

RESOLUTION NO. 46-2006

Adopted March 21, 2006

(4 ayes, 1 nay, 2 abstentions)

AUTHORIZING A PERSONAL SERVICES CONTRACT WITH ARC ECOLOGY, A CALIFORNIA NONPROFIT CORPORATION, TO PROVIDE ENVIRONMENTAL OUTREACH AND INFORMATION SERVICES TO THE BAYVIEW HUNTERS POINT COMMUNITY FOR A TERM OF ONE YEAR, WITH TWO, 1-YEAR EXTENSION OPTIONS, AND APPROVING THE FIRST YEAR BUDGET IN THE AMOUNT OF \$283,500; HUNTERS POINT SHIPYARD REDEVELOPMENT PROJECT AREA

BASIS FOR RESOLUTION

1. The Hunters Point Naval Shipyard ("Shipyard") was closed by the United States federal government in 1974. In 1989, due to environmental contamination on the base, the U.S. Environmental Protection Agency ("EPA") placed the Shipyard on the National Priorities List of "Superfund" cleanup sites.
2. In 1991, the U.S. Department of the Navy ("Navy"), the EPA and the State of California entered into a Federal Facilities Agreement requiring the Navy to investigate and remediate hazardous substances on the Shipyard in accordance with applicable federal law and a specified process and schedule. In that same year, Congress designated the Shipyard for formal closure under the federal Defense Base Realignment and Closure Act ("BRAC") and authorized the Navy to transfer the Shipyard to the City and County of San Francisco ("City") or the Redevelopment Agency of the City and County of San Francisco ("Agency") at no cost.
3. In response to the Shipyard's formal closure under BRAC, a Hunters Point Shipyard Citizens Advisory Committee ("CAC") was appointed to develop a blueprint for the conversion of the Shipyard to civilian use. After years of substantial public outreach and community input into the planning process, the Agency Commission and the City's Board of Supervisors, with the endorsement of the CAC, adopted the Hunters Point Shipyard Redevelopment Plan ("Redevelopment Plan") in July 1997.
4. For more than a decade, the City and the Navy, with input from the CAC and the broader Bayview Hunters Point ("BVHP") community, negotiated a Conveyance Agreement, which establishes the regulatory and contractual framework for the Navy's phased clean up and conveyance of the Shipyard to the Agency, with provisions specific to each of Parcels A through E. The Conveyance Agreement also requires both the EPA and California Environmental Protection Agency ("Cal/EPA") to confirm that each parcel is remediated to a level that is safe for its intended reuse prior to transfer. Following a four-month public review process, the CAC unanimously endorsed the Conveyance Agreement, which the Navy signed on March 31, 2004.

5. Pursuant to the terms of the Conveyance Agreement, the U.S. federal government, the City and the Agency agreed to work together to expedite the characterization, remediation and conveyance of the Shipyard in a "Collaborative Partnership."
6. There are many agencies currently tasked with the review and analysis of data regarding the clean up and redevelopment of the Shipyard. These agencies include: the City's Department of Public Health; the Navy's Restoration Advisory Board; the environmental subcommittee of the CAC; and the following regulatory agencies: EPA, the Department of Toxic Substances Control and the Regional Water Quality Control Board.
7. Although there are many agencies involved with the review and approval of the Navy's clean up efforts at the Shipyard, the Agency is seeking a consultant to provide services that bridge the gap between the many services related to the analysis of and reporting on the environmental cleanup of the Shipyard that are already being provided.
8. On October 10, 2005, staff issued a Request for Proposals ("RFP") seeking proposals from qualified consultants to provide environmental outreach services to support the Agency's efforts to provide clear, informative and responsive information about the environmental impacts of development of and remediation plans for the Shipyard, and to solicit responses from residents, businesses and organizations in the area of San Francisco located within the portions of the 94124, 94134 and 94107 zip code areas that are located in Supervisory District 10.
9. The Agency received complete and responsive proposals from five environmental consulting firms and teams ("Respondents") by the RFP submission deadline. On November 14, 2005, a seven-member selection panel evaluated the five Respondents. Based upon a 100-point scale, Arc Ecology, a California nonprofit corporation ("Arc"), received the highest average score of the five Respondents.
10. On December 20, 2005, the Commission considered authorizing a personal services contract with Arc to provide environmental outreach services to the CAC and the broader BVHP community. A motion to continue the matter failed in a 3-3 vote, as did a motion to approve the contract.
11. After reviewing the matter, staff concluded that the original solicitation process was conducted in accordance with Agency policies and practices; however, based on consultation with CAC members, it was clear that some community members still had concerns about the selection process and that the best way to address community concerns would be to convene a new review panel to re-consider the proposals and re-interview the five Respondents.
12. On February 17, 2006, the Agency provided an Informational Memorandum to the Commission advising it of staff's intention to re-evaluate the five responses to the RFP by a new selection panel. Staff contacted each Respondent to set up interviews

for the re-evaluation process. In response, two Respondents, Arc and Katz & Associates, expressed a desire to be re-evaluated by a new selection panel; the remaining three Respondents withdrew from consideration.

13. On March 2, 2006, a five-member selection panel, which included a member of the CAC, re-interviewed and re-evaluated Arc and Katz & Associates. The selection panel evaluated the two Respondents' written submittals and oral presentations based on a 100-point scale. The Respondents received a weighted composite score, in which their written proposals counted for 30% of their overall 100-point score and the oral interview counted for 70%. The Respondents' overall score consisted of the average of the total weighted points awarded by each of the five selection panel members. Arc scored the higher of the two Respondents, receiving an average score of 92.94.
14. The selection panel concluded that Arc has the most relevant experience, qualifications and skills to perform the scope of work outlined in the RFP, and therefore, recommends Arc to provide environmental outreach services for the Shipyard.
15. Staff seeks authorization of a personal services contract with Arc to provide environmental outreach and information services to the BVHP community for a term of one year, with two, 1-year extension options at the sole discretion of the Executive Director, with the initial contract term beginning on March 22, 2006 and ending on March 21, 2007, and approving the first year budget in the amount of \$283,500, as a project cost.

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 a personal services contract with Arc Ecology, a California nonprofit corporation, to provide environmental outreach and information services to the Bayview Hunters Point community, for a term of one year, with two, 1-year extension options at the sole discretion of the Executive Director, with the initial contract term beginning on March 22, 2006 and ending on March 21, 2007, in the amount of \$283,500, as a project cost, substantially in the form lodged with the Agency General Counsel.

APPROVED AS TO FORM:


for James B. Morales 3/21/06
Agency General Counsel