

SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY
BOARD OF DIRECTORS

RESOLUTION No. 15-104

WHEREAS, San Francisco Municipal Transportation Agency (SFMTA) Contract No. 1283, Unity Plaza Development, implements the improvements described in the Balboa Park Station Area Plan; and,

WHEREAS, The project involves construction of a public plaza to provide an open space for the community, and a pedestrian connector between the plaza and City College of San Francisco, to provide a safe and convenient pedestrian corridor between Ocean Avenue, City College, SFMTA transit lines and residents of a new affordable housing facility; and,

WHEREAS, On April 6, 2015, the Director of Transportation notified the San Francisco Municipal Transportation Agency (SFMTA) Board of Directors that he had authorized a bid call for Contract No. 1283 in accordance with Board Resolution No. 09-191, which delegates, among other things, the authority to issue bid calls to the Director of Transportation; and,

WHEREAS, On May 21, 2015, the SFMTA received and publicly opened four bid proposals in response to the invitation for bids; and,

WHEREAS, Staff determined that the bid received from the apparent low bidder, Hoseley Corporation, was non-responsive to the bidding requirements and therefore, rejected the bid; and,

WHEREAS, The SFMTA determined that Bauman Landscape Construction Inc., the second low bidder, is the lowest responsive and responsible bidder, with a bid of \$2,482,500; and,

WHEREAS, The Contract Compliance Office reviewed the bid proposals and confirmed that Bauman Landscape Construction Inc. will meet the Small Business Enterprise set aside of 100% of the work, with the exception of the placement and installation of Lithocrete design specialty paving elements; and,

WHEREAS, Work under Contract No. 1283 will be funded by federal and local sources; and,

WHEREAS, On December 4, 2008 after a duly noticed public meeting, the Planning Commission certified the Final Environmental Impact Report (Final EIR) for the Balboa Park Station Area Plan (file number 2004.1059E) by Motion No. 17774 and found that the Final EIR reflected the independent judgment and analysis of the City and County of San Francisco, is adequate, accurate and objective, contains no significant revisions to the Draft EIR, and the content of the report and the procedures through which the Final EIR was prepared, publicized and reviewed comply with the provisions of the California Environmental Quality Act ("CEQA") (California Public Resources Code Sections 21000 et seq.), the CEQA Guidelines (14 Cal. Code Regs. Sections 15000 et seq.) and Chapter 31 of the San Francisco Administrative Code; and,

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WHEREAS, At the same hearing during which the Planning Commission certified the Final EIR, the Planning Commission adopted CEQA Findings with respect to the approval of the proposed Balboa Park Station Area Plan Amendments and other actions in Motion No. 17775 and adopted the Balboa Park Station Area Plan Amendments in Resolution No. 17776. The Final EIR, the CEQA Findings adopted by the Planning Commission with respect to the approval of the Balboa Park Station Area Plan Amendments, including a mitigation monitoring and reporting program and a statement of overriding considerations are on file with the Secretary of the Planning Commission; and

WHEREAS, These CEQA-related documents have been made available to the SFMTA and may be found in the files of the Planning Department, as the custodian of records, at 1650 Mission Street in San Francisco, and are incorporated herein by reference; and,

WHEREAS, The SFMTA Board of Directors has reviewed and considered the Final EIR and the environmental documents on file referred to herein; the SFMTA Board of Directors has reviewed and considered the CEQA Findings adopted by the Planning Commission in support of the approval of the Balboa Park Station Area Plan Amendments, including the mitigation monitoring and reporting program and the statement of overriding considerations, and hereby adopts as its own and incorporates the CEQA Findings contained in Planning Commission Motion Nos. 17774 and 17775 by reference as though such findings were fully set forth in this Resolution; and,

WHEREAS, The SFMTA Board of Directors adopts those mitigation measures as identified in the Planning Commission's CEQA Findings and determined by the Planning Department to be applicable to the Unity Plaza project (HM-1 and AM-2), endorses the implementation of those mitigation measures, and recommends for adoption those mitigation measures, including the mitigation monitoring and reporting program contained in the referenced CEQA Findings as the program relates to those mitigation measures; and,

WHEREAS, On April 4, 2013, the San Francisco Planning Department determined that work to be performed for the Unity Plaza project was analyzed in the Final EIR and that no further environmental analysis of the project was required; and,

WHEREAS, Based on this Planning Department determination, the SFMTA Board of Directors finds that no substantial changes have occurred in the proposed project that will require revisions in the Final EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects, no substantial changes have occurred with respect to the circumstances under which the proposed project for approval are undertaken which will require major revisions to the Final EIR due to the involvement of new environmental effects or a substantial increase in the severity of effects identified in the Final EIR and no new information of substantial importance to the project as proposed for approval in the Resolution has become available which indicates that (1) the project will have significant effects not discussed in the Final EIR, (2) significant environmental effects

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will be substantially more severe, (3) mitigation measure or alternatives found not feasible which would reduce one or more significant effects have become feasible or (4) mitigation measures or alternatives which are considerably different from those in the Final EIR would substantially reduce one or more significant effects on the environment; now, therefore, be it

RESOLVED, That the SFMTA Board of Directors authorizes the Director of Transportation to execute Contract No. 1283, Unity Plaza Development, with Bauman Landscape Construction Inc., as the lowest responsive and responsible bidder, in an amount of \$2,482,500 and for a term of 243 calendar days.

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of July 7, 2015.

Secretary to the Board of Directors
San Francisco Municipal Transportation Agency