

## RESOLUTION NO. 138-2010

*Adopted November 16, 2010*

### **AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT WITH B-SIDE, INC., A CALIFORNIA CORPORATION, IN AN AMOUNT NOT TO EXCEED \$387,500 PLUS A 15% CONTINGENCY, FOR THE CONSTRUCTION OF THE TENANT IMPROVEMENTS IN THE NEW THEATER SPACE IN THE PLAZA APARTMENTS; SOUTH OF MARKET REDEVELOPMENT PROJECT AREA**

#### **BASIS FOR RESOLUTION**

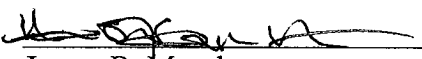
1. Since 2003, the Redevelopment Agency of the City and County of San Francisco (“Agency”) has been working with Bindlestiff Studio (“Bindlestiff”) to develop the black box theater interior improvements (“New Theater Improvements”) in the ground and basement level of the Plaza Apartments located at 6<sup>th</sup> and Howard Streets in the South of Market Redevelopment Project Area. Through a grant agreement, which was approved in June 2003 and amended in subsequent years, the Agency provided Bindlestiff with funding to hire consultants to assist in preparing plans and raising funds necessary to complete the tenant improvements. The grant agreement expired in 2007 and Bindlestiff was unable to raise any tenant improvement funds.
2. In order to move the project forward, the Agency set aside funds for the entire cost of the New Theater Improvements. In September 2009, the Agency hired Paulett Taggart Architect to complete design approvals and selected Armando Vasquez Architecture and Construction Management to manage the construction process for the New Theater Improvements. In January 2010, Agency staff informed the Commission in an Informational Memorandum that staff intended to issue a Request for Bids to construct the New Theater Improvements.
3. On September 29, 2010, in accordance with the Agency’s procurement process, the Agency issued a Request for Bids to solicit bids from contractors for the New Theater Improvements. Proposed work includes, but is not limited to, constructing and/or installing new partitions, bathrooms, fixtures, theater lighting, signage, flooring, painting, and a ceiling pipe grid. Agency Contract Compliance staff has been closely involved with outreach, bidding, and review of the proposed construction contract.

4. On October 15, 2010, the Agency received bid proposals from seven firms for the New Theater Improvements. After evaluating all bid proposals, staff determined that B-Side, Inc. ("B-Side") is the lowest responsible and responsive bidder, with a bid in an amount not to exceed \$387,500 plus a 15% contingency, who complies with the Agency's requirements. Staff is recommending approval of the contract with B-Side subject to B-Side entering into a final and binding contract with a Surety Bond provider who will provide a surety bond for their work on the New Theater Improvements (the "Surety Bond Contract") and the submittal of the Surety Bond Contract to the Agency. If the Surety Bond Contract is not obtained the award of the proposed construction contract to B-Side will be rescinded.
5. The authorization to award this proposed construction contract to B-Side will facilitate the installation of tenant improvements in the ground and basement level of the Plaza Apartments. These activities are categorically exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Section 15301(a). These activities would not directly cause any change in the physical 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 execute a construction contract with B-Side, Inc., a California corporation, in an amount not to exceed \$387,500 plus a 15% contingency, for the construction of tenant improvements for the new theater space in the Plaza Apartments, subject to B-Side, Inc. entering into a final and binding contract with a Surety Bond provider who will provide a surety bond for their work on the New Theater Improvements (the "Surety Bond Contract") and the submittal of the Surety Bond Contract to the Agency, substantially in the form lodged with the Agency General Counsel; South of Market Redevelopment Project Area

**APPROVED AS TO FORM:**

  
James B. Morales  
Agency General Counsel