

RESOLUTION NO. 33-2009

Adopted March 17, 2009 As Amended

AUTHORIZING A FIRST AMENDMENT TO THE PERSONAL SERVICES CONTRACT WITH LEVY DESIGN PARTNERS, INC., A CALIFORNIA CORPORATION, TO INCREASE THE CONTRACT AMOUNT BY \$150,000, FOR A TOTAL AGGREGATE AMOUNT NOT TO EXCEED \$250,000, AND TO AMEND THE SCOPE OF SERVICES TO INCLUDE FINAL CONSTRUCTION DRAWINGS AND CONSTRUCTION ADMINISTRATION SUPPORT FOR IMPROVEMENTS TO BUILDING 101; HUNTERS POINT SHIPYARD REDEVELOPMENT PROJECT AREA

BASIS FOR RESOLUTION

1. Building 101 is located on Parcel A of the Hunters Point Shipyard ("Shipyard"). The 106,000 square-foot, two-story wood-framed building was constructed in 1946 and originally housed the United States Department of the Navy's administrative offices. Since the mid 1980's artists have occupied studios in various buildings on the Shipyard.
2. Building 101 is the largest building on Parcel A and is regarded as the hub of the artists' colony. Of the nearly 300 artists working on the Shipyard, 141 of them rent studios within Building 101. Building 101 studios are rented through a sub-lessee agreement with the artists' community to Patterns Limited, Inc. ("The Point") and Lennar-BVHP, LLC ("Lennar"). Lennar manages the leases of various buildings on the Shipyard, including Building 101, on behalf of the Redevelopment Agency of the City and County of San Francisco ("Agency") in accordance with the Interim Lease that was adopted in December 2003 and amended in August 2008.
3. In 2004, the Agency was awarded a grant for \$2,134,000 from the U.S. Department of Commerce, Economic Development Administration ("EDA"). The purpose of the grant funds is to facilitate the assessment, design, remediation, and basic improvements to Building 101. The EDA grant to be used for Building 101 must be spent no later than August 15, 2009, and extensions are not permitted. Using EDA funds to provide tangible and meaningful benefits to the Shipyard within this tight timeframe is important in demonstrating the Agency's capacity to manage existing and future EDA grant funds. Agency staff is working to ensure that the EDA funds are expended using an expeditious and inclusive process that meets the needs of present and future Shipyard stakeholders.
4. Agency staff engaged in a competitive negotiation process and solicited proposals for Schematic Design, Preliminary Construction Documents, Final Construction Documents and Observation of Construction for the rehabilitation of Building 101.

5. On January 6, 2009, by Resolution No. 8-2009, the Agency Commission authorized a one-year personal services contract (“Contract”) and operating budget in the amount of \$100,000 with Levy Design Partners, Inc., a California corporation (“Levy”). Levy’s current scope of services under the Contract includes schematic design and preliminary construction documents.
6. The Contract was executed for a limited scope and in the amount of \$100,000 in order to accelerate contract approval by EDA and thence to allow architectural and engineering work to begin on Building 101, so that the EDA funds may be spent by August 15, 2009.
7. Agency staff has worked cooperatively with the Hunters Point Shipyard Citizens Advisory Committee’s (“CAC”) Planning and Development subcommittee, the artists and The Point, and they are in support of this project. Levy will continue to collaborate with both the CAC and the existing Building 101 artists in the development of plans for the repair of Building 101.
8. Agency staff is now seeking a first amendment to the Contract (“First Amendment”) to increase the budget and revise the scope of services to include Final Construction Documents and Observation of Construction for Building 101.
9. The increased budget and the revised scope of services will enable Levy to provide construction drawings and construction administration services in order to ensure timely completion of the Building 101 improvements and expenditure of EDA funds.
10. The Hunters Point Shipyard Redevelopment Plan (“Plan”), approved in 1997, calls for support of the existing businesses and artists on the Shipyard. The Plan’s Statement of General Principles states that “future development should maintain the large community of artists and artisans on the Shipyard, providing for their need for flexible low-cost space, while accommodating the full diversity of arts and culture in the South Bayshore community.”
11. At the Agency Commission hearing on the First Amendment, the Commission expressed its desire that Bayview Hunters Point residents receive first consideration for future construction jobs associated with the rehabilitation of Building 101, to the extent consistent with the EDA grant.
12. Authorization of the First Amendment with Levy is statutorily exempt from the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines Section 15262. The completion of final construction drawings is a planning and feasibility study leading to the rehabilitation of Building 101 and would not independently cause any significant physical change in the environment. The provision of construction-related administrative support during the implementation of the project would not have any direct physical effects and are exempt pursuant to CEQA Guidelines Section 15061(b)(3).

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 Levy Design Partners, Inc., a California corporation, to increase the Contract amount by \$150,000, for a total aggregate amount not to exceed \$250,000, and to amend the scope of services to include final construction drawings and construction administration support for the rehabilitation of Building 101 at the Hunters Point Shipyard, substantially in the form lodged with the Agency General Counsel.

APPROVED AS TO FORM:



for _____
James B. Morales
Agency General Counsel