AUTHORIZING, PURSUANT TO THE TRANSBAY IMPLEMENTATION AGREEMENT, A MEMORANDUM OF AGREEMENT WITH THE SAN FRANCISCO COUNTY TRANSPORTATION AUTHORITY IN AN AMOUNT NOT TO EXCEED $2,883,900 FOR CONSTRUCTION OF THE REALIGNMENT OF THE FOLSOM STREET OFF-RAMP; TRANSBAY REDEVELOPMENT PROJECT AREA.

WHEREAS, The Transbay Redevelopment Project Area (“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 OCII to, among other things, “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, although expenditures under the Implementation Agreement are subject to continuing DOF review; and,

WHEREAS, On April 30, 2013, the Commission authorized a personal services contract with the San Francisco County Transportation Authority (“SFCTA”) in an amount not to exceed $365,585 to complete construction documentation for the realignment of the Folsom Street Off-Ramp in the Project Area; and,

WHEREAS, Realigning this off-ramp is a major component of the infrastructure work called for in the Implementation Agreement. Currently, the off-ramp cuts through the middle of Block 8, a site designated for a 740-unit residential development. OCII intends to issue the requests for proposals for Block 8 by the end of the year. Realigning the off-ramp will create a better pedestrian environment and allow OCII to work with a selected development team to develop Block 8 to its full potential. Construction of the residential development on Block 8 is scheduled to begin in early 2015, after the realignment of the off-ramp has been completed; and,

WHEREAS, Under the current personal services contract, SFCTA has been working with the California Department of Transportation (“Caltrans”) on the realignment and is close to receiving final approvals. The proposed new agreement would allow SFCTA to hire a construction manager to complete a constructability analysis of the realignment in advance of seeking competitive bids for the construction, which is scheduled to begin in 2014; and,

WHEREAS, OCII has requested the SFCTA deliver the completed Folsom Street off-ramp realignment in a turn-key method. In order to accomplish this, the SFCTA has budgeted the construction phase costs and made a proposal to OCII; and,
WHEREAS, The proposed agreement provides for funding of all the hard and soft costs for a
turn-key delivery of the completed improvements. OCII will be funding these
costs for the delivered project, with the subject construction phase estimated to be
$2,883,900. As the project is currently approaching the permitting and bidding
phase, it is necessary for the SFCTA to bring on construction management
expertise to handle the daily onsite management of the project and provide quality
control review of the work. Because work will also occur within the City of San
Francisco jurisdiction, there are costs from the City and County of San Francisco
for approving the construction documents and reviewing the work in the field
prior to acceptance; and,

WHEREAS, A copy of the proposed agreement with SFCTA (the “Agreement”) is on file with
the Secretary of the Commission; and,

WHEREAS, The expenditures for the reconfiguration of the Folsom Street Off-Ramp, which
include both the current personal services contract and the proposed new
agreement, is included in the Successor Agency’s Recognized Obligation
Payment Schedule 13-14A (“ROPS 13-14A”) for the period July 1, 2013, to
December 31, 2013, as Item # 106, which was approved by DOF; and,

WHEREAS, Staff finds the scope and budget of the proposed agreement reasonable; now,
therefore, be it

WHEREAS The San Francisco County Transportation Authority on October 2, 2008
determined that the project activities under the proposed Agreement are
Categorically Exempt, Class 2, from the California Environmental Quality Act
(“CEQA”). A copy of the San Francisco County Transportation Authority's
CEQA determination is on file with the Secretary of the Commission; and,

RESOLVED, That the Agreement with the San Francisco County Transportation Authority is
exempt from the California Environmental Quality Act (“CEQA”) because the
activities under the Project involve alteration to an existing off-ramp that
maintains traffic performance at the same level and would not cause a significant
effect on the environment, and the San Francisco County Transportation
Authority on October 2, 2008 determined that the project activities are
Categorically Exempt, Class 2, from the CEQA, which determination is fully
incorporated herein; and, be it further

RESOLVED, That this Commission authorizes, pursuant to the Transbay Implementation
Agreement, an Agreement with the San Francisco County Transportation
Authority, substantially in the form of the agreement lodged with the Secretary, in
an amount not to exceed $2,883,900 for construction services and delivery of the
realignment of the Folsom Street off-ramp.

I hereby certify that the foregoing resolution was adopted by the Commission at its meeting of
November 19, 2013.

[Signature]
Commission Secretary

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