

RESOLUTION NO. 14-2010

Adopted February 16, 2010

AUTHORIZING THE SUBMISSION OF A DESIGN-BUILD APPLICATION TO THE CALIFORNIA STATE PUBLIC WORKS BOARD TO PERMIT THE USE OF A DESIGN-BUILD PROCUREMENT FOR THE COMMUNITY FACILITIES DEMONSTRATION PROJECT UNDER CALIFORNIA PUBLIC CONTRACT CODE SECTION 20688.6; HUNTERS POINT SHIPYARD REDEVELOPMENT PROJECT AREA

BASIS FOR RESOLUTION


1. The Redevelopment Agency of the City and County of San Francisco (the "Agency") desires to design and construct the Community Facilities Demonstration Project (the "Project") on Parcel A of the Hunters Point Shipyard, located within the Hunters Point Shipyard Redevelopment Project Area ("Project Area"). The Project, which will be funded through U.S. Department of Commerce, Economic Development Administration ("EDA") grant monies, will serve as a community-based public meeting and event space, and will support a range of additional uses, including arts and arts education, job training facilities, recreation, and open-space type uses. The Project is estimated to cost two million dollars.
2. Public Contract Code section 20688.6 permits up to 10 redevelopment projects within the State of California to obtain design-build authority, which involves the procurement of both project design and construction from a single entity on either a "lowest responsible bidder" or "best value" basis.
3. Agency staff believes the Project can be delivered more expediently and at a lower project cost by using a design-build approach. Agency staff has developed the project criteria, the building and site design controls, performance specifications, and a detailed scope of work so that a design-build method can succeed.
4. The Agency must submit an application to the State Public Works Board ("State Board") to obtain approval to use a design-build method for the Project. The State Board must approve or deny the Agency's application within 90 days of its submittal.
5. If the Agency's application is approved, Agency staff will take all necessary actions to ensure its competitive solicitation of a design-build entity and will return to the Agency Commission at a later date to seek approval to award a design-build contract to the selected design-build entity. Agency staff also agrees to comply with the reporting requirement described in Public Contract Code section 20688.6(1) if it moves forward with the design-build process.

6. The Commission's authorization to submit an application to the State Public Works Board to permit the bidding of the Project as a design-build project is contingent upon the Board of Supervisors' adoption of a resolution making certain determinations required by Health and Safety Code section 33445 for Agency funding of the Project.
7. Authorization of this submission and subsequent use of the design-build method will not directly cause any change in the physical environment and is exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Section 15061(b)(3).

RESOLUTION

ACCORDINGLY, IT IS RESOLVED by the Redevelopment Agency of the City and County of San Francisco that the Redevelopment Agency acting through the Executive Director is authorized to submit an application, together with accompanying certification letter and other relevant documents, the form of which is attached hereto, to the State Public Works Board to permit the use of the design build process for the Community Facilities Demonstration Project under California Public Contract Code section 20688.6.

APPROVED AS TO FORM:



to James B. Morales
Agency General Counsel

State Public Works Board

Redevelopment Agency Design-Build Application

Agency Name:

Agency Contact Information:

Project Title:

Project Location:

Project Real Property Ownership Information:

Scope of Project - Please refer to Public Contract Code § 20688.6 (d):

Project Schedule:

Please include each of the following documents with this application:

1. A copy of the resolution of the applicant's legislative body authorizing the applicant to submit this application to the State Public Works Board.
2. Copies of other pertinent resolutions of the applicant's legislative body in accordance with Health and Safety Code sections 33421.1 and 33445.
3. A duly executed certificate establishing applicant's project is eligible to be qualified as a design-build project under Public Contract Code section 20688.6.
4. A map of the site or sites proposed for the project that shows it's location within the agencies boundaries.

Name

Title

Date

State Public Works Board Certification Letter

Certificate of _____
(insert agency name) Redevelopment Agency with respect to

(insert project title) design-build project being submitted to the State Public
Works Board

The undersigned _____
(title) of the _____
(insert agency name)
Redevelopment Agency ("Agency"), acting in his/her official capacity, hereby certifies as follows in connection with submitting an application for approval by the State Public Works Board ("SPWB") in order for _____
(insert project title) ("Project") to proceed as a design-build project as authorized by Public Contract Code section 20688.6:

1. I am the duly appointed and qualified _____ of the _____ Redevelopment Agency and authorized to make this certificate to support the approval of the Project by the SPWB.
2. The Agency is duly organized and validly existing under and by virtue of Part 1 of Division 24 of the Health and Safety Code (commencing with section 33000).
3. The Project is an infrastructure improvement authorized in sections 33421 and 33445 of the Health and Safety Code and subject to the limitations and conditions on that authority described in Article 10 (commencing with section 33420) and Article 11 (commencing with Section 33430) of Chapter 4 of Part 1 of Division 24 of the Health and Safety Code and qualifies as a 'Project' within the meaning of Public Contract Code section 20688.6(c)(4).
4. The Legislative Body of the Agency and the Agency is committed to adhere to the competitive four-step solicitation and selection process for identifying the design-build entity of the Project that is specified in Public Contract Code section 20688.6(d). Such commitment is evidenced by a duly adopted Resolution of the Agency's Legislative Body that has been submitted with the agency's application.
5. The Agency will take all necessary actions to ensure its competitive solicitation of a design-build entity and the related agreement(s) that are entered into will include the requirements set forth in subdivisions (b)(3), (e), (f) and (g) of the Public Contract Code section 20688.
6. If the Agency proceeds, as anticipated, with the design-build delivery method for the Project, it is aware of the reporting requirement described in Public Contract Code section 20688(l) and, will take all necessary actions to ensure such report is timely submitted to the Legislative Analyst's Office. If after receiving approval from the SPWB, the Agency determines it is no longer interested in pursuing the design-build delivery method for the project, it will notify the SPWB pursuant to the requirement contained in Public Contract Code section 20688(m)(94).

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Name

Title

Date