

RESOLUTION NO. 23-2009

Adopted March 3, 2009

AUTHORIZING EXECUTION OF A SECOND AMENDMENT TO THE PERSONAL SERVICES CONTRACT WITH TOM ELIOT FISCH, A CALIFORNIA CORPORATION, TO INCREASE THE CONTRACT AMOUNT BY \$57,917, PLUS A CONTINGENCY OF \$5,000 FOR A TOTAL AGGREGATE AMOUNT NOT TO EXCEED \$846,116, TO COMPLETE CONSTRUCTION ADMINISTRATION SERVICES FOR PHASE TWO IMPROVEMENTS TO PIER 40; RINCON POINT-SOUTH BEACH REDEVELOPMENT PROJECT AREA

BASIS FOR RESOLUTION

1. The Redevelopment Agency of the City and County of San Francisco ("Agency") built and operates South Beach Park and Harbor on property leased from the Port of San Francisco. The harbor was completed in the mid-1980's, with additional park improvements added during the 1990's. The Agency has been working since 1997 on the completion of the public improvements in South Beach Park and Harbor. Construction of approximately \$10 million in Phase One improvements, which includes a harbor services building, expansion of the park, completion of the waterfront promenade, and facilities for disabled and youth sailing programs, was completed in 2006.
2. On February 7, 2006, following a Request for Qualifications process, the Agency Commission approved a Personal Services Contract ("Contract") for phase two design and architectural services through the schematic design phase with a team led by Tom Eliot Fisch ("Tom Eliot Fisch" or "TEF"). Working with the Rincon Point-South Beach Citizens Advisory Committee, the Port of San Francisco, and the Bay Conservation and Development Commission, the schematic design has been completed for Agency Commission review. The phase two improvements will include structural repairs to the underdeck and pilings of Pier 40, completion of the public access walkway on the south side of Pier 40, replacement of the south and west facades of Pier 40, and repairs to the north and east facades.
3. The original Contract with Tom Eliot Fisch was only for preliminary investigation and schematic design services and cost \$278,807. A first amendment to the Contract ("First Amendment") was authorized by the Agency Commission on August 7, 2007 providing the services needed for construction documentation through completion of construction. The First Amendment is for an amount not to exceed \$474,392, with a contingency of \$30,000, making the combined aggregate amount of the authorization \$783,199.

4. Agency staff has directed TEF to redesign some elements of the design including deleting restrooms in order to reduce the scope of work for the contractor. With these design changes, the project now has lowered construction costs, provides the necessary repairs, and delivers the project on schedule. These tasks consumed much more time and budget than allowed through our professional services contingency budget of \$30,000.
5. A second amendment to the Contract (“Second Amendment”) in the amount of \$57,917 is now desired with Tom Eliot Fisch to complete construction administration services for the phase two Pier 40 improvements project. With a contingency of \$5,000 to cover any unforeseen costs that may occur during the course of the work, the total aggregate amount is not to exceed \$846,116.
6. The Tom Eliot Fisch team includes 13 subconsultants. The Contract complies with all Agency policies, with 73% of the total fees earned by Small Business Enterprise firms.
7. The proposed Second Amendment with Tom Eliot Fisch for the proposed phase two improvements to Pier 40 will further Agency efforts to repair and restore Pier 40 for the benefit of its tenants and the general public and is categorically exempt from the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines Section 15301(d) (Restoration of an Existing Facility).

RESOLUTION

ACCORDINGLY, IT IS RESOLVED by the Redevelopment Agency of the City and County of San Francisco that the Executive Director is authorized to execute a Second Amendment to the Personal Services Contract with Tom Eliot Fisch, Inc., a California corporation, to increase the Contract amount by \$57,917, plus a contingency of \$5,000 for a total aggregate amount not to exceed \$846,116, to complete construction administration services for phase two improvements to Pier 40, substantially in the form lodged with the Agency General Counsel.

APPROVED AS TO FORM:


for James B. Morales 2/24/08.
Agency General Counsel