

Commission on Community Investment and Infrastructure

RESOLUTION NO. 57-2014

Adopted July 15, 2014

APPROVING THE AWARD OF CONTRACT NO. HPS 01-14 TO AZUL WORKS, INC., A CALIFORNIA CORPORATION, AS THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER, PURSUANT TO THE CALIFORNIA PUBLIC CONTRACT CODE, FOR AN AMOUNT NOT TO EXCEED \$263,000, PLUS A CONTINGENCY OF \$26,000, FOR A TOTAL AGGREGATE AMOUNT NOT TO EXCEED \$289,000 FOR CONSTRUCTION OF AN ART INSTALLATION PROJECT ON THE HUNTERS POINT SHIPYARD AND AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE CONTRACT NO. HPS 01-14 FOR A 165 DAY PERIOD, WITH TIME EXTENSIONS UP TO MAY 31, 2015 TO BE EXERCISED AT THE EXECUTIVE DIRECTOR'S DISCRETION; AND ADOPTING ENVIRONMENTAL FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; HUNTERS POINT SHIPYARD PROJECT AREA

WHEREAS, The San Francisco Redevelopment Agency ("SFRA") Commission and the San Francisco Planning Commission certified the Final Environmental Impact Report for the Hunters Point Shipyard Redevelopment Plan in 2000 ("Shipyard Plan EIR"). The SFRA Commission adopted California Environmental Quality Act ("CEQA") findings, including a mitigation monitoring and reporting program and a statement of overriding considerations, in support of its approval of the Shipyard Plan, by Resolution No. 11-2000; subsequently the SFRA Commission issued two addenda to the Shipyard Plan EIR to support approval of the Shipyard Phase 1 Development in 2003, and revisions to the Shipyard Phase 1 Design for Development ("D for D") in 2005 by Resolution 7-2005 and further Amended on June 3, 2010 by Resolution 62-2010 and on July 2, 2013 by Resolution No. 33-2013, in each case adopting CEQA findings that no supplemental environmental review was required beyond the Shipyard Plan EIR and the addenda to support these approval actions; and,

WHEREAS, On May 18, 2010, the SFRA Commission authorized Personal Services Contracts ("Contracts") with nine different artists selected to design and fabricate public art pieces ("Public Art Project") as part of the Shipyard Phase 1 Development; and,

WHEREAS, The public art pieces are an important element of the Shipyard's cultural and historical recognition program. The art to be installed on the Shipyard will be funded with a grant from the United States Department of Commerce, Economic Development Administration ("EDA"). The grant schedule anticipates this public art project be completed by May 2015; and,

WHEREAS, As required under the state Public Contract Code, the Public Art Project is required to be competitively bid and let to the lowest responsible bidder; and,

WHEREAS, The Office of Community Investment and Infrastructure staff ("OCII") as the successor to SFRA staff, prepared the bid documents and advertised the Public Art Project for outreach with the San Francisco Examiner, posted on the City's

and OCII's contracting opportunities website, and sent electronic mail invitations to Small Business Enterprise, Minority Business Enterprise, and Women-owned Business Enterprise firms to participate in the bid; and,

WHEREAS, On May 28, 2014, the OCII received five submittals in response to the bid solicitation. The names of the bidders and the bid amounts are below in ascending order:

1. Azul Works, Inc.....\$265,000
2. Anvil Builders.....\$319,999
3. Alta Engineering\$321,409
4. Pilot Construction\$364,000; and,
5. Angotti & Reilly\$797,224

WHEREAS, Consistent with the OCII procurement policies, OCII staff determined that Azul Works, Inc. provided the lowest responsible bid in the amount of \$265,000 (the "Contract."). Additionally, staff recommends authorizing a \$26,000 contingency budget to be used by OCII staff in the event unanticipated items of work arise; and,

WHEREAS, OCII staff recommends that the Executive Director be authorized to extend the Contract up to May 31, 2015 in order to synchronize the work with the EDA grant schedule and that of the master developer of the Shipyard Phase 1 Development and also to accommodate any construction delays; and,

WHEREAS, The Contract is an enforceable obligation as defined in California Health and Safety Code Section 34171. The Contract is for an operation necessary to maintain an OCII asset prior to disposition. The expense for the repairs is approved on line HPSY 61 of the Recognized Obligation Payment Schedule for July to December 2014 (the "ROPS"), which was approved by the Oversight Board and the Department of Finance; and,

WHEREAS, A copy of the Contract is on file with the Secretary of the Commission and is fully incorporated herein; and,

WHEREAS, In 2010, the SFRA Commission and the Planning Commission certified the Final EIR for the Candlestick Point-Hunters Point Shipyard ("CP-HPS") Phase 2 Development Project ("Phase 2 EIR") and by Resolution No.58-2010, the SFRA Commission in support of its approval of the Phase 2 Development Project adopted CEQA findings, including a mitigation monitoring and reporting program and a statement of overriding considerations (the Phase 1 EIR and the addenda, and the Phase 2 EIR, together, are referred to as the "EIR Documents"). The Phase 2 EIR updated the transportation analysis and transportation plan, including the transportation system management plan for the Shipyard Phase 1 development; and,

WHEREAS, The EIR Documents, including the CEQA Findings adopted by the SFRA Commission by Resolutions No. 11-2000 and 58-2010 are on file with the Secretary of the Commission for its review and consideration; and,

WHEREAS, The OCII staff has reviewed the Contract and finds it to be within the scope of the Shipyard Phase 1 Development and CP-HPS Phase 2 Development projects analyzed in the EIR Documents; now, therefore, be it


RESOLVED, That the Commission hereby incorporates by reference the CEQA findings adopted in Resolutions No. 11-2000 and 58-2010, and hereby concurs with those findings. The Commission further finds that the proposed Contract does not cause new significant impacts not identified in the EIR Documents and that no new mitigation measures are necessary to reduce significant impacts. Further, the Commission finds that no new information has become available showing that the Contract would cause new significant impacts not identified in the EIR Documents and that no new mitigation measures are necessary to reduce significant impacts, and, therefore, no supplemental environmental review is required beyond the environmental review in the EIR Documents. Accordingly, no additional environmental review is required pursuant to CEQA Section 21166 and CEQA Guidelines Sections 15180, 15162, 15163 and 15164 in connection with approval of the Contract; and, be it further

RESOLVED, That the Commission hereby approves the award of a construction Contract No. HPS 01-14 to Azul Works, Inc., as the lowest responsive and responsible bidder, for an amount not to exceed \$263,000, plus a contingency of \$26,000, for a total aggregate amount not to exceed \$289,000 for construction of the Public Art Project on the Shipyard and authorizes the Executive Director to execute a Contract for a 165 day period, with Azul Works, Inc. for the Public Art Project substantially in the form of the Contract lodged with the Secretary of the Commission; and, be it further

RESOLVED, That the Executive Director be authorized to extend the Contract up to May 31, 2015 in order to synchronize the work with the EDA grant schedule and that of the master developer of the D for D and also to accommodate any construction delays; and, be it further

RESOLVED, That the Commission hereby authorizes the Executive Director to enter into any and all ancillary documents or take any additional actions necessary to enter into the Contract.

I hereby certify that the foregoing resolution was adopted by the Commission at its meeting of July 15, 2014.


Commission Secretary