MEMORANDUM

TO: Community Investment and Infrastructure Commissioners

FROM: Tiffany Bohee
Executive Director

SUBJECT: Approving, pursuant to the Transbay Implementation Agreement, exercising the option to extend the term of the Personal Services Contract with Conger Moss Guillard Landscape Architecture by 3 years, and a First Amendment to the Contract to complete design and construction administration for the Folsom Streetscape Improvements and Under-Ramp Park by increasing the not-to-exceed amount by $1,124,521, for a total maximum aggregate amount of $3,604,329, and adding an option for an additional one-year extension; Transbay Redevelopment Project

Approving, pursuant to the Transbay Implementation Agreement, a Memorandum of Understanding with The City and County Of San Francisco, Through its Department of Public Works for design review and project management services for the Folsom Streetscape Improvements project in an amount not to exceed $483,662 and a term of three years; Transbay Redevelopment Project Area

EXECUTIVE SUMMARY

The Folsom and Essex Streetscape Improvements and Under-Ramp Park Projects (“Projects”) are key components of the Transbay Redevelopment Plan. These projects, identified in the 2006 Transbay Streetscape and Open Space Concept Plan (“Concept Plan”), will contribute to the success of the new neighborhood surrounding the Transbay Transit Center (“TTC”). They will be two of the first infrastructure improvement projects in the Transbay Redevelopment Project Area (“Project Area”) that will be implemented by OCII.

In July 2011, the former San Francisco Redevelopment Agency (“Former Agency”) entered into a contract (“Contract”) with CMG Landscape Architecture (“CMG”) to complete design documents for the streetscape improvements on Folsom and Essex Streets and the areas under the bus and automobile off-ramps from the Bay Bridge. CMG completed the schematic designs for the Folsom Streetscape Improvements Project (“Folsom Schematic Designs”) and Conceptual Designs for the areas under the off-ramps (“Under-Ramp Conceptual Designs”) in early 2012, both of which were approved by the Commission at its June 4, 2013 meeting.

During the design development process CMG identified additional services required to complete designs for the Projects. Phase 1 includes additional services through design development that primarily result from requests made by OCII or City Departments during the initial design phase. Phase 2 is construction documentation and administration, most of which was intentionally excluded from the original Contract since it was not likely to begin until after the initial contract term. The revised budget and scope of services is shown in Attachment 1 and summarized below:

- Additional Design Services for Areas on Essex Street between Harrison and Folsom Street (Phase 1: $50,546 and Phase 2: $191,100)
- Analysis of a Cycle Track on Folsom Street (Phase 1: $53,473)
- Clementina Street Closure Studies (Phase 1: $11,854)
- Risk Analysis (Phase 1: $21,500)
- Park Pavilion Design (Phase 1: $252,457 and Phase 2: $313,061)
- Under Ramp Park Construction Administration (Phase 2: $230,530)

The revised budget includes $1,124,521 (Phase 1: $389,830 and Phase 2: $734,691) for a total not to exceed amount of $3,604,329. This amendment also adds another optional one-year extension.

The San Francisco Department of Public Works ("DPW") is the agency responsible for infrastructure improvements within the public rights-of-ways, thus they will coordinate the design review process among the affected City entities and utility providers and will lead the construction and bidding process for the Folsom Streetscape Improvements Project. In order to proceed from the Folsom Schematic Designs to the next design phase, DPW must provide design review and comments, review cost estimates, organize and attend project meetings, and ensure design by CMG is consistent with current City requirements. DPW will also support, coordinate, and manage communication between the design team and the various City agencies, including DPW, the San Francisco Municipal Transportation Agency (“MTA”) and the San Francisco Public Utilities Commission (“PUC”). DPW will bill OCI for all project costs including reimbursing other City agencies for work, pursuant to Attachment 2, Memorandum of Understanding (“MOU”) between OCI and DPW. DPW will be the project lead and will have separate agreements with the MTA and PUC to review specific project components.

The work is comprised of two phases: 1) Phase 1 - The Design Development, Permit and Approvals Phase; and 2) Phase 2 - The Construction Documents, Bid, and Inspection Phase. The cost to deliver Phase 1 of the Project is included in the attached MOU and totals $483,660, however the cost to deliver Phase 2 will be bid out at a later date, after the design documents have been further developed.

Staff recommends approval, pursuant to the Transbay Implementation Agreement, of the First Amendment to the Personal Services Contract with Conger Moss Guillard Landscape Architecture and of the Memorandum of Understanding with the San Francisco Department of Public Works.

BACKGROUND

The Transbay Redevelopment Project Area was adopted in 2005 after an extensive planning process that resulted in a rezoning of the neighborhood around the future TTC to accommodate approximately 3,300 new housing units, 2.6 million square feet of commercial development, and nearly 9 acres of public open space all on publicly-owned property. The residential development will be concentrated on Folsom Street, adjacent to the emerging Rincon Hill neighborhood.

In 2006 the Former Agency and the San Francisco Planning Department ("Planning"), in collaboration with other City agencies and the Transbay Joint Powers Authority ("TJPA"), commissioned the production of the 2006 Transbay Streetscape and Open Space Concept Plan. The Concept Plan, prepared by a team of consultants including Zimmer Ginsul Frasca Architects, LLP, Marta Fry Landscape Associates, CHS Consulting Group, and ARUP, addresses the public infrastructure within the Project Area. The Concept Plan includes design elements related to the ten major streets and six public alleyways within the Project Area, as well as neighborhood parks.
and areas below bus and freeway ramps. The Concept Plan includes recommended landscaping, sidewalk paving, tree types, street furniture, and lighting, for each street. It also delineates the purpose of each public right-of-way and links the Transbay neighborhood to the adjacent Rincon Hill neighborhood.

In July 2011, the Former Agency entered into a contract with CMG to complete design documents for select elements of the Concept Plan. CMG, with ARUP North America, SBCA Tree Consulting, Dino Viale Irrigation Design, Inc., and Martin M. Ron, Associates, Inc. as sub-consultants (“Design Team”) are responsible for creating conceptual designs for the open space along Essex Street between Folsom and Harrison Streets and the areas under the TJPA bus ramp and Caltrans Folsom/Fremont off-ramp between Folsom and Howard Streets and along Clementina Street between Essex and First Streets (collectively “Under-Ramp Park” or “Park”). The Design Team is also responsible for full design and construction support for the streetscape improvements on Folsom and Essex Streets. Through a series of public workshops and CAC meetings, as well as extensive research and analysis, the Design Team prepared detailed conceptual designs for Under-Ramp Park and Schematic Designs for the Folsom Streetscape Improvements, both of which were approved by the Commission at its June 4, 2013 meeting.

OCIII received a final and conclusive determination approving the Transbay Implementation Agreement, the underlying enforceable obligation for the infrastructure improvements in the Transbay Redevelopment Project Area. The State Department of Finance (“DOF”) has approved $300,000 in expenditures under a proposed MOU with DPW on the Recognized Obligation Payment Schedule (“ROPS”) for June 2013-December 2013 (“ROPS 13-14A) and the additional funds will be included on the ROPS for the period covering January 2014-June 2014 (“ROPS 13-14B”), which is pending approval. Similarly, DOF has approved expenditures for the original scope and budget of the CMG Contract under ROPS 13-14A and the proposed new budget and expiration date will be included in the ROPS 13-14B.

The Projects are public infrastructure that the Implementation Agreement requires OCIII to develop and thus funding for construction should be eligible for tax increment generated from the privately-owned owned parcels within the Project Area. These expenditures will appear on future ROPS that the Oversight Board and DOF will review and approve. The construction of the Folsom Streetscape Improvements will be managed by DPW, using OCIII funds, and adjacent private property owners, reimbursed with OCIII funds. The construction of Under-Ramp Park will be completed by the TJPA, using OCIII funds, concurrently with the construction of the over-head bus ramp from the Bay Bridge to the new TTC. The long-term ownership of the park improvements will be the subject of the Successor Agency’s Long-Range Property Management Plan and is still to be determined.

The sidewalks, trees, and plantings in front of each building are required to be maintained by each building owner, with DPW responsible for street maintenance and the PUC responsible for street lights. There are no plans for any bus stops on Folsom Street, but the design can accommodate bus shelters if MTA decides to add them in the future, and such shelters would be maintained by MTA. OCIII is working with residents and building owners in the Rincon Hill and Transbay neighborhoods to create a Community Benefit District (“CBD”) that may be formed by 2015, and include a maintenance plan for the parks and streetscape improvements within the Project Area, including Under-Ramp Park and Folsom Street. All developments on the publicly-owned parcels will be required to join the CBD to ensure proper care of the public and private infrastructure
improvements. Once formed, the CBD Board of Directors will be responsible for hiring the proper maintenance team to care for and activate the Park and Folsom Street. According to the current schedule, the CBD will be established by the beginning of Fiscal Year 2014-15.

The Folsom Schematic Designs prepared by CMG and approved by the Commission on June 4, 2013 include a double row of trees, matched by a single row of the same species on the south side of the street. The paving will be a combination of granite sets perpendicular to the Folsom Street frontages, saw cut concrete, and a strip of permeable pavers adjacent to the curb running parallel to Folsom Street. In order to slow traffic and make Folsom Street pedestrian-oriented, bulb-outs will be added to each intersection. Modern concrete and steel benches, sleek trash receptacles and bike racks will be used throughout the length of Folsom Street and significant attention has also been paid to the tree species and plantings in the rain garden to be resilient and aesthetically pleasing.

The proposed infrastructure work will complement the new residential development along Folsom Street and ensure success of the neighborhood, which will in turn command a higher price for the remaining residential parcel sales and an increase in tax increment to be used for construction of the TTC. The proposed infrastructure work will include permanent improvements as well as temporary improvements depending on the development timeline for each parcel. Where development blocks are nearing construction, developers will use the Schematic Design for their sidewalk improvements, thus completing each block of sidewalk improvements at the same time as the private developments are completed. Construction of the remainder of the blocks, the street repaving and re-configuration, and the improvements on the south side of the street will be funded by OCI, but managed by DPW.

Blocks that are not yet under construction will receive interim improvements including curb relocation, streetlights, and interim paving. Such improvements are expected to use cost-effective construction means and materials less refined than the ultimate improvement palettes shown in the Concept Plan and Schematic Designs. A majority of the south side of the sidewalk will receive the full spectrum of improvements outlined. Additionally, the entire right-of-way will be reconfigured to accommodate travel lanes, bike lanes, and widened sidewalks. All contracts for construction of the improvements will be presented to the Commission for consideration at a future date.

The Park Conceptual Designs begin by conceptually dividing the park into subareas or “rooms,” each with its own character. Beginning south and moving north, they include: a dog zone and a sports court south of Folsom Street; a large lawn area in the uncovered space north of Folsom Street and an event space with adjacent retail or amenity space built into the grade change from Folsom to Clementina Streets; a children’s play area and rain garden treatment area, with a meandering path along Clementina Street under the Caltrans off-ramp; an outdoor beer garden in the center of the park; and a terrace with a prominent entrance into the park from Howard Street.

Design features used to unify the park consist of a coordinated lighting scheme, an art piece along the western edge of the park, and a unifying color and design palate for the ground covering, furniture, and fixtures. There will be bike and pedestrian paths traversing the length of the park that will provide a ground floor, automobile free, direct connection to the TTC. Other activating features of the park include a pedestrian path surrounding the children’s play area, a circuit training loop throughout the entirety of the park, space for food trucks to park, porch style swings suspended from the over-ramp, various sizes of event space capable of hosting movies or other performances, a climbing structure and numerous slides navigating the grade changes throughout the Park.
DISCUSSION

CMG Contract Amendment

Both the Folsom Schematic Designs and the Park Conceptual Designs require additional services that were not included in the Contract scope of services. The revised scope and budget is included as part of the First Amendment and summarized below:

- The Park Conceptual Designs include an addition of two small areas to the Park Site located underneath the Folsom-Fremont Off-Ramp, south of Folsom Street, on the west side of Essex, and immediately south of the Rene Cazenave Apartments on south east corner of Essex and Folsom Streets.

- The Design Team has been asked by OCII, MTA, and DPW to study and coordinate a cycletrack, or grade separated bike path, on the south side of Folsom Street. While this analysis does not impact the curb location or most of the improvements planned for Folsom Street, it may require some minor modifications and addendum to the Folsom Schematic Designs. This study will be conducted prior to moving on to the Design Development phase of the Folsom Streetscape Project.

- The Design Team also studied additional security measures required as part of the Transbay Joint Powers Authority’s (“TJPA”) Risk Assessment and Vulnerability (“RVA”) study commissioned for the TTC.

- The team looked at traffic closure alternatives for Clementina Street between First and Second Streets that would provide a seamless transition to the park from the neighborhood development.

- The approved Park Conceptual Designs include a small building (“Park Pavilion”), between Folsom and Clementina Streets. The Schematic Designs for the Park will require architectural and engineering design services for the Park Pavilion. The Design Team worked with OCII Contract Compliance Staff to add an architect to prepare designs for the core and shell of the Park Pavilion. The selected architect, Y.A. Studies is a certified Small Business Enterprise (“SBE”). The engineering services for the building design will be provided by ARUP as an add services task.

The original term of the Contract was three years, beginning July 1, 2011. OCII anticipated completion of the Folsom Streetscape Improvements and select areas of the Under Ramp Park Design Development prior to contract expiration; however dissolution of redevelopment caused delays in both projects resulting in the need for an additional two years to complete these services. It was always the intent of OCII to exercise the option to extend the contract term and increase the scope to include construction administration services for Under-Ramp Park once the designs were more thoroughly developed and the construction date nearing. Since the additional services are required at this time and the contract is set to expire within this fiscal year, OCII Staff is recommending exercising the option to extend the term for three years and adding a new option for one additional one-year extension.

The additional services are divided into Phase 1 and Phase 2 as seen in Attachment 1. In general, the changes to the Phase 1 services reflect change orders to the original Contract scope and will be
completed during the next design phase. Phase 2 represents construction administration services and the additional budget and scope reflect work that was intentionally excluded from the original contract due to timing. The Phase 1 additional budget is $389,830 and the Phase 2 additional budget is $734,691 for a total of $1,124,521.

**DPW MOU**

DPW is the agency responsible for infrastructure improvements within the public rights-of-ways, thus they will coordinate the design review process among the affected entities and will lead the construction and bidding process. DPW will provide design review and comments, review cost estimates, organize and attend project meetings, and ensure design by CMG is consistent with current City requirements. DPW will also support, coordinate, and manage communication between the design team and the various City agencies.

The design submittal phases for review are: 1) 100% Schematic Design (Submitted in 2012) and Cost Estimate; 2) 50% Design Development and Cost Estimate; 3) 100% Design Development, Specification Outline, and Cost Estimate; and 4) 50% Construction Documents, Draft Specifications, and Cost Estimates. DPW will route all design packages through City departments for review, input and guidance. DPW will coordinate feedback, sort out conflicts and prepare regular status reports to OCII. DPW estimates 2 months from the receipt of each design package to distribute drawings, complete the review, meet with the designers, consolidate comments from the agencies and return the comments to CMG.

In addition to coordinating design review, DPW will attend monthly meetings and perform all steps required to secure project approvals, including the following: 1) Prepare the Notice of Intent to Construct (“NOI”) to all utility companies; 2) Add project to the City’s 5-year Utility and Excavation Plan; 3) Present project to Committee for Utility Liaison on Construction and Other Projects (CULCOP), Interdepartmental Staff Committee on Traffic and Transportation for Temporary Street Closures (IScott), and Transportation Advisory Staff Committee (TASC); 4) Obtain approval from TASC and IScott on sidewalk legislation; 5) Coordinate application and hearing for parking removal; 6) Obtain approval for non-standard pavements and replacements; 7) Obtain Board of Supervisors approvals for sidewalk widths and curb line modifications; and 8) Secure Special Traffic Permit for bicycle lane changes. OCII will be responsible for payment of all application and permit fees.

The MOU also includes studies and reviews to be conducted by DPW staff required for implementation of the Folsom Streetscape Project. DPW Staff will conduct Article 20 analysis of soil for hazardous waste and do hazardous material soils engineering. DPW Staff will also work with the team to develop project American Disability Act (ADA) Parameters and ensure the project is designed to comply with these parameters. DPW will contract with MTA to: 1) provide input on construction phasing to accommodate access to sidewalks, roadways to/from streets and adjacent properties and minimize impacts on pedestrians, transit and vehicle traffic; and 2) provide conceptual signal design, traffic signing plans, instructions on implementation of signals and signs, Traffic Routing Plans, Specifications & Cost Estimates (lane requirements, Muni, detours, final striping, etc.). DPW will assist in procuring the necessary approvals from PUC regarding PUC-owned utilities including sewer, water, and fire suppression replacements and street lighting and power for signals alterations, potable and non-potable water systems, and sanitary systems. DPW will take the lead in coordinating with all third party utility companies including: PG&E,
telephone, data, and television. If utility work is needed from third party utilities during the course of design, DPW shall inform PUC and request that they pay the fees through their existing encumbrances with the various utility providers. PUC will then include any such payment in their reimbursement request.

Phase 2 will include bidding and construction of improvements with DPW Departments of Infrastructure Design & Construction (“IDC”), Building Design & Construction (“BCD”), and Site Assessment & Remediation (“SAR”) primarily responsibility for constructing the improvements. An amendment to the MOU will be prepared and presented to the Commission prior to the completion of the Design Development, Permit and Approvals Phase of work, and will include a scope of services, budget and fee proposal for Phase 2.

Upon approval of the Contract Amendment and the MOU, CMG, working with OCII staff, DPW and the CAC, will develop schematic designs for Under Ramp Park and an addendum to the Folsom Schematic Designs to include a cycletrack. The Commission will review and approve the Under-Ramp Park Schematic Designs and the Folsom Street Schematic Design Addendum in Fiscal Year 2013-14. Since the park is primarily beneath the bus ramps heading into the TTC, the construction and timing of the Park will be closely coordinated with the TIPA. The ramps and therefore the Park are anticipated to begin construction in 2015. The Folsom Streetscape Improvements will be phased by block with construction beginning in 2014 and lasting up to two years.

The Former Agency entered into the contract with CMG in July 2011, relying on the SBE policy to ensure diversity in the Design Team. The original Design Team includes 58% SBE participation for the total work scope, which includes the Park Conceptual Designs, as well as the Folsom Schematic Designs. The SBE participation rate for the proposed new total work scope will increase to 62%, with the addition of Y.A Studios, a certified SBE, to the Design Team.

CALIFORNIA ENVIRONMENTAL QUALITY ACT

Approval of the First Amendment with CMG and the MOU with DPW will allow for the completion of feasibility and planning studies for portions of the Streetscape and Open Space Plan and related community outreach. These activities would have no resultant significant impacts on the physical environment, and are exempt from the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines Sections 15061(b)(3) and 15262.

(Originated by Courtney Pash, Assistant Project Manager, Transbay)

Tiffany Bhee
Executive Director

Attachment 1: Revised Scope and Budget for the First Amendment to the Contract with CMG Landscape Architecture
Attachment 2: Memorandum of Understanding with DPW