

1 [Hunters Point Shipyard Cooperative Agreement for Fire and Medical Services.]

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3 **Resolution authorizing the San Francisco Fire Department to enter a five-year**
4 **Cooperative Agreement with the United States Navy to provide fire and emergency**
5 **medical services to portions of the Hunters Point Shipyard remaining under federal**
6 **ownership, and to accept and expend funds provided to the Fire Department by the**
7 **Navy as reimbursement for services provided under that Agreement.**

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9 WHEREAS, In April 2004, the United States Navy (“Navy”) and the San Francisco
10 Redevelopment Agency (“SFRA”) entered into a legally binding conveyance agreement
11 (“Conveyance Agreement”) that established a framework and orderly process for the SFRA to
12 receive at no cost conveyances of parcels at the Hunters Point Naval Shipyard (“Shipyard”)
13 after the Navy has completed environmental remediation on those parcels; and,

14 WHEREAS, An important provision of the Conveyance Agreement required the Navy
15 to fund reasonable levels of fire services to the Shipyard until the bulk of the Shipyard is clean
16 and transferred, provided that the San Francisco Fire Department (“SFFD”) enter into a
17 Cooperative Agreement with the Navy to provide those services; and,

18 WHEREAS, A Cooperative Agreement operates like a reimbursable grant agreement,
19 with the Navy reimbursing the SFFD for costs related to a specific scope of services, up to a
20 maximum amount per year, with annual increases over the term of the Agreement, as well as
21 reductions on a prorate basis as parcels are conveyed to the SFRA, since the Navy cannot
22 lawfully pay for service on property that has been conveyed out of federal ownership; and,

23 WHEREAS, By Resolution 496-04, the Board of Supervisors authorized the SFFD to
24 enter a five-year Cooperative Agreement with the Navy for the period October 1, 2004 through
25 September 30, 2009; and,

1 WHEREAS, The SFFD entered the initial Cooperative Agreement with the Navy, and
2 under that Agreement provided fire and emergency medical services to federally-owned areas
3 of the Shipyard and received annual reimbursement from the Navy for those services; and,

4 WHEREAS, SFFD desires to enter a new five-year Cooperative Agreement with the
5 Navy for the period October 1, 2009 through September 30, 2014, in substantially the form of
6 the Cooperative Agreement filed with the Clerk of the Board in File No. 091114; and,

7 WHEREAS, Under the proposed Cooperative Agreement, the Navy will reimburse the
8 SFFD for costs related to the specified scope of fire and emergency medical services, up to a
9 maximum of \$1,088,542 in the first year of the Agreement. The Navy and SFFD will amend
10 the Agreement annually to increase the reimbursement amount up to a maximum of a 4%
11 increase, and if applicable to reduce the amount on a prorate basis as parcels are conveyed
12 to the SFRA; and,

13 WHEREAS, The Cooperative Agreement was prepared by the Navy and therefore
14 does not include many of the standard contract provisions required under San Francisco law;
15 and,

16 WHEREAS, The Cooperative Agreement requires the City to use federal contracting
17 requirements if subcontracting any services under the Agreement, and SFFD will adhere to all
18 federal contracting requirements when applicable through the duration of the Cooperative
19 Agreement; and

20 WHEREAS, Approval of the proposed Cooperative Agreement will provide appropriate
21 fire and emergency medical services to the federally-owned parcels at the Shipyard, and will
22 ensure that the SFFD is reimbursed for the services it provides; and,

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1 WHEREAS, At its meeting on September 10, 2009, the Fire Commission adopted
2 Resolution 2009-06 recommending that the Board of Supervisors authorize the SFFD to enter
3 the Cooperative Agreement; now, therefore, be it,

4 RESOLVED, That the Board of Supervisors hereby authorizes the SFFD to enter into
5 the five-year Cooperative Agreement in the form prepared by the Navy, to accept and expend
6 the funds provided by the Navy to reimburse the SFFD for the costs of providing services
7 under the Agreement, and to use federal contracting requirements when applicable under the
8 Agreement.

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