MEMORANDUM

TO: Community Investment and Infrastructure Commissioners

FROM: Tiffany Bohee
Executive Director

SUBJECT: Authorizing, pursuant to the Transbay Implementation Agreement, a personal services contract with the San Francisco County Transportation Authority in an amount not to exceed $365,585, to complete construction documentation for the realignment of the Folsom Street Off-Ramp; Transbay Redevelopment Project Area

EXECUTIVE SUMMARY

The Transbay Redevelopment Project Area (the “Project Area”) was adopted in 2005 with the purpose of redeveloping 10 acres of property owned by the State of California (the “State-owned parcels”) in order to generate funding for the Transbay Joint Powers Authority (“TJPA”) to construct the new Transbay Transit Center (the “TTC”). The Transbay Redevelopment Project Area Implementation Agreement (the “Implementation Agreement”) is an enforceable obligation that requires the Office of Community Investment and Infrastructure (“OCII”), as the Successor Agency (the “Successor Agency”) to the former San Francisco Redevelopment Agency (the “Former Agency”), to “prepare and sell [certain State-owned parcels that OCII is authorized to acquire] to third parties” (Section 2.1 (a) of the Implementation Agreement at p. 4) and to “execute all activities related to the implementation of the Transbay Redevelopment Plan, including... but not limited to, activities related to major infrastructure improvements.” (Section 2.1 (d) of the Implementation Agreement at p. 4) On April 15, 2013, the California Department of Finance (“DOF”) determined “finally and conclusively” that the Implementation Agreement, along with other Transbay-related documents, is an enforceable obligation that will not require additional DOF review in the future.

In July 2009, the Former Agency entered into an agreement with the San Francisco County Transportation Authority (“SFCTA”) to complete all construction documentation and permit drawings required by the California Department of Transportation (“Caltrans”) to realign the Folsom Street Off-Ramp on Block 8 in the Project Area. As Congestion Management Agency for San Francisco, the SFCTA is the customary lead for obtaining Caltrans approvals on facilities that are part of or affect the State Highway System. SFCTA proposed to deliver the construction documents necessary to reconfigure the Folsom Street Off-Ramp using consultants procured through its own processes and policies. This method of project delivery was approved by the Former Agency. SFCTA has contracted with a Disadvantaged Business Enterprise, Cordoba/Zurinaga Joint Venture to act as its project manager. Additionally, the SFCTA has contracted with Mark Thomas Company to lead the construction documentation portion of the project. Together, these two entities have met the SFCTA’s Disadvantaged Business Enterprise / Local Business Enterprise Policy (“DBE/LBE” Policy) goals for this project.
Realigning this off-ramp is a major component of the infrastructure work called for in the Implementation Agreement. The off-ramp provides an exit from Interstate 80 to San Francisco at Folsom and Fremont Streets. Currently, the off-ramp cuts through the middle of Block 8. OCII and the TJPA are seeking to realign the off-ramp in order to create a more developable parcel on Block 8 and improve pedestrian circulation on Folsom and Fremont Streets.

The agreement between the Former Agency and SFCTA expired in 2011 and was not extended due to the suspension and dissolution of the Former Agency in 2011-12. Now, staff is proposing a new agreement to complete the design work and provide additional funding. The project has been designed to a 95% level of completion. However, there have been substantial changes required by Caltrans in the design of structural elements as well as the configuration of the new off-ramp. OCII staff and SFCTA staff have also agreed to provide right-of-way documents needed to certify the work and simplify the classification of a portion of the current off-ramp alignment as surplus State property, so that it can be transferred to OCII for sale to a future developer of Block 8. The new agreement will allow SFCTA to complete the design and obtain the necessary permits from Caltrans for construction. If the proposed agreement is approved, after the construction documentation has been completed, staff will return to the Commission with a request to authorize additional funding for the construction.

This project was included in the recently approved Recognized Obligation Payment Schedule III ("ROPS III"), for the period January 1, 2013, to June 30, 2013 as Item # 86.01, which was approved by DOF.

Staff recommends authorizing a personal services contract with the San Francisco County Transportation Authority in an amount not to exceed $365,585 to complete construction documentation for the realignment of the Folsom Street Off-Ramp.

BACKGROUND

As shown on the aerial photo in Attachment 1, the Folsom Street off-ramp is located on Block 8, a major development site located on Folsom Street between Fremont and First Streets in the Project Area. The proposed realignment will increase the development potential of Block 8 and improve the pedestrian environment on Fremont and Folsom Streets. As shown on the plan in Attachment 2, the proposed realignment will convert the existing diagonal off-ramp into a straight off-ramp that ends at Fremont Street at a 90-degree angle. The new off-ramp will perform at the same level as the existing off-ramp for vehicles.

Realigning this off-ramp is a major component of the infrastructure work called for in the Implementation Agreement. The Folsom Street Off-Ramp provides an exit from Interstate 80 to San Francisco at Folsom and Fremont Streets.

In August 2007, the Former Agency authorized a letter agreement with SFCTA in an amount not to exceed $350,000 to complete a Project Study Report ("PSR") for the realignment of the Folsom Street Off-Ramp. SFCTA proposed to deliver the construction documents necessary to reconfigure the Folsom Street Off-Ramp using consultants procured through its own processes and policies. This method of project delivery was approved by the Former Agency. SFCTA has contracted with a Disadvantaged Business Enterprise, Cordoba/Zurinaga Joint Venture to act as its project
manager. Additionally, the SFCTA has contracted with Mark Thomas Company to lead the construction documentation portion of the project. Together, these two entities have met the SFCTA’s Disadvantaged Business Enterprise / Local Business Enterprise Policy (“DBE/LBE” Policy) goals for this project. The DBD/LBE goals for the project are 25%. If this personal services contract is approved, the two contracts of Mark Thomas Company and Cordoba/Zurinaga Joint Venture are projected to have a 36% utilization rate.

Subsequently, SFCTA and Mark Thomas Company proposed a streamlined review and approval process, known as a Permit Engineering and Evaluation Report (“PEER”), which Caltrans accepted for the project in March 2009. The PEER process allows SFCTA and the consultant team to complete construction documentation and all permit drawings required by Caltrans for approximately the same budget that would have been required to complete the PSR analysis.

In July 2009, the Former Agency authorized a new letter agreement to complete construction documentation and re-authorize expenditures. At that time, SFCTA and the consultant team had completed the geometric analysis required by Caltrans and had submitted traffic and environmental studies to Caltrans as part of the PEER approval process. The 2009 letter agreement allowed for an extension of time and $21,770 in additional funds as a new scope of work was proposed, bringing the total aggregate amount of the contract to $371,770. Since this contract expired in 2011 and was not extended due to the suspension and dissolution of the Former Agency in 2011-12, invoices for work performed but not paid amount to $185,159.

DISCUSSION

In 2011, substantial additional design services were undertaken to get to the 95% level of completion. These additional services are related to changes in the retaining wall, the ensuing changes to the geometric design of the off-ramp, and the additional studies needed of other Caltrans related projects in the area that had a potential effect on the Folsom Street off-ramp.

The existing elevated off-ramp is supported by a retaining wall as it is built above the surrounding ground level. When realigning the existing Folsom Street Off-Ramp, staff of the Former Agency directed the design team to maximize the open space between the future Block 8 development and the supporting structure of the off-ramp. This approach was not approved by Caltrans as they wanted to reserve this space for future consideration should the off-ramps right turn movement become insufficient many years from now. The wall alignment needed to change as well as the type of retaining wall system, which also necessitated the ramp geometries to change.

As the design progressed in the PEER process, it was acknowledged that additional studies would be needed to incorporate new findings related to Caltrans plans at the Folsom Street off-ramp. During the course of the design, the Harrison Street Off-Ramp was re-opened after being shut down during the seismic retrofit work on the West Approach to the Bay Bridge. In addition, a study was needed to determine the effects on a future bicycle/pedestrian/maintenance path from Yerba Buena Island to its touchdown in San Francisco, possibly at the Folsom Street off-ramp. Altogether, these additional design services that were completed by SFCTA and its consultant cost $185,159, of which $42,273 is beyond the original budget.
In order to complete the construction documentation, there are a few more tasks necessary. These tasks are related to the utility company certifications within the construction zone, as well as producing right-of-way exhibits needed to certify State property as surplus so that it can be transferred to OCII and sold to the future developer of Block 8. The cost to complete the work and perform these tasks is $180,426. Added to the base and additional services of $185,159 that have already been completed by the consultant, the total cost of the contract is $365,585.

Once construction documentation is complete and has been reviewed by Caltrans, the PEER process allows SFCTA to perform the work under a Caltrans-issued encroachment permit. The OCII’s Fiscal Year 2013-2014 budget includes $3 million in funding for the actual construction of the realignment. OCII staff will propose that SFCTA also manage the construction contract for the realignment and will return to the Commission for consideration of that additional agreement with SFCTA when the construction documentation and permitting of the project is completed.

CALIFORNIA ENVIRONMENTAL QUALITY ACT

This personal services contract with SFCTA provides for completion of construction documents for the realignment of the off-ramp and would not directly cause any change in the physical environment. Such studies are statutorily exempt from the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines Section 15262.

(Originated by Kevin Masuda, Senior Civil Engineer)

Tiffany Boohee
Executive Director

Attachment 1: Existing Folsom Street Off-Ramp
Attachment 2: Proposed Folsom Street Off-Ramp Realignment
Attachment 3: Scope of Project and Budget Summary