

## LEGISLATIVE DIGEST

[Revising Findings – Contract Approval for Design and Construction of New Fire Station - 935 Folsom Street]

**Ordinance amending Ordinance 218-10 to revise the findings supporting the waiver of Chapter 6 of the Administrative Code for a Conditional Land Disposition and Acquisition Agreement between the City and the San Francisco Museum of Modern Art for the design and construction of the new fire station to be located at 935 Folsom Street, San Francisco, California.**

### Existing Law

Pursuant to Ordinance 218-10, the Board approved the execution by the City of an Conditional Land Disposition and Acquisition Agreement ("Agreement") for the proposed exchange (the " Exchange Transaction") of City's land and Fire Station located at 676 Howard Street, San Francisco and a portion of the public right-of-way known as Hunt Street for Museum's parcel of real property located at 935 Folsom Street (the "Replacement Property"), a new fire station to be constructed by or on behalf of Museum on such parcel (the "Replacement Fire Station"), and an easement for parking purposes adjacent to such parcel (the "Parking Easement") . Pursuant to Ordinance 218-10, the Board also found that no City funds would be used in the construction of the Replacement Fire Station and exempted from the requirements of Chapter 6 of the City's Administrative Code all contracts to be entered into by Museum for the design and construction of the Replacement Fire Station and the improvement of such parcel and Parking Easement.

### Amendments to Current Law

Pursuant to the proposed Ordinance, the Board would amend its finding in Ordinance 218-10 that stated that no City funds would be used in the construction of the Replacement Fire Station to reflect that, subject to the City's annual appropriations process, City funds in an amount not to exceed \$400,000 may be used to pay for certain additional improvements to the Replacement Fire Station.

### Background Information

In enacting Ordinance 218-10, the Board authorized the Exchange Transaction contemplated by the Agreement, subject to certain express conditions, and found that such exchange was in the City's best interests. Further, the Board found that the estimated construction cost of the Replacement Fire Station is expected to exceed \$6 million. Since Ordinance 218-10 was enacted, the Fire Department has determined that it intends to enhance the architectural design and functionality of the Replacement Fire Station beyond that which the Museum is required to provide pursuant to the Agreement by constructing additional reinforcement and finish to the slab of the apparatus bay, certain functional connections with air compressor

units, various flooring, wall, door and window treatments or adjustments, and coordinated installation of telecommunications, data and fire/life safety lines (collectively, the "Additional Improvements"). The cost of construction of the Additional Improvements is estimated at approximately \$400,000 if constructed by Museum's contractors as a part of the original construction of the Replacement Fire Station. Such cost is expected to materially rise if implemented as a City construction project after the completion of the initial construction of the Replacement Fire Station because a separate City construction process is expected to entail construction staging, demolition, and remodeling costs, and other construction and administrative costs that should be avoidable if the Additional Improvements are completed during the original construction of the Replacement Fire Station.