

COMMISSION ON COMMUNITY INVESTMENT AND INFRASTRUCTURE

RESOLUTION NO. 47-2016

Adopted October 4, 2016

AUTHORIZING A PERSONAL SERVICES CONTRACT WITH ALH URBAN & REGIONAL ECONOMICS, A SOLE PROPRIETORSHIP, FOR AN AMOUNT NOT TO EXCEED \$230,000 FOR ECONOMIC AND FINANCIAL ADVISORY SERVICES, FOR A TERM BEGINNING ON OCTOBER 1, 2016 AND ENDING ON SEPTEMBER 30, 2019, RELATED TO THE HUNTERS POINT SHIPYARD PHASE 2 AND CANDLESTICK POINT PROJECT; HUNTERS POINT SHIPYARD AND BAYVIEW HUNTERS POINT REDEVELOPMENT PROJECT AREAS

- 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 Bayview Hunters Point and Hunters Point Shipyard Redevelopment Project Areas ("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 Phase 2 of the Hunters Point Shipyard ("the Project") is one of the enforceable obligations that OCII must continue to implement under the Dissolution Law. In connection with the Candlestick Point and Hunters Point 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 City and County of San Francisco (the "City") and OCII utilize the services of real estate economics firms on an ongoing basis in connection with major development parcels and complex transactions throughout the City and in all redevelopment project areas; and
- WHEREAS, A Request for Qualifications for Economic Consulting Services was issued by the City's Controller's Office and the Office of Economic and Workforce Development on September 25, 2014. A representative from OCII was on the selection panel. And on November 7, 2014, a Notice of Intent was issued to the firms selected to be on the pre-qualified real estate analysis panel, and ALH Urban and Regional Economics ("Contractor") was one of the firms on the list to provide real estate advisory services; and
- WHEREAS, Section IX.C.6 of the Successor Agency's Purchasing Policy authorizes the selection of a contractor from a City Panel; and
- WHEREAS, The Contractor was selected from the list of qualified consultants based on a number of factors including: (1) the particular expertise of the firm's available staff to take lead responsibility for the assignment; (2) potential conflicts of interest; and (3) the response time within which the firm can complete the task; and

WHEREAS, OCII has requested that the Contractor enter into a Professional Services Contract (“Contract”) to provide ongoing advice, on an as-needed basis, to assist OCII in its deliberations, interactions and negotiations the Phase 2 Developer relative to those certain Phase 2 Developer obligations and options set forth in the Phase 2 DDA; and

WHEREAS, Under Redevelopment Dissolution Law, successor agencies have the authority to enter into new contracts only in compliance with enforceable obligations that existed prior to June 28, 2011 and in accordance with Health and Safety Code Section 341773 (a). On December 14, 2012, the California State Department of Finance issued a Final and Conclusive Determination under California Health and Safety Code §34177.5(i) that the Phase 2 DDA is an enforceable obligation that survived the dissolution of the former San Francisco Redevelopment Agency; and

WHEREAS, OCII is authorized by the California State Department of Finance to make payments under this Contract pursuant to Line Item No. 398 on its Recognized Obligation Payment Schedule. Any expenses incurred by OCII pursuant to this this Contract are reimbursable from the Phase 2 Developer under the Phase 2 DDA; and;

WHEREAS, As Commission authorization of the Contract is an administrative activity of government that will not result in any direct or indirect physical changes in the environment, and, therefore, is not subject to environmental review under the California Environmental Quality Act (“CEQA”) since it is not a “Project” as defined by CEQA Guidelines Section 15378(b)(5); now, therefore, be it

RESOLVED, That this Commission approves and authorizes the Executive Director to execute the Contract, substantially in the form attached to the memorandum accompanying this resolution, for a three-year term, for the period October 1, 2016 through September 30, 2019, with a total aggregate budget amount not to exceed \$230,000, to provide economic and financial advisory services in connection with the Project, 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 October 4, 2016.

Lucinda Nguyen for Claudia Guerra
Commission Secretary