

1 [Approving Submission of a Design-Build Application to the California State Public Works
2 Board Under California Public Contract Code Section 20688.6.]

3 **Resolution making findings and authorizing the submission of a design-build**
4 **application to the California State Public Works Board to permit construction of a**
5 **Community Facilities Demonstration Project at Hunters Point Shipyard Redevelopment**
6 **Project Area.**

7
8 WHEREAS, The Redevelopment Agency of the City and County of San Francisco (the
9 "Agency") intends to design and construct a Community Facilities Demonstration
10 Project (the "Project") on "Lot D" of Parcel A of the Hunters Point Shipyard ("Shipyard"),
11 located within the Hunters Point Shipyard Redevelopment Project Area ("Project Area"); and

12 WHEREAS, As part of the first phase of development at the Shipyard, 1.2 acres of land
13 for community use ("Community Facilities Parcels") has been provided; and

14 WHEREAS, The Community Facilities Parcels are to be used to enhance the overall
15 quality of life of the residents in the Bayview Hunters Point area ("BVHP") and support the
16 creation of a vibrant Shipyard community; and

17 WHEREAS, The Agency works with the Hunters Point Citizens Advisory Committee
18 ("CAC") to create programming for the Community Facilities Parcels that matches the needs
19 of existing and future residents in the BVHP community; and

20 WHEREAS, Development of the Community Facilities Parcels are one near-term
21 component of a broader multi-year vision for the adjacent Shipyard Arts and Technology
22 district; and

23 WHEREAS, The Project will serve as a community based public meeting and job
24 training/placement facility in accordance with the principles established by the CAC; and
25

1 WHEREAS, The Project is funded through U.S. Department of Commerce, Economic
2 Development Administration ("EDA") grant #07-49-05755; and

3 WHEREAS, THE EDA grant monies were awarded especially for improvements to "Lot
4 D", of the Project Area; and

5 WHEREAS, As a condition of using the federal funds, the Agency must follow the EDA
6 Procurement Regulations, 15 C.F.R. 24.36 et seq., and EDA Construction Standards, which
7 require, among other things, that the Agency meet competitive procurement requirements;
8 and

9 WHEREAS, The Project must be substantially complete by August 15, 2010 to satisfy
10 the EDA grant conditions; and

11 WHEREAS, Agency staff has developed the project criteria, the building and site
12 design controls, performance specifications, and a detailed scope of work so that a design-
13 build method can succeed; and

14 WHEREAS, California State Public Contract Code Section 20688.6 permits up to ten
15 (10) redevelopment projects within the State of California to obtain design-build authority,
16 which involves the procurement of both project design and construction from a single entity on
17 either a "lowest responsible bidder" or "best value" basis; and

18 WHEREAS, The Agency must submit an application to the California State Public
19 Works Board ("State Board") to obtain approval to use a design-build method for the Project;
20 and

21 WHEREAS, The Project consists of the design and installation of a modular space
22 building to be used for public meeting and event space and space for other community-
23 oriented uses, including a job training/placement facility; and
24
25

1 WHEREAS, The Project benefits the Project Area by creating a new public space that
2 will be used by local community groups and businesses, tenants of the Shipyard, and other
3 members of the public; and

4 WHEREAS, Other than the EDA grant monies that have been awarded to the Agency,
5 no other reasonable means of financing the Project area is available, as the City has no funds
6 currently budgeted or otherwise identified to pay for the Project, and no other source,
7 public or private, has been identified to provide funds to accomplish the Project; and

8 WHEREAS, The Project Area is not yet generating tax increment, and does not expect
9 to generate tax increment in the near future, that could otherwise be a funding source for the
10 Project; and

11 WHEREAS, The Project will be a LEED Certified building and will bring new
12 infrastructure to the Project Area; and

13 WHEREAS, One intended function of the Project includes the creation of a job
14 training/placement facility, which will increase jobs and economic stimulus and investments in
15 the area and will continue to assist in the elimination of blighting conditions in the Project
16 Area; and

17 WHEREAS, The Project is consistent with the adopted Five-Year Implementation Plan
18 adopted pursuant to Health and Safety Code section 33490, which has as its goals to: (a)
19 Foster employment, business, and entrepreneurial opportunities in the construction of facilities
20 in the Project Area; (b) Provide for the development of economically vibrant and
21 environmentally sound districts for mixed use cultural, recreation, educational and arts uses;
22 and (c) Encourage use of the most cost effective, energy-efficient measures feasible, as
23 adopted by the Agency Commission and on file with the Clerk of the Board of Supervisors in
24 File No. 12-2009, which is hereby declared to be a part of this resolution as if set forth fully
25 herein; and

1 WHEREAS, Authorization of this submission and subsequent use of the design-build
2 method will not directly cause any change in the physical environment and is exempt from the
3 California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Section 15061
4 (b)(3); and

5 WHEREAS, Section 33445 of California Redevelopment Law requires a local
6 legislative body to adopt a resolution making certain determinations with respect to publicly
7 owned improvements funded by the Agency; and

8 WHEREAS, Resolution No. 14-2010 was adopted by The Redevelopment Agency
9 Commission on February 16, 2010 authorizing Agency staff to pursue Board of Supervisors
10 approval of the findings now, therefore, be it

11 RESOLVED, The Board of Supervisors finds that the public improvements will be of
12 benefit to the Hunters Point Shipyard Redevelopment Project Area ("Project Area"); and, be it

13 FURTHER RESOLVED, That there are no other reasonable means of funding the
14 Project; and, be it

15 FURTHER RESOLVED, That the Project will assist in the elimination of one or more
16 blighting conditions in the Project Area; and, be it

17 FURTHER RESOLVED, That the public improvements are consistent with the
18 Implementation Plan for the Project Area; and, be it

19 FURTHER RESOLVED, That the Board of Supervisors of the City and County of San
20 Francisco finds that the Redevelopment Agency, acting through the Executive Director, is
21 authorized to submit an application to the California State Public Works Board to permit the
22 use of the design-build process for the Community Facilities Demonstration Project under
23 California Public Contract Code Section 20688.6.