

## RESOLUTION NO. 24-2009

*Adopted March 3, 2009*

**AUTHORIZING A FIRST AMENDMENT TO THE PERSONAL SERVICES CONTRACT WITH ARC ECOLOGY, A CALIFORNIA NONPROFIT CORPORATION, TO EXTEND THE CONTRACT TERM ON A MONTH-TO-MONTH BASIS FOR UP TO FOUR MONTHS FOR THE PERIOD MARCH 22, 2009 THROUGH JULY 21, 2009, AND TO INCREASE THE CONTRACT BY AN AMOUNT NOT TO EXCEED \$133,325, TO PROVIDE ENVIRONMENTAL OUTREACH AND INFORMATION SERVICES TO THE BAYVIEW HUNTERS POINT COMMUNITY, FOR A TOTAL AGGREGATE AMOUNT OF \$1,100,325; HUNTERS POINT SHIPYARD REDEVELOPMENT PROJECT AREA**

### BASIS FOR RESOLUTION


1. The Hunters Point Shipyard ("Shipyard") was closed by the federal government in 1974. In 1989, due to environmental contamination on the base, the United States Environmental Protection Agency ("EPA") placed the Shipyard on the National Priorities List of "Superfund" cleanup sites. In accordance with the federal Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), the United States Department of the Navy ("Navy"), EPA, and the State of California executed a Federal Facilities Agreement in 1992 which specifies a process and schedule for the Navy to investigate and remediate hazardous materials at the Shipyard.
2. In April 2004, the Commission authorized a conveyance agreement ("Conveyance Agreement") between the Navy and the Redevelopment Agency of the City and County of San Francisco ("Agency"). The Conveyance Agreement establishes the regulatory framework and process for the Agency to receive additional Shipyard parcels from the Navy in phases. The Conveyance Agreement requires both the EPA and the State of California to confirm that each parcel is remediated to a level that is safe for its intended reuse prior to transfer.
3. To provide communication around the Shipyard's environmental cleanup, the Agency released a Request for Qualifications ("RFQ") for Environmental Information Services, and on March 21, 2006, the Commission authorized a one-year Personal Services Contract ("Contract") with Arc Ecology ("Arc Ecology"). The Commission subsequently authorized two one-year extensions to the Contract, in April 2007 and February 2008, respectively.
4. As the Environmental Information Services consultant, Arc Ecology has provided these services for the past three years. This Contract expires on March 21, 2009.
5. On January 14, 2009, Agency staff issued an RFQ offering the opportunity to contract with the Agency to conduct outreach and provide environmental information services ("Environmental Information Services") regarding the Shipyard project to the Bayview Hunters Point ("BVHP") community.

6. Due to the high number of inquiries regarding this RFQ, Agency staff has extended the RFQ deadline by two weeks, from February 13, 2009 to February 27, 2009. Based on these inquiries, Agency staff anticipates a high level of participation and interest in this RFQ.
7. Agency staff seeks authorization of a first amendment to the Contract ("First Amendment") with Arc Ecology, to extend on a month-to-month basis for up to four months for the period March 22, 2009 through July 21, 2009, to prevent any services gaps during the procurement process. The Hunters Point Shipyard Citizens Advisory Committee concurs with this recommendation.
8. Environmental Information Services are a critical and important component of the communication operation regarding both the Shipyard's Phase 1 construction activities and Phase 2's environmental cleanup and parcel conveyance process. To accommodate a high level of participation, provide for a full procurement process, including any additional procurement duration extensions, Agency staff (through the Executive Director) will need to extend the current service provider on a month-to-month basis (as needed) until such time that the procurement process has ended and a new consultant has been selected.
9. Authorization of a First Amendment with Arc Ecology is not a project as defined by the California Environmental Quality Act Guidelines Section 15378(b)(5). Administrative activities of the Agency related to the provision of environmental outreach and information services to the BVHP community will not independently result in a physical change in the environment.

## 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 First Amendment to the Personal Services Contract with Arc Ecology, a California nonprofit corporation, to extend the Contract term on a month-to-month basis for up to four months for the period March 22, 2009 through July 21, 2009, and to increase the Contract by an amount not to exceed \$133,325, to provide environmental outreach and information services to the Bayview Hunters Point community, for a total aggregate amount of \$1,100,325, substantially in the form lodged with the Agency General Counsel.

**APPROVED AS TO FORM:**

  
for James B. Morales  
Agency General Counsel