

File No. 110862

Committee Item No. 6

Board Item No. 26

COMMITTEE/BOARD OF SUPERVISORS
AGENDA PACKET CONTENTS LIST

Committee: Budget and Finance Committee

Date: July 27, 2011

Board of Supervisors Meeting

Date 8/2/11

Cmte Board

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| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Resolution |
| <input type="checkbox"/> | <input type="checkbox"/> | Ordinance |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget & Legislative Analyst Report |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Ethics Form 126 |
| <input type="checkbox"/> | <input type="checkbox"/> | Introduction Form (for hearings) |
| <input type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Subcontract Budget |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Contract/Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
| <input type="checkbox"/> | <input type="checkbox"/> | Application |

OTHER

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Completed by: Victor Young

Date: July 22, 2011

Completed by: Victor Young

Date: 7-25-11

An asterisked item represents the cover sheet to a document that exceeds 25 pages. The complete document is in the file.

1 [TIDA Contract Amendment - AMEC Geomatrix, Inc. - Retroactively Extending Term through
2 June 30, 2012]

3 **Resolution approving an amendment to the contract between the Treasure Island**
4 **Development Authority and AMEC Geomatrix, Inc., to retroactively extend the term**
5 **through June 30, 2012.**

6
7 WHEREAS, Former Naval Station Treasure Island is a military base located on
8 Treasure Island and Yerba Buena Island (together, the "Base"), which is currently owned by
9 the United States of America ("the Federal Government"); and,

10 WHEREAS, Treasure Island was selected for closure and disposition by the Base
11 Realignment and Closure Commission in 1993, acting under Public Law 101-510, and its
12 subsequent amendments; and,

13 WHEREAS, On May 2, 1997, the Board of Supervisors passed Resolution No. 380-97,
14 authorizing the Mayor's Treasure Island Project Office to establish a nonprofit public benefit
15 corporation known as the Treasure Island Development Authority (the "Authority") to act as a
16 single entity focused on the planning, redevelopment, reconstruction, rehabilitation, reuse and
17 conversion of the Base for the public interest, convenience, welfare and common benefit of
18 the inhabitants of the City and County of San Francisco; and,

19 WHEREAS, Under the Treasure Island Conversion Act of 1997, which amended
20 Section 33492.5 of the California Health and Safety Code and added Section 2.1 to
21 Chapter 1333 of the Statutes of 1968 (the "Act"), the California Legislature (1) authorized the
22 City's Board of Supervisors to designate the Authority as a redevelopment agency under
23 California redevelopment law with authority over the Base, and (ii) with respect to those
24 portions of the Base which are subject to Tidelands Trust, vested in the Authority the authority
25 to administer the public trust for commerce, navigation and fisheries as to such property; and,

1 WHEREAS, On October 17, 2005, the Board of Directors adopted Resolution No. 05-
2 039-10/12 designating the Office of Economic and Workforce Development as the lead
3 negotiator in all negotiations related to the overall redevelopment and conversion of the Base
4 to civilian uses, including without limitation, negotiations regarding the terms and conditions
5 for the long term redevelopment of the Treasure Island Marina and the redevelopment of the
6 Base; and,

7 WHEREAS, AMEC Geomatrix, Inc. ("Contractor" or "Geomatrix") was selected by the
8 City's Department of Public Works ("DPW") as an "as-needed" contractor to provide
9 environmental review and remediation activities based on a public Request for Proposals
10 process; and,

11 WHEREAS, Contractor performed services under a contract with DPW for several
12 agencies and locations, including Treasure Island; and,

13 WHEREAS, The Authority amended the contract from time to time to extend the term
14 and to directly contract with Contractor; and,

15 WHEREAS, On February 12, 2003, because of Contractor's knowledge of the Navy's
16 environmental remediation program at the Base, the Authority authorized the Executive
17 Director to execute a new contract with Contractor for an amount not to exceed \$541,000 to
18 perform certain services, including monitoring the Navy's on-going environmental remediation
19 program; and,

20 WHEREAS, On June 9, 2004, the Authority extended the term of the Geomatrix
21 contract for an additional two (2) months; and,

22 WHEREAS, On December 8, 2004, the Authority retroactively extended the term of the
23 contract through June 30, 2005 and increased the not-to-exceed amount of the Geomatrix
24 contract to \$719,000; and,
25

1 WHEREAS, On July 13, 2005, the Authority retroactively extended the term of the
2 Geomatrix contract through June 30, 2006 and increased the not-to-exceed amount of the
3 contract to \$899,000; and,

4 WHEREAS, On May 31, 2006, the Authority extended the term of the Geomatrix
5 contract through June 30, 2007 and increased the not-to-exceed amount of the contract to
6 \$1,097,000; and,

7 WHEREAS, On May 9, 2007, the Authority extended the term of the Geomatrix
8 contract through June 30, 2008 and increased the not-to-exceed amount of the contract to
9 \$1,277,000; and,

10 WHEREAS, On May 14, 2008, the Authority extended the term of the Geomatrix
11 contract through June 30, 2009 and increased the not-to-exceed amount of the contract to
12 \$1,439,000; and,

13 WHEREAS, On May 13, 2009, the Authority, with Board of Supervisors approval,
14 extended the term of the contract through June 30, 2010 and increased the not-to-exceed
15 amount of the contract to \$1,619,000; and,

16 WHEREAS, On July 1, 2010, the Authority, with Board of Supervisors approval,
17 extended the term of the contract through June 30, 2011 and increased the not-to-exceed
18 amount of the contract to \$1,799,000; and,

19 WHEREAS, The Authority believes that the on-going role of Contractor is important
20 and merits amendment of the existing contract in order to (a) maintain the continuity of
21 oversight of the Navy's environmental remediation program; (b) avoid the potential challenges
22 associated with the learning curve inherent in selecting and bringing a new engineering
23 contractor up to speed; and (c) continue to assist the Authority in property transfer and master
24 developer negotiations to protect the Authority's interests and to support the redevelopment
25 plans; and,

1 WHEREAS, The Authority desires to amend the contract with Contractor to extend the
2 term of the contract, consistent with the Authority's need for on-going monitoring of the Navy's
3 environmental cleanup program; and,

4 WHEREAS, On June 22, 2011 at a properly noticed meeting, the Authority authorized
5 the Treasure Island Project Director to execute the amendment to the contract with Contractor
6 to extend the term thereof through June 30, 2012; and,

7 WHEREAS, The Act requires the Board of Supervisors' approval of any contract that
8 the Authority enters into prior to the adoption of a redevelopment plan for the Base if the
9 contract is worth more than \$1,000,000 or has a term of ten years or more; and,

10 WHEREAS, The contract, as amended, is a contract for an amount in excess of
11 \$1,000,000; now therefore be it

12 RESOLVED, That the San Francisco Board of Supervisors hereby approves the
13 amendment to the Geomatrix contract; and, be it

14 FURTHER RESOLVED, That the San Francisco Board of Supervisors hereby
15 authorizes the Treasure Island Development Project Director to execute and enter into the
16 amendment to the Geomatrix contract in substantially the form of the amendment to the
17 Geomatrix contract on file with the Clerk of the Board of Supervisors in File No. 110862, which
18 is hereby declared to be a part of this motion as if set forth fully herein, and any additions,
19 amendments or other modifications to such amendment (including, without limitation, its
20 exhibits) that the Treasure Island Development Project Director determines, in consultation
21 with the City Attorney, are in the best interests of the Authority and do not otherwise materially
22 increase the obligations or liabilities of the Authority, and are necessary or advisable to
23 effectuate the purpose and intent of this resolution.

24
25 **RECOMMENDED:**

Mayor Lee
BOARD OF SUPERVISORS

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7/15/11

1 TREASURE ISLAND DEVELOPMENT AUTHORITY

2 By: 

3 Rich Hillis

4 Treasure Island Development Project Director

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**TREASURE ISLAND DEVELOPMENT AUTHORITY
CITY AND COUNTY OF SAN FRANCISCO**

NINTH AMENDMENT

THIS NINTH AMENDMENT (this "Amendment") is made as of June 15, 2011, in San Francisco, California, by and between AMEC Geomatrix, Inc. ("Contractor"), and the Treasure Island Development Authority, a California non-profit public benefit corporation ("Authority").

RECITALS

WHEREAS, Authority and Contractor have entered into the Agreement (as defined below); and

WHEREAS, Authority and Contractor desire to modify the Agreement on the terms and conditions set forth herein;

NOW, THEREFORE, Contractor and the Authority agree as follows:

1. Definitions. The following definitions shall apply to this Amendment:

(a) **Agreement.** The term "Agreement" shall mean the Agreement dated April 1, 2003 between Contractor and Authority, as amended by a First Amendment dated July 1, 2004, a Second Amendment dated November 10, 2004, a Third Amendment dated July 1, 2005, a Fourth Amendment dated July 1, 2006, a Fifth Amendment dated July 1, 2007, a Sixth Amendment dated July 1, 2008, a Seventh Amendment dated July 1, 2009, and an Eighth Amendment dated July 1, 2010.

(b) **Other Terms.** Terms used and not defined in this Amendment shall have the meanings assigned to such terms in the Agreement.

2. Modifications to the Agreement. The Agreement is hereby modified as follows:

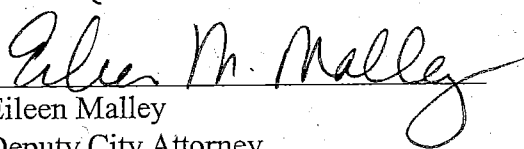
(a) **Section 2, Term of the Agreement,** is hereby amended to read as follows:

Subject to Section 1, the term of this Agreement shall be from April 1, 2003 to June 30, 2012.

3. Effective Date. Each of the modifications set forth in Section 2 shall be effective on and after the date of this Amendment.

4. Legal Effect. Except as expressly modified by this Amendment, all of the terms and conditions of the Agreement shall remain unchanged and in full force and effect.

IN WITNESS WHEREOF, Contractor and Authority have executed this Amendment as of the date first referenced above.

<p>AUTHORITY</p> <hr/> <p>Rich Hillis, Treasure Island Development Project Director On behalf of Treasure Island Development Authority</p>	<p>CONTRACTOR</p> <p>By signing this Agreement, I certify that I comply with the requirements of the Minimum Compensation Ordinance, which entitle Covered Employees to certain minimum hourly wages and compensated and uncompensated time off.</p> <p>I have read and understood paragraph 35, the City's statement urging companies doing business in Northern Ireland to move towards resolving employment inequities, encouraging compliance with the MacBride Principles, and urging San Francisco companies to do business with corporations that abide by the MacBride Principles.</p> <hr/> <p>James C. Price, Vice President AMEC Geomatrix, Inc. 2101 Webster Street 12th Floor Oakland, CA 94612 (510) 663-4100 FEIN: 94-2934407 Vendor No: 082</p>
<p>Approved as to form</p> <p>Dennis J. Herrera City Attorney</p> <p>By  Eileen Malley Deputy City Attorney</p>	

FORM SFEC-126:
NOTIFICATION OF CONTRACT APPROVAL
(S.F. Campaign and Governmental Conduct Code § 1.126)

City Elective Officer Information <i>(Please print clearly.)</i>	
Name of City elective officer(s): Members, Board of Supervisors	City elective office(s) held: Supervisor, City of San Francisco Board of Supervisors
Contractor Information <i>(Please print clearly.)</i>	
Name of contractor: AMEC Geomatrix, Inc.	
<i>Please list the names of (1) members of the contractor's board of directors; (2) the contractor's chief executive officer, chief financial officer and chief operating officer; (3) any person who has an ownership of 20 percent or more in the contractor; (4) any subcontractor listed in the bid or contract; and (5) any political committee sponsored or controlled by the contractor. Use additional pages as necessary.</i>	
(1) AMEC Geomatrix BOD: John J. Clarke (Director); Anthony Daus III (Director)	
(2) Anthony Daus III (President); Martin Mullins (VP-CFO); Thomas Logan (EVP-Operations)	
(3) n/a	
(4) Exponent; ChemRisk; Maxon Consulting, Inc.; NGTS Inc.; ToxStrategies, Inc.	
(5) n/a	
Contractor address: 2101 Webster Street 12th Floor, Oakland, CA 94612	
Date that contract was approved:	Amount of contract: \$1,799,000
Describe the nature of the contract that was approved: Oversight of Navy's environmental remediation on Treasure Island.	
Comments:	

This contract was approved by (check applicable):

- the City elective officer(s) identified on this form
 a board on which the City elective officer(s) serves _____

Print Name of Board

- the board of a state agency (Health Authority, Housing Authority Commission, Industrial Development Authority Board, Parking Authority, Redevelopment Agency Commission, Relocation Appeals Board, Treasure Island Development Authority) on which an appointee of the City elective officer(s) identified on this form sits _____

Print Name of Board

Filer Information <i>(Please print clearly.)</i>	
Name of filer: Angela Calvillo, Clerk of the Board	Contact telephone number: 415-554-5184
Address: City Hall, Room 244 1 Dr. Carlton B. Goodlett Pl., San Francisco, CA 94102	E-mail: Board.of.Supervisors@sfgov.org

Signature of City Elective Officer (if submitted by City elective officer)

Date Signed

Signature of Board Secretary or Clerk (if submitted by Board Secretary or Clerk)

Date Signed

