extend the term by two months to December 31, 2008 and increase the compensation by \$14,428 for a total aggregate amount not to exceed \$291,648 (the "First Amendment") to allow time to issue a new RFP and negotiate a new three-year contract for landscape maintenance and related services in the District commencing January 1, 2009. The landscape maintenance and related services will be funded through assessments from the property owners in the District.
4. Both the Contract and the First Amendment are categorically exempt from the California Environmental Quality Act ("CEQA"), pursuant to CEQA Guidelines Section 15301(h), because (i) the Contract and the First Amendment allow for continued landscape maintenance and related services within a redevelopment project area and will not independently result in a significant physical effect on the environment.

RESOLUTION

ACCORDINGLY, IT IS RESOLVED by the Redevelopment Agency of the City and County of San Francisco that the Executive Director is authorized to enter into a First Amendment to the Personal Services Contract with Forster & Kroeger Landscape Maintenance, Inc., a California corporation, to extend the term for two months to December 31, 2008 and increase the Contract amount by \$14,428, for a total aggregate amount not to exceed \$291,648 (which amount shall be paid with non-Agency funds), to provide landscape maintenance and related services for Community Facilities District No. 1 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 9/30/08.
Agency General Counsel