

MEMORANDUM

December 7, 2018

TO: MEMBERS, PORT COMMISSION
Hon. Kimberly Brandon, President
Hon. Willie Adams, Vice President
Hon. Gail Gilman
Hon. Victor Makras
Hon. Doreen Woo Ho

FROM: Elaine Forbes
Executive Director

SUBJECT: Request authorization to award a contract to Environmental Science Associates to Provide California Environmental Quality Act (CEQA) Review of the Waterfront Plan Update Project in an amount not to exceed \$1,000,000, with an initial term of four years

DIRECTOR'S RECOMMENDATION: Approve Attached Resolution

EXECUTIVE SUMMARY

On March 13, 2018, the Port Commission authorized Port staff, through Resolution 18-20, to issue a Request for Proposals ("RFP") to solicit an environmental consultant to complete environmental review of the Waterfront Plan Update project, pursuant to requirements of the California Environmental Quality Act ("CEQA") and city environmental review regulations in San Francisco Administrative Code, Chapter 31. Staff subsequently initiated a competitive selection process for award of a professional services contract.

Port staff received three proposals, all of which were determined to meet the minimum qualifications. A panel then evaluated and scored written proposals and conducted oral interviews. The San Francisco Contract Monitoring Division ("CMD") determined responsiveness to the requirements of the Local Business Enterprise ("LBE") Ordinance. After the panel's evaluation and scoring of the proposals, Port staff identified Environmental Science Associates ("ESA"), a California Corporation, as the highest-ranked firm.

THIS PRINT COVERS CALENDAR ITEM NO. 11B

Port staff now requests Port Commission authorization to award a professional services contract to provide CEQA review of the Waterfront Plan Update to the highest ranked consultant, ESA. The proposed contract, for the not to exceed amount of \$1,000,000, carries a term of four years with the option to extend the term for one additional year at the Port's sole discretion. The contract will have a Local Business Enterprise subcontracting goal of 18% which CMD established pursuant to the San Francisco Administrative Code Chapter 14B.

STRATEGIC OBJECTIVES

This contract opportunity will support the goals of the Port's Strategic Plan as follows:

Livability

Ensure improvements to the waterfront result in advances in the environment, social equity, and quality of life for San Francisco residents and visitors that are consistent with California standards for environmental quality.

Sustainability

CEQA review of the Waterfront Plan Update will help ensure the findings and recommendations are consistent with California State environmental standards.

BACKGROUND

The public process to update the Port of San Francisco Waterfront Plan (Waterfront Plan Update) was initiated in late 2015, led by the Waterfront Plan Working Group (Working Group) and supported by seven Waterfront Plan Advisory Teams. The Working Group followed a three-part public process. Part 1 consisted of public meetings that provided an extensive orientation about the Port. During Part 2, the Working Group broke into three subcommittees to develop Land Use, Transportation, and Resilience recommendations to draft amendments to the Waterfront Plan. At the August 14, 2018 Port Commission meeting, the Port Commission approved Resolution 18-45, endorsing the Waterfront Plan Working Group's recommendations and describing next steps to produce draft amendments to update the Waterfront Plan, and complete CEQA review and public approvals.

The Waterfront Plan Update project must undergo environmental review pursuant to the CEQA and city environmental review regulations in San Francisco Administrative Code, Chapter 31, prior to consideration for approval by the Port Commission, the San Francisco Bay Conservation and Development Commission ("BCDC"), the San Francisco Planning Department ("SF Planning"), Board of Supervisors or other decision makers. SF Planning is the City's lead CEQA agency.

Port staff will produce the draft Waterfront Plan amendments, which will be published for public review and comment, anticipated to be complete in early 2019. Concurrently, the staff will also:

- Work with BCDC staff to develop draft amendments to the BCDC San Francisco Waterfront Special Area Plan to align with Waterfront Plan amendments for public review and comment; and
- Work with SF Planning staff to develop amendments to the San Francisco Planning Code, Zoning Map and other planning documents as determined, to align with Waterfront Plan amendments and waterfront design review procedures, for public review and comment.

The proposed plan amendments must undergo environmental review pursuant to the requirements of CEQA and the City environmental review regulations in San Francisco Administrative Code Chapter 31. Given that review and preparation of the required CEQA documents are currently beyond the capabilities of the Port and City staff, on March 13, 2018, the Port Commission authorized staff to issue an RFP to solicit consultant services for environmental review for the Waterfront Plan Update (Port Commission Resolution 18-20). The Project Scope included in the CEQA RFP is summarized below. In addition to the plan amendments, the CEQA RFP scope includes the possibility of programmatic environmental analysis if any historic rehabilitation concepts are advanced through the Embarcadero Historic District Request for Interest (RFI) process underway.¹ The CEQA RFP acknowledged that a Mitigated Negative Declaration or an Environmental Impact Report (EIR) may be required, as to be determined by SF Planning. This can significantly affect the funding and budget requirements for the CEQA consultant contract. Accordingly, Port staff has budgeted up to \$1 million in funding for the CEQA contract. In general, preparation of an EIR takes more time and is more expensive than a Mitigated Negative Declaration.

PROJECT SCOPE

The Project Scope in the CEQA RFP includes environmental impacts analysis associated with proposed amendments to the Port Waterfront Plan, BCDC Special Area Plan, and SF Planning General Plan (if needed), Planning Code and Zoning Map. In addition, the Project Scope provides for the possible inclusion of CEQA program-level analysis associated with development RFP opportunities that may result from the Embarcadero Historic District RFI. At this time, it is not known what type of environmental document may be required by SF Planning, nor whether the analysis will be scoped to include program-level CEQA analysis of RFP concepts from the Embarcadero Historic District RFI. It is possible that either a Mitigated Negative Declaration or Environmental Impact Report could be required. The consultant will be expected to perform the following contract services:

1. Project Scoping, Information Management, and Project Management Work Plan

- A) Provide project management and meetings, coordination with SF Planning,

¹ See December 7, 2018 Port Commission staff report for description and proposed next steps for the Embarcadero Historic District Request for Interest process

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- production of preliminary draft reports and responses to agency comments
- B) Support public scoping meetings and prepare responses to public comments
- C) Provide data collection, information management and analysis
- D) Provide graphics and maps

2. **Existing Conditions and Environmental Effects Analysis**

- A) Under direction and review by SF Planning, evaluate and document existing conditions, setting and environmental effects of the Waterfront Plan Update Project which may require production of technical studies to support publication of a CEQA Initial Study, Mitigated Negative Declaration, or Environmental Impact Report (“EIR”) which includes the following environmental topics and considerations, or others as directed by SF Planning:
 - Existing Plans and Policies
 - Land Use, Population & Housing
 - Urban Design & Visual Resources
 - Historic and Cultural Resources
 - Transportation & Circulation
 - Air Quality & Greenhouse Gas Emissions
 - Noise
 - Hydrology & Water Quality
 - Biological Resources
 - Hazards and Hazardous Materials
 - Geology & Soils

3. **Cumulative Analysis, Mitigation Measures, Possible Alternatives**

- A) Under direction and review by SF Planning, analyze cumulative environmental effects, develop mitigation measures to reduce or avoid significant environmental effects and, as required for EIRs, identify and analyze alternatives.

4. **Document Preparation**

- A) Provide all analysis, written documents, editing services, responses to SF Planning and Port staff
- B) Produce CEQA draft environmental documents, responses to public comments and revisions to environmental documents, and final environmental document, findings, mitigation monitoring reports, as directed

SELECTION PROCESS

On September 4, 2018, the Port issued the RFP to solicit an environmental consultant to complete environmental review of the Waterfront Plan Update project, with submittals due on October 18, 2018. Staff held a pre-submittal meeting on September 13, 2018. Sixteen people representing 12 unique consulting firms attended the pre-submittal

meeting. The list of pre-submittal meeting attendees is contained in Attachment B of this report and was also posted on the Port's website.

The Port received three responses to the RFP in advance of the submittal deadline. The following three consultant teams (identified by the lead consultant in alphabetical order) responded to the RFP:

1. Environmental Science Associates (Non-LBE)
2. ICF Jones & Stokes, Inc. (Non-LBE)
3. Urban Planning Partners, Inc. (Non-LBE)

Port staff determined that all three firms met the RFP's minimum qualifications. CMD then reviewed the submittals for compliance with the RFP's LBE requirements. The Port's CMD Contract Compliance Officer concluded that all three firms met the RFP's LBE subcontracting requirements.

Evaluation Panel

The Port convened a three-member evaluation panel to evaluate, and score written proposals on October 22, 2018. The panel consisted of a principal environmental planner from SF Planning, a former Deputy City Attorney who currently serves as an Ethics Commissioner, and the Port's Chief Operating Officer. The panel was diverse in terms of race and gender and has expertise in urban planning, CEQA, and environmental resource impacts analysis. The Port's CMD Contract Compliance Officer approved the panel composition and attended all evaluation panel meetings.

Evaluation Criteria

The panel evaluated and scored the written proposals based upon the following criteria:

- 15 points – proposer's relevant experience
- 15 points – proposer technical and management approach
- 15 points – proposer project understanding related project knowledge
- 5 points – proposal clarity and completeness
- 50 points total

Port staff forwarded all three proposals to the second phase of the evaluation process for oral interviews. On November 14, 2018, oral interviews were evaluated and scored by each member of the panel based upon the following criteria:

- 15 points – proposer's experience and technical approach
- 15 points – proposer's subcontractor engagement plan
- 20 points – proposer's team qualifications
- 50 points total

The City Administrative Code Chapter 14B, the LBE and Non-Discrimination in Contracting Ordinance, establishes rating bonuses for LBE firms. All three proposers are non-LBE firms and therefore no proposers received a 10 percent rating bonus. The final evaluation rankings are shown in *Table 1*. In accordance with the RFP scoring criteria, Port and CMD staff determined the highest ranked consultant, ESA, is eligible for contract award.

Table 1: Waterfront Plan Update CEQA RFP Proposal Scores

Proposer	Written Proposal Score	Oral Interview Score	LBE Rating Bonus	Final Total Score	Final Rank
ESA	47	47	0%	94	1
ICF Stokes & Jones	42	39	0%	81	2
Urban Planning Partners	31	34	0%	65	3

Port staff issued a Notice of Intent to Award a Contract to ESA, the highest ranked firm, on November 21, 2018. No protests were received during the 5-day protest period.

Selected Consultant

ESA is a non-LBE environmental consulting firm, which has been headquartered in San Francisco for over 50 years. ESA has completed environmental review documents for waterfront development and land use planning projects in Richmond, Oakland, and San Francisco. Additionally, ESA has collaborated with the Port and the City of San Francisco on the 34th America’s Cup Event, the Pier 27 Cruise Terminal, Chase Arena, and the Central SOMA Plan. ESA proposes to exceed the 18% LBE subcontracting goal by subcontracting 25% of the work to LBEs listed in *Table 2* below. On November 28, 2018, CMD issued a memorandum determining that the Port’s selection process for the Waterfront Plan Update CEQA RFP was compliant with the LBE Ordinance.

Table 2: LBE Subconsultant Participation

Firm	Type of Work	% of Contract Work	LBE Type
Avila & Associates	Utilities	1.0%	WBE
Adavant Consulting	Transportation Planning	8.5%	OBE
AEW Engineering	Hazardous Materials	1.0%	MBE
Alfred Williams Consultancy	Outreach	2.0%	MBE
Architecture & History	Cultural Resources	3.0%	WBE
CDIM Engineering	Hydrology	1.0%	OBE
LCW Consulting	Environmental Advisory Services	8.5%	WBE
	Total	25.0%	

FUNDING

Port staff proposes a contract award to ESA for an initial term of four years with an option to extend the term an additional year at the Port's sole discretion and a not-to-exceed value of \$1,000,000. These services will be funded by the Planning and Environment Division's professional services budget (Authority #10000; Sub-fund 23680).

SCHEDULE

The following is the anticipated project schedule which is subject to change:

Port Commission Authorization to Award	December 11, 2018
Notice to Proceed	January 2019

RECOMMENDATION

Port staff has completed the evaluation of responses to select an environmental consultant to provide CEQA support for the Waterfront Plan Update, and selected ESA as the most qualified consulting firm to provide the contract services described in this report. Therefore, staff requests that the Port Commission adopt the attached resolution authorizing award of the contract to ESA, in an amount not to exceed \$1,000,000.

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and

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For: Katharine Petrucione, Deputy Director
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and

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Attachments

- A: CMD Review Memorandum
- B: Pre-proposal Meeting Sign-In Sheet

**PORT COMMISSION
CITY AND COUNTY OF SAN FRANCISCO**

RESOLUTION NO. 18-64

- WHEREAS, the Waterfront Plan was initially adopted by the Port Commission in 1997, defining acceptable uses, policies, and land use information applicable to all properties under the Commission's jurisdiction; and
- WHEREAS, in October 2015, the Port of San Francisco initiated a public planning process to update the Waterfront Plan (“Waterfront Plan Update”); and
- WHEREAS, at the August 14, 2018 Port Commission meeting, the Port Commission approved Resolution 18-45, endorsing the recommendations produced by the Waterfront Plan Working Group and next steps for producing draft amendments to update the Waterfront Plan, and complete CEQA review and public approvals.
- WHEREAS, the Waterfront Plan Working Group’s efforts provide direction for Port staff to draft proposed amendments to update the Waterfront Plan, anticipated in early 2019; and
- WHEREAS, proposed amendments to the Waterfront Plan must undergo environmental review pursuant to the requirements of the California Environmental Quality Act (“CEQA”) and the city environmental review regulations in San Francisco Administrative Code Chapter 31; and
- WHEREAS, review and preparation of the required CEQA documents are currently beyond the capabilities of the Port and City staff; and
- WHEREAS, on March 13, 2018, the Port Commission authorized staff to issue a Request for Proposals (“RFP”) to solicit consultant services for environmental review for the Waterfront Plan Update (Port Commission Resolution 18-20); and
- WHEREAS, Port staff advertised the RFP on September 4, 2018, and received three proposals on October 18, 2018, all of which were responsive to the requirements of the RFP; and
- WHEREAS, an evaluation panel was convened to evaluate and score the proposals pursuant to the City Administrative Code Chapter 14B, and the City’s Contract Monitoring Division and Port staff determined the most qualified and highest ranked proposer is Environmental Science Associates; now, therefore be it

RESOLVED, that the San Francisco Port Commission hereby authorizes Port staff to award a professional services contract to Environmental Science Associates, to provide CEQA review services for the Waterfront Plan Update in an amount not to exceed \$1,000,000, with a contract term of four years and the option to extend the term for one additional year at the Port's sole discretion.

I hereby certify that the foregoing resolution was adopted by the San Francisco Port Commission at its meeting of December 11, 2018.

Secretary