

RESOLUTION NO. 2-2013  
Adopted February 19, 2013

**AUTHORIZING A PERSONAL SERVICES CONTRACT WITH  
WILLIE B. KENNEDY, A SOLE PROPRIETORSHIP, DBA  
W.B. KENNEDY & ASSOCIATES, TO MANAGE THE  
AGENCY'S HUNTERS POINT SHIPYARD SITE OFFICE AND TO  
PROVIDE OUTREACH AND ADMINISTRATIVE SUPPORT SERVICES  
TO THE HUNTERS POINT SHIPYARD CITIZENS ADVISORY  
COMMITTEE AND THE SUCCESSOR AGENCY FOR A TERM OF 39  
MONTHS, BEGINNING APRIL 1, 2013 AND ENDING JUNE 30, 2016, AND  
A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$847,042; HUNTERS  
POINT SHIPYARD REDEVELOPMENT PROJECT AREA**

- WHEREAS, In 1991, the United States Congress designated the Hunters Point Shipyard (the "Shipyard") for formal closure under the federal Defense Base Closure and Realignment Act and authorized the United States Department of the Navy (the "Navy") to transfer the Shipyard, in phases over time and upon clean up, to the Redevelopment Agency of the City and County of San Francisco (the "Agency") at no cost; and,
- WHEREAS, Since 1996, the Agency has operated a site office at the Shipyard, which has been managed by a consultant who is required to provide Support Services to the Hunters Point Shipyard Citizens Advisory Committee ("CAC") and the Agency and to disseminating information about the Agency's redevelopment efforts at the Shipyard to the BVHP community and the broader public. Additionally, the Site Office assists with property management functions, such as overseeing the Agency's security badging program; and,
- WHEREAS, On November 13, 2012, and in accordance with the Successor Agency's Purchasing Policy, staff issued a Request for Proposal ("RFP") with a CAC approved scope of services, seeking responses from qualified consultants to manage the Shipyard site office; and,
- WHEREAS, On November 28, 2012, staff hosted a pre-submission meeting for prospective bidders. At the meeting, which was attended by six consultants or consultant teams, staff provided an overview of the history and recent redevelopment activities on the Shipyard, described the role and scope of work of the site office consultant, and responded to questions; and,
- WHEREAS, The Successor Agency received two proposals in response to the Site Office Management RFP, which were evaluated by a five person panel. The panel subsequently interviewed both applicants; and,
- WHEREAS, Following final deliberations, the panel recommended W.B. Kennedy & Associates, who is also the incumbent consultant, to manage the Shipyard site

office. The CAC concurred with this endorsement at its February 11, 2013 meeting; and,

WHEREAS, Under the Redevelopment Dissolution Law Successor Agencies only have the authority to enter into new contracts in compliance with enforceable obligation that existed prior to June 28, 2011 and in accordance with Health and Safety Code 34177.3 (a). The Successor Agency has determined that the proposed personal services contract complies with existing enforceable obligation, as follow:

1. The Development and Disposition Agreements (“DDAs”) for Phases I and II of the Hunters Point Shipyard between the Agency and HPS Development Co., LP and CP Development Co., LP (together “Shipyard Master Developer”) are enforceable obligations of the Agency, and on December 14, 2012 the State Department of Finance issued a Final & Conclusive Determination affirming these obligations. The DDAs for the Hunters Point Shipyard govern the public-private partnership between the Agency and the Shipyard’s master developer. The DDAs require the Agency to approve certain land use and related decisions at public hearings before the Successor Agency Commission. To fulfill this obligation, support services, including public outreach and administrative support services to the Shipyard’s Citizen Advisory Committee are necessary.
2. The Security Services Cooperative Agreement between the United States Navy and the Agency is also an enforceable obligation and names the Agency as caretaker for purposes of protecting facilities at the Shipyard and requires the Agency to provide security services which include Entry/Exit Gate Control as stipulated in Appendix 2, Section 2 of the aforementioned agreement. Such Gate Control services are to ensure that only authorized persons with an approved identification in the form of a HPS Badge are allowed to enter the base and include maintaining a badging and identification database program.
3. The Successor Agency does not have the in-house resources to accomplish any of these activities on its own and therefore must hire contractors to maintain the site office and perform the tasks required in this proposed personal services contract.
4. Payments associated with this contract are reimbursable by the Shipyard Master Developer and are included on the Successor Agency’s Recognized Obligation Payment Schedule (“ROPS” III line 65.04) as authorized by the Oversight Board Resolution No. 11-2012 on August 27, 2012, and would continue to be shown on the each subsequent ROPS for the duration of the proposed personal services contract; and,

WHEREAS, Authorization of the personal services contract is not a project, as defined by the California Environmental Quality Act (“CEQA”) in CEQA Guidelines Section

15378(b)(5), because the action will allow for the provision of administrative support, outreach and information services to the CAC, will not change conditions in the Shipyard, will not independently result in a physical change in the environment and is not subject to environmental review under CEQA; now, therefore, be it

RESOLVED, That the Commission approves, and authorizes the Executive Director to execute a personal services contract with Willie B. Kennedy, a sole proprietorship, dba W.B. Kennedy & Associates, substantially in the form of the agreement on file with the Commission Secretary, to manage the Agency's Hunters Point Shipyard Site Office and to provide outreach and administrative support services to the CAC and the Successor Agency, for a term of 39 months, beginning April 1, 2013 and ending June 30, 2016, and a total contract amount not to exceed \$847,042.

I hereby certify that the foregoing resolution was adopted by the Commission at its meeting of February 19, 2013.

  
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Commission Secretary