

COMMISSION ON COMMUNITY INVESTMENT AND INFRASTRUCTURE

RESOLUTION NO. 33-2016

Adopted July 19, 2016

AUTHORIZING A PERSONAL SERVICES CONTRACT WITH LANGAN, TREADWELL AND ROLLO, A NEW JERSEY CORPORATION, FOR ENVIRONMENTAL TECHNICAL SUPPORT SERVICES REGARDING THE ENVIRONMENTAL REMEDIATION OF HUNTERS POINT SHIPYARD, FOR A CONTRACT TERM OF AUGUST 1, 2016 TO JULY 31, 2019 WITH TWO ONE-YEAR OPTIONS TO EXTEND, FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$1,900,000; HUNTERS POINT SHIPYARD REDEVELOPMENT PROJECT AREA

- WHEREAS, The Successor Agency to the Redevelopment Agency of the City and County of San Francisco (commonly known as the Office of Community Investment and Infrastructure) (the "Successor Agency" or "OCII") is completing the enforceable obligations of the Redevelopment Agency of the City and County of San Francisco (the "Former Agency") in the Hunters Point Shipyard Redevelopment Project Area ("Project Area") under the authority of the California Community Redevelopment Law, Cal. Health & Safety Code §§ 33000 *et seq.*, as amended by the Redevelopment Dissolution Law, Cal. Health & Safety Code §§ 34170 *et seq.*, and under San Francisco Ordinance No. 215-12 (Oct. 4, 2012) (establishing the Successor Agency Commission and delegating to it state authority under the Redevelopment Dissolution Law); and
- WHEREAS, The Candlestick Point and the Hunters Point Shipyard ("the Project") is one of the enforceable obligations that OCII must continue to implement under the Dissolution Law. The Project covers over 500 acres at the former Hunters Point Shipyard Naval Base (the "Shipyard") and at the adjacent Candlestick Point. Development of the Shipyard has been divided into two phases. In connection with the Shipyard Phase 1 Project, the former Agency and HPS Development Co., LP ("Phase 1 Developer") entered into the Hunters Point Shipyard Phase 1 Disposition and Development Agreement, dated December 2, 2003 (the "Phase 1 DDA") by Resolution No. 179-2003. And in connection with the Candlestick Point and Shipyard Phase 2 Project, the former Agency and CP Development Co., LP ("Phase 2 Developer") entered into the Candlestick Point and Phase 2 of the Hunters Point Shipyard Disposition and Development Agreement dated June 3, 2010 (the "Phase 2 DDA") by Resolution No. 69-2010; and,
- WHEREAS, The California Department of Finance finally and conclusively determined that the Phase 1 DDA, Phase 2 DDA, and other Project documents are enforceable obligations under Redevelopment Dissolution Law. Letter, S. Szalay to T. Bohee (Dec. 14, 2013); and
- WHEREAS, The Shipyard was closed by the federal government in 1974. In 1989, due to environmental contamination on the base, the U.S. Environmental Protection Agency ("EPA") placed the Shipyard on the National Priorities List of "Superfund" cleanup sites, requiring the Navy to investigate and remediate hazardous materials at the Shipyard; and,
- WHEREAS, In April 2004, the former San Francisco Redevelopment Agency Commission (the "SFRA Commission") authorized a Conveyance Agreement between the U.S. Department of the Navy ("Navy") and SFRA. The Conveyance Agreement requires

the Regulators (together the EPA and the State of California are the “Regulators”) to confirm that each parcel is remediated to a level that is safe for its intended reuse prior to transfer and for the Navy, OCII, and the Regulators to share environmental information in a “Collaborative Partnership.” OCII, and the City and County of San Francisco (the “City”) represented by the San Francisco Department of Public Health (“DPH”), and the Office of the City Attorney (collectively, the “Environmental Team”) reviews and analyzes the technical documents produced by the Navy and the Regulators relating to the environmental remediation of the Shipyard; and,

WHEREAS, OCII and the City must review and provide feedback on these environmental documents and oversee the Navy’s cleanup to ensure that the Navy remediates the Shipyard in a manner that is protective of public health and the environment and is consistent with the approved reuse plans. On issues where OCII requires specific environmental technical expertise and it is not available through the Environmental Team, outside expert consultants are engaged; and,

WHEREAS, In 1999, the City through the Department of Public Works (“Public Works”) in its role as manager of the City’s construction projects, administered environmental consulting contracts, and entered into a contract with Treadwell & Rollo, now Langan, Treadwell, & Rollo, a New Jersey Corporation (“Contractor” or “Langan”) for environmental technical services. In 2000, the SFRA entered into a Letter Agreement with Public Works to use Langan as a consultant on the Shipyard; and

WHEREAS, In 2003, the SFRA Commission by Resolution No. 191-2003, authorized a three-year contract (“2003 Contract”) directly with Langan for environmental technical services on the Shipyard, which was amended in 2006 and 2008 through Resolution Nos. 160-2006 and 5-2008, respectively. In 2009, the SFRA Commission by Resolution No. 150-2009, authorized a new three-year contract with Langan for environmental technical services on the Shipyard, which was amended in 2011 and 2013 through Resolution Nos. 98-2011 and 8-2013, respectively. In 2013, the OCII Commission by Resolution No. 38-2013, authorized a new, three year contract with Langan, which expires August 31, 2016; and

WHEREAS, In the last 17 years, Langan has gained site specific knowledge and expertise on the environmental contamination and remediation of the Shipyard and is uniquely qualified to provide the necessary technical support services to OCII; and

WHEREAS, OCII staff now seeks authorization to enter into a new Personal Services Contract (“Contract”) with Langan for environmental technical support services regarding the environmental remediation of the Shipyard, for a contract term of August 1, 2016 to July 31, 2019 with two one-year options to extend, for a total contract amount not to exceed \$1,900,000. The new contract is required to monitor the Navy’s remediation of the Shipyard by the Environmental Team in advance of land conveyance. T

WHEREAS, The Contract satisfies the standards under the OCII Purchasing Policy for a sole source contract because Langan has previously provided the needed services and has performed satisfactorily and gained specific information and experience making Langan uniquely qualified to provide the services, Section IX.D.1.d; and

WHEREAS, The fees and expenses authorized under the Contract have been, and will be, reimbursable from the Phase 1 and Phase 2 Developer under the DDAs, the Contract are in furtherance of, and are necessary to complete OCII obligations under the DDAs. The Contract is shown on line HPSY 79 of the Recognized Obligation Payment Schedule (“ROPS”), which has been approved by the Department of

Finance and will be included on each successive ROPS until expiration or termination of the Contract; and

WHEREAS, Commission authorization of the Contract with Langan for technical environmental services is statutorily exempt from environmental assessment. Section 15262 of the California Environmental Quality Act Guidelines (Feasibility and Planning Studies). The Contract funds the provision of technical services for feasibility and planning studies that will not directly cause a change to the physical environment; not therefore, be it

RESOLVED, That this Commission approves and authorizes the Executive Director to execute the Contract, substantially in the form on file with the Secretary of this Commission, for a three-year term, for the period August 1, 2016 through July 31, 2019, with a total aggregate budget amount not to exceed \$1,900,000, to provide environmental technical services in connection with the remediation and transfer of property at the Shipyard from Navy to OCII, and, be it further

RESOLVED, That the Commission authorizes the Executive Director to take such other actions as may be necessary or appropriate, in consultation with the Agency Counsel, to effectuate the purpose or intent of this resolution.

I hereby certify that the foregoing resolution was adopted by the Commission at its meeting of July 19, 2016.

A large, stylized handwritten signature in blue ink, consisting of several overlapping loops and flourishes, positioned over a horizontal line.

Commission Secretary