

RESOLUTION NO. 115-2010

AUTHORIZING A PERSONAL SERVICES CONTRACT WITH ARC ECOLOGY, A CALIFORNIA NONPROFIT CORPORATION, TO PROVIDE ENVIRONMENTAL INFORMATION SERVICES REGARDING REMEDIATION PLANS AT THE HUNTERS POINT SHIPYARD FOR A TERM OF ONE YEAR IN AN AMOUNT NOT TO EXCEED \$282,500, WITH TWO 1-YEAR EXTENSION OPTIONS, EXERCISED AT THE EXECUTIVE DIRECTOR'S DISCRETION, FOR A TOTAL AGGREGATE AMOUNT NOT TO EXCEED \$847,499; HUNTERS POINT SHIPYARD REDEVELOPMENT PROJECT AREA

BASIS FOR RESOLUTION

1. The Hunters Point Shipyard ("Shipyard") was decommissioned by the U.S. Department of the Navy ("Navy") in 1974. In 1989, due to environmental contamination on the base, the U.S. Environmental Protection Agency ("EPA") placed the Shipyard on the National Priorities List of "Superfund" cleanup sites. In 1991, Congress designated the Shipyard for formal closure under the federal Defense Base Closure and Realignment Act ("BRAC") and authorized the Navy to transfer the Shipyard to the City and County of San Francisco ("City") or the Redevelopment Agency of the City and County of San Francisco ("Agency") at no cost. In accordance with the federal Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), the Navy, EPA, and the State of California executed a Federal Facilities Agreement in 1992 ("FFA"), which specifies a process and schedule for the Navy to investigate and remediate hazardous materials at the Shipyard.
2. In April 2004, the Commission authorized a Conveyance Agreement between the Navy and the Agency. The Conveyance Agreement establishes the regulatory framework and process for the Agency to receive additional Shipyard parcels from the Navy in phases. The Conveyance Agreement requires both the EPA and the State of California to confirm that each parcel is remediated to a level that is safe for its intended reuse prior to transfer.
3. Also pursuant to the Conveyance Agreement, the Navy, the City, and the Agency agreed to work together to expedite the characterization, remediation and conveyance of the Shipyard in a "Collaborative Partnership," and make joint presentations of characterization, remediation, and conveyance plans to regulators and community groups as appropriate.

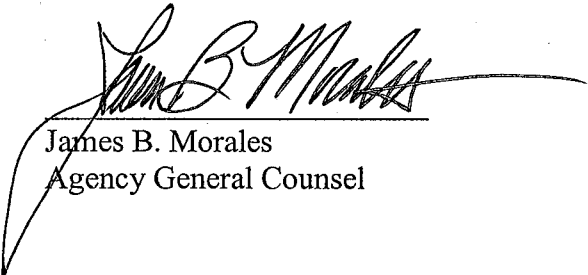
4. To provide communication around the Shipyard's environmental cleanup, the Agency has solicited proposals for an Environmental Information Services consulting contract. An initial RFP was released and, on March 21, 2006, the Commission authorized a Contract with Arc Ecology, a California nonprofit corporation, for three consecutive years until July 21, 2009 when the Contract expired.
5. In accordance with the Agency's Purchasing Policy that ongoing services or multi-year contracts shall not normally exceed a three-year period without the purchasing process occurring again, a new solicitation process was initiated in 2009.
6. On January 14, 2009, Agency staff issued a Request for Proposals ("RFP") offering the opportunity to contract with the Agency to provide communication services regarding environmental matters ("Environmental Information Services") at the Hunters Point Shipyard to the Bayview Hunters Point community ("BVHP"). The RFP was intended to solicit proposals from qualified consultants to provide clear, informative, and responsive environmental information about the remediation plans for the Shipyard. The outreach focuses on the residents and organizations in the portions of the 94124, 94134, and 94107 zip code areas that are located in Supervisory District 10.
7. A selection panel comprised of Agency staff, City staff, a technical environmental consultant (non-scoring member), and a Hunters Point Shipyard Citizens Advisory Committee ("CAC") member ("Selection Panel") evaluated the four RFP respondents and were unable to recommend a firm for a personal services contract ("Contract"). Instead, they recommended that the Agency withdraw the RFP to revise the scope of services and provide budget guidance for the Contract.
8. On December 16 2009, Agency staff solicited new proposals by re-issuing the Environmental Information Services RFP. The Agency received five complete responses and after an evaluation process the Selection Panel recommended Arc Ecology for the Environmental Information Services Contract. Staff is now requesting authorization to enter into a Contract with Arc Ecology to provide Environmental Information Services to the BVHP community for a term of one year, with two 1-year extension options, to be exercised at the Executive Director's discretion.
9. Arc Ecology's role will be to provide environmental technical, public information, and outreach services to CAC and the broader BVHP community regarding: (1) the remediation of the Shipyard parcels by the Navy and the subsequent transfer to the Agency and (2) environmental issues that arise during the Shipyard's development. Arc Ecology is a local San Francisco based nonprofit organization located at 4634 Third Street in BVHP in the 94124 zip code.
10. The Contract costs are reimbursable under the Shipyard's Phase One and Phase Two agreements with HPS Development Co., LP and CP Development Co., LP, a joint venture between Lennar and Scala Real Estate Partners, Hillwood, and Estein and Associates, USA.

11. Authorization of the Contract with Arc Ecology will facilitate the dissemination of environmental technical, public information to CAC and the broader BVHP community. The provision of these services will not independently result in a physical change in the 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 Executive Director is authorized to execute a Personal Services Contract, substantially in the form lodged with the Agency General Counsel, with Arc Ecology, a California nonprofit corporation, in an amount not to exceed \$282,500 for a term of one year, with two one-year extension options exercised at the Executive Director's discretion, for a total aggregate amount not to exceed \$847,499 to provide environmental information services regarding remediation plans at the Hunters Point Shipyard.

APPROVED AS TO FORM:



James B. Morales
Agency General Counsel