

Commission on Community Investment and Infrastructure

RESOLUTION NO. 45-2013
Adopted September 17, 2013

APPROVING, PURSUANT TO THE TRANSBAY IMPLEMENTATION AGREEMENT, EXERCISING THE OPTION TO EXTEND THE TERM OF THE PERSONAL SERVICES CONTRACT WITH CONGER MOSS GUILLARD LANDSCAPE ARCHITECTURE BY 3 YEARS, AND A FIRST AMENDMENT TO THE CONTRACT TO COMPLETE DESIGN AND CONSTRUCTION ADMINISTRATION FOR THE FOLSOM STREETScape IMPROVEMENTS AND UNDER-RAMP PARK BY INCREASING THE NOT-TO-EXCEED AMOUNT BY \$1,124,521, FOR A TOTAL MAXIMUM AGGREGATE AMOUNT OF \$3,604,329, AND ADDING AN OPTION FOR AN ADDITIONAL ONE-YEAR EXTENSION; TRANSBAY REDEVELOPMENT PROJECT

WHEREAS, The Transbay Redevelopment Project Area (the “Project Area”) was adopted in 2005 with the purpose of redeveloping 10 acres of property owned by the State of California (the “State-owned parcels”) in order to generate funding for the Transbay Joint Powers Authority (“TJPA”) to construct the new Transbay Transit Center (the “TTC”); and,

WHEREAS, The Transbay Redevelopment Project Area Implementation Agreement (the “Implementation Agreement”) is an enforceable obligation that requires the Office of Community Investment and Infrastructure (“OCII”), as the Successor Agency (the “Successor Agency”) to the former San Francisco Redevelopment Agency (the “Former Agency”), to among other things, “execute all activities related to the implementation of the Transbay Redevelopment Plan, including but not limited to, activities related to major infrastructure improvements.” (Section 2.1 (d) of the Implementation Agreement at p. 4) On April 15, 2013, the California Department of Finance (“DOF”) determined “finally and conclusively” that the Implementation Agreement, along with other Transbay-related documents, is an enforceable obligation that will not require additional DOF review in the future, although expenditures under the Implementation Agreement are subject to continuing DOF review; and,

WHEREAS, In July 2011, the Former Agency entered into an agreement with CMG Landscape Architecture (“CMG”) to complete design documents for select elements of the 2006 Transbay Streetscape and Open Space Concept Plan (“Concept Plan”) including the underutilized areas under the off-ramps (“Under-Ramp Park”) and streetscape improvements to Folsom and Essex Streets; and,

WHEREAS, Through a series of public workshops and Transbay Citizens Advisory Committee (“CAC”) meetings, as well as extensive research and analysis, the Design Team prepared detailed conceptual designs for the park under the off-ramps (“Park Conceptual Designs”) and Schematic Designs for the Folsom Streetscape Improvements Project (“Folsom Schematic Designs”). Both design packages were approved by the Commission on June 4, 2013; and,

WHEREAS, During the design process CMG identified additional services required to complete designs for the Projects. The services include additional areas for inclusion into the Park Conceptual Designs, analysis of a cycle track on Folsom Street, analysis of the

closure of a portion of Clementina Alley, risk and vulnerability analysis of the Under-Ramp Park, core and shell design of a small structure in the Park, and construction administration for the Under-Ramp Park. The revised budget increases by \$1,124,521 (Phase 1: \$389,830 and Phase 2: \$734,691) for a total contract amount of \$3,604,329; and,

WHEREAS, The original term of the Contract was three years, beginning July 1, 2011. OCII anticipated completion of the Folsom Streetscape Improvements and select areas of the Under Ramp Park Design Development prior to contract expiration; however dissolution of redevelopment caused delays in both projects resulting in the need for more time to complete these services. The Contract grants OCII an option to extend the term of the Contract for three years, and entering into a First Amendment to the Contract that would increase the not to exceed amount of the contract by \$1,124,521, for a maximum contract amount of \$3,604,329 and add a new option for an additional one-year extension. A copy of the proposed First Amendment to the Contract is on file with the Secretary of the Commission; and,

WHEREAS, Approval of the First Amendment to the Contract will allow for the completion of feasibility and planning studies for portions of the Transbay Streetscape and Open Space Plan. These activities would have no resultant significant impacts on the physical environment, and are exempt from the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines Sections 15061(b)(3) and 15262; now therefore, be it

RESOLVED, Based on the Department of Finance’s Final and Conclusive Determination (April 15, 2013) that the Implementation Agreement is an enforceable obligation, this Commission, hereby approves the exercise of the option to extend the term of the Contract with CMG for an additional term of three years, and a first amendment to the Contract with CMG, substantially in the form of the First Amendment to the Contract lodged with the Secretary of the Commission, to complete design and construction administration for the Folsom Streetscape Improvements for the Transbay Under-Ramp Park in Transbay Redevelopment Project Area by increasing the not to exceed amount of the contract by \$1,124,521 for a total maximum contract amount of \$3,604,329, and adding an option for an additional one –year extension by OCII.

I hereby certify that the foregoing resolution was adopted by the Commission at its meeting of September 17, 2013.


Commission Secretary