

RESOLUTION NO. 129-2003

Adopted July 29, 2003

AUTHORIZING A FIRST AMENDMENT TO A PERSONAL SERVICES CONTRACT WITH C.H. ELLIOTT & ASSOCIATES, A SOLE PROPRIETOR, TO INCREASE THE CONTRACT AMOUNT BY \$46,000 FOR AN AGGREGATE TOTAL AMOUNT NOT TO EXCEED \$92,000 AND TO EXTEND THE TERM AN ADDITIONAL 12 MONTHS TO AUGUST 31, 2004, FOR REAL ESTATE CONSULTING SERVICES; HUNTERS POINT SHIPYARD REDEVELOPMENT PROJECT AREA

BASIS FOR RESOLUTION


1. On June 1, 1999 the Agency Commission authorized the Executive Director to enter into an Exclusive Negotiations Agreement ("ENA") with Lennar-BVHP, LLC ("Developer") as selected Primary Developer of the Hunters Point Shipyard ("Project").
2. On June 10, 1999, the Agency issued a Request for Proposals ("RFP") from qualified real estate development advisors to assist the Agency in the Developer negotiations by providing evaluations, analyses and advice related to the economic and financial feasibility, fiscal impact, and real estate development aspects of the Developer's proposal, the term sheet and development agreements related to the project.
3. On July 27, 1999, by Agency Resolution No.109-99, the Agency Commission authorized a contract with Jones Lang LaSalle Americas, Inc. ("JLL") with sub-consultant, Seifel Consulting, Inc. to provide services as outlined in the RFP. The contract was amended on August 14, 2001, by Agency Resolution No. 150-2001, to increase the budget to a total not-to-exceed amount of \$350,000 to account for the longer than anticipated negotiation period with the Developer as a result of delays in the Navy's environmental remediation process.
4. Colin Elliott led the JLL Team since its initial engagement on the Project. Mr. Elliott was a National Director at JLL and was the head of the San Francisco Land Group, which handled acquisitions, dispositions, feasibility studies and general advisory services in all Western States including Hawaii.
5. In January, 2002, following an internal re-organization that resulted in the elimination of the San Francisco Land Services team at JLL, Mr. Elliott became a contract worker for JLL and has continued to work on the Project on behalf of JLL in the capacity of project leader. Other JLL personnel with experience on the Project are no longer affiliated with the firm.

6. On September 1, 2002, the Executive Director entered into a Personal Services Contract ("Contract") in the amount of \$46,000 with Mr. Elliott, now doing business as C.H. Elliott & Associates because he was familiar with the intricacies of the Project and the history of negotiations with the Developer, and the JLL contract had expired. Under the Contract, Mr. Elliott continued his role as real estate advisor for the Project during this important period of finalizing the Conceptual Framework and public review of the Conceptual Framework, including briefings with the Agency Commission and the drafting of final transaction documents.
7. The Agency and Developer will need additional time to draft the final transaction documents for the first phase of development and the Agency would like to amend the Contract to provide sufficient time and budget to complete Mr. Elliott's scope of work.

RESOLUTION

ACCORDINGLY, IT IS RESOLVED by the Redevelopment Agency of the City and County of San Francisco that the Executive Director is authorized to enter into First Amendment to a Personal Services Contract with C.H. Elliot & Associates, increasing the not-to-exceed amount of \$92,000 and extending the term to August 31, 2004 for real estate consulting services, substantially in the form lodged with the Agency General Counsel.

APPROVED AS TO FORM:



James B. Morales
Agency General Counsel