

COMMISSION ON COMMUNITY INVESTMENT AND INFRASTRUCTURE

RESOLUTION NO. 27-2018

Adopted June 19, 2018

APPROVING, PURSUANT TO THE TRANSBAY IMPLEMENTATION AGREEMENT, A THIRD AMENDMENT TO THE CONTRACT WITH CONGER MOSS GUILLARD LANDSCAPE ARCHITECTURE TO COMPLETE DESIGN AND CONSTRUCTION ADMINISTRATION FOR THE FOLSOM STREETScape IMPROVEMENTS BY INCREASING THE NOT-TO-EXCEED AMOUNT BY \$667,969, FOR A TOTAL MAXIMUM AGGREGATE AMOUNT OF \$4,420,106; TRANSBAY REDEVELOPMENT PROJECT AREA

WHEREAS, 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”); and,

WHEREAS, 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 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, In July 2011, the Former Agency entered into an agreement (“Contract”) with CMG Landscape Architecture (“CMG”) to complete design documents for select elements of the 2006 Transbay Streetscape and Open Space Concept Plan (“Concept Plan”) including the underutilized areas under the off-ramps (“Under-Ramp Park”) and streetscape improvements for Folsom and Essex Streets; and,

WHEREAS, Through a series of public workshops and Transbay Citizens Advisory Committee (“CAC”) meetings, as well as extensive research and analysis, CMG prepared detailed conceptual designs for the park under the off-ramps (Under-ramp Park) and Schematic Designs for the Folsom Streetscape Improvement Project (“Folsom Schematic Designs”). Both design packages were approved by the Commission on June 4, 2013; and,

WHEREAS, On September 17, 2013, the Commission approved a First Amendment to the Contract with CMG for additional design services for the Essex Street improvements, analysis of a cycletrack on Folsom Street, bus and Caltrans ramps risk analysis, Under-ramp Park pavilion design, and Under-ramp Park construction administration; and,

WHEREAS, On October 20, 2015, the Commission approved a Second Amendment to the Contract with CMG for additional design services for three transit boarding islands requested by MTA for Folsom St., as-needed streetscape coordination services requested by Transbay Block Developers, and research, inspection and documentation of structure basements located adjacent to Folsom Street; and,

WHEREAS, During development of the Construction Documentation for the Folsom Street Improvement Project ("FSIP"), CMG worked 42 months compared to the maximum 9 months in the existing Contract. As a result, CMG provided additional services that exceeded the existing Contract scope of services. These services included design coordination, plan review and revisions, assistance on the issuance of the bid documents, preparation of an additional Construction Documentation plan set submittal at 95% completion requested by SFPW, and assistance in obtaining a Street Tree Removal Permit from the San Francisco Bureau of Urban Forestry for existing trees on Folsom Street. Total retroactive payment for the above described services is \$407,649; and,

WHEREAS, During the design process CMG identified additional services required to complete construction of the FSIP. The services include as-needed coordination services for block developers which will be reimbursed by the developers, a contingency for two additional bid addenda and up to 12 months of additional Construction Administration services should they be required. The total budget for the above described services is \$260,320; and,

WHEREAS, The term of the Contract with CMG expires on June 28, 2018, and the Third Amendment extends the term five years to June 28, 2023; and,

WHEREAS, Approval of the Third Amendment to the Contract authorizes feasibility and planning studies and is therefore exempt from environmental review pursuant to the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Section 15262; now therefore, be it

RESOLVED, that the Successor Agency Commission hereby approves the Third Amendment to the Contract with CMG, substantially in the form of the Third Amendment to the Contract lodged with the Secretary of the Commission, to complete design and construction administration for the Folsom Streetscape Improvements in the Transbay Redevelopment Project Area by increasing the not to exceed amount of the Contract by \$667,969 for a total maximum Contract amount of \$4,420,106.

I hereby certify that the foregoing resolution was adopted by the Commission at its meeting of June 19, 2018.



Commission Secretary