



London N. Breed, Mayor  
Philip A. Ginsburg, General Manager

**DATE:** June 1, 2022

**TO:** Recreation and Park Commission, Capital Committee

**THRU:** Philip A. Ginsburg, General Manager  
Stacy Bradley, Acting Director, Capital and Planning

**FROM:** David Froehlich, Project Manager, Capital and Planning Division

**RE:** 900 Innes (India Basin) Park Development

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### **AGENDA WORDING**

Discussion and possible action to authorize the Department to negotiate with a contractor for the 900 Innes Park Development Project (Contract No. 000005616) per the Public Works Contracting Code 6.23(c)(1) Procedure Upon Rejection or Failure of Bids, No Bids Received.

### **STRATEGIC PLAN**

**Strategy 1: Inspire Public Space: Keep today's parks safe, clean, and fun; promote our parks' historic and cultural heritage; and build the great parks of tomorrow.**

Objective 1.1: Develop more open space to address population growth in high-needs areas and emerging neighborhoods

Objective 1.2: Strengthen the quality of existing parks and facilities.

Objective 1.4: Preserve and celebrate historic and cultural resources.

**Strategy 2: Inspire Play: Promote active living, well-being and community for San Francisco's diverse and growing population.**

Objective 2.1: Strengthen the quality, responsiveness and accessibility of recreation programs.

Objective 2.2: Strengthen and promote the safety, health and well-being of San Francisco's youth and seniors.

**Strategy 3: Inspire Investment: Through community engagement, advocacy, and partnerships, cultivate more financial resources to keep the San Francisco's parks and programs accessible for all.**

Objective 3.1: Increase public investment to better align with infrastructure needs and service expectations.

Objective 3.3: Cultivate increased philanthropic support.

### **BACKGROUND**

At India Basin, the Recreation and Park Department (RPD) endeavors to build a park that is meaningful, equitable, and essential to the health of San Francisco's southeast communities, which have been historically underserved. In August 2014, the City of San Francisco (the "City") acquired the 900 Innes property with the goals of rehabilitating a contaminated site and connecting to existing waterfront spaces. In 2015, Mayor Edwin Lee, Supervisor Malia Cohen, and RPD General Manager Philip Ginsburg,



asked all property owners along the shoreline and key regional and Bayview Hunters Point community stakeholders to work together to develop a coordinated study. This effort built upon the tremendous work done over the past decade by community groups to envision the future of India Basin. In partnership with BUILD Inc, PG&E OCII, and the Port of San Francisco, the Task Force embarked on the India Basin Waterfront Parks Study to ensure that all properties eventually look, feel, and operate as an integrated parks system. The Study also includes specific proposals for public programming, access and circulation, habitat restoration, and ecological and sea level rise strategies.

On March 6, 2018, the Recreation and Park Commission adopted the California Environmental Quality Act (CEQA) Findings and approved the concept design for 900 Innes and India Basin Shoreline Park (India Basin). Since then, the Commission approved various actions related to the work, including acceptance and expenditure approvals for over \$10M in public grant funding, \$25M in private funding, and approval of professional services contracts to support the work. On December 17, 2020, the Recreation and Park Commission awarded a construction contract to Rubecon Builders to begin Phase 1 of the India Basin Parks consisting of the remediation of 900 Innes Boatyard property. The remediation project is expected to be complete June 2022.

The clean-up and development of this site provides a tremendous opportunity to address environmental contamination and physical blight left by historic, industrial uses, while improving overall public access, recreational programming, and providing workforce development opportunities to help address social equity issues in a historically underserved neighborhood. The approved concept plan combines the existing India Basin Shoreline Park and 900 Innes property into one 10-acre waterfront park that closes a critical gap in the San Francisco Bay Trail Blue-Greenway, a component of the proposed transportation network within this community.

## **PROJECT DESCRIPTION**

At full build out, the resulting 10 acres of improved park space at 900 Innes and India Basin Shoreline Park will support of contiguous 1.7-mile open space and trail network, as well as connect a total of 64 acres of parkland from Heron's Head Park (owned by the Port of San Francisco) to the future Northside Park. The work itself further fulfills the promise of the Blue Greenway— a portion of the San Francisco Bay Trail that will provide pedestrian and bicycle connections from the Embarcadero all the way to Candlestick Point. In all, the parks will offer amenities, environmental education, and economic opportunities for the approximately 5,000 residents that live within a 10-minute walk of this park and the 35,000 residents that live within one mile of the park.

### *900 Innes Park Development Project – Construction Contract*

The 900 Innes Park Development Project was advertised March 13, 2022, with an original bid due date of April 13, 2022. After receiving a Question from Bidder (QBD) and speaking to contractors during the outreach events, we extended the bid due date by one week. On the extended bid due date, April 20, 2021, we received no bids. When no bids are received, the department head shall take actions as described in San Francisco Administrative Code Section 6.23(c), Procedure Upon Rejection or Failure of Bids.

Under San Francisco Administrative Code Section 6.23(c)(1), the department head shall determine:

- (A) whether further outreach efforts would result in Contractors submitting Bids and/or
- (B) whether removal or modification of certain requirements in the Contract would result in Contractors submitting Bids, provided that such requirements are not required by statute or law and their removal or modification would not compromise the interests of the City.

If the Department Head determines that steps (A) and/or (B), above, would likely result in Contractors submitting Bids, then the Department Head shall re-bid the work.

If the Department Head determines that neither step (A) nor (B), above, would likely result in Contractors submitting Bids, then the Department Head, with the approval of the Mayor or the board or commission concerned, as appropriate, may negotiate with any qualified Contractor or may order the work to be executed by the City.

## **FINDINGS**

The Department's staff findings for the steps (A) and (B) under San Francisco Administrative Code Section 6.23(c)(1) are as follows:

The Department implemented a robust outreach effort, including the following outreach conducted before and during the advertisement of the project:

- RPD developed a list of contractors that have bid on past projects and RPD both called and emailed to alert them of the upcoming bid, notifying approximately 34 contractors.
- RPD used a subconsultant, MCK, Inc. to assist with bidding for the project. They called contractors listed on the current Plan Holders List on a weekly basis to see if they were going to bid on the project. There are approximately 79 plan holders for this advertisement.
- RPD worked with our project partners, APRI and JBR, to do outreach to both prime contractors and subcontractors that they have worked with on various public and private projects during the advertisement period.
- RPD included the advertisement and all outreach events in the RPS and India Basin Newsletters.
- APRI held two on site "Meet and Greets", one on March 17, 2022 and another on March 31, 2022, to connect prime contractors with subcontractors during the advertisement period. There were approximately 10-15 people in attendance at each event. Notification for the events were sent out by APRI and JBR to their contact lists and by RPD to contractors that have bid on RPD projects in the past.
- RPD held a virtual pre-bid conference on March 23, 2022 with approximately 35 people in attendance.
- RPD held an onsite walk with potential bidders on March 31, 2022, and with approximately 15 people in attendance. Notification was sent out to contractors on the contact list, added to the issuance of Addendum #1, and added to the project bid website.

The requirements for the bidders in the contract documents were not too onerous and were necessary for the complexity of the project, to meet the expectations of the community, to comply with regulatory and resource agency requirements, and to follow goals of the Equitable Development Plan (EDP). The following methods were used to help increase bidding opportunities:

- The RPD project manager worked with Public Works Contract Prep prior to advertisement to ensure the minimum qualifications as to not exclude contractors and to open the project to a wider group of contractors.
- The project was bid as a Best Value Contract to allow for contractors to show the additional value they could offer in concert with their bid price, thus allowing a contractor to be selected by how they could deliver the best value of the project, and not just the low bid. The Best Value criteria included the following:
  - Project experience of similar scale, complexity, and cost;

- Project management approach;
- Shoreline work and historical rehabilitation experience; and
- Experience and approach to local hiring, workforce development, working with the local community, and community benefits programs.
- The advertisement period was extended by request, to allow for contractors bidding on the project additional time to put together a bid package.

After evaluation of the findings above, the Department’s staff recommendation is to negotiate with a qualified contractor for the following reasons:

- Re-bid may not get additional bids received since the scope of work of the project will not be reduced or changed.
- The complexity of the project, including shoreline and marine work, three new buildings, historic preservation, and the landscape components of the project requires qualifications from bidders and subcontractors that limits the number of qualified bidders.
- The uncertainty to receive a responsive bid by responsible bidders if the project were to be advertised again.
- Will move forward the park project that is following an extensive remediation effort of the site without further schedule delays and keeping commitments made to the community.
- Will allow for the project to begin construction this summer, utilizing the regulatory and resource agency work windows without delaying the project by an entire year, adding additional escalation costs to the project.
- Negotiations with a contractor can ensure that the goals of the Equitable Development Plan (EDP) are met by working with the selected contractor to meet and possibly exceed workforce development components of the contract, hyper-local hiring of subcontractors, and potential community benefits opportunities.

**PROJECT SUPPORT**

The parks project is generally supported by the following individuals and organizations:

- *City Attorney and former Assemblymember David Chiu*
- *Assemblymember Phil Ting*
- *Supervisor Shamann Walton*
- *Board of Equalization Member Malia Cohen*
- *A. Philip Randolph Institute (APRI)*
- *Hunters Point Family*
- *India Basin Neighborhood Association*
- *India Basin Waterfront Task Force Members*
- *Parks 94124*
- *John Pritzker Family Foundation*
- *Office of Economic and Workforce Development*
- *San Francisco Parks Alliance*
- *Trust for Public Land*

**PROJECT OPPOSITION**

There is no known opposition to the 900 Innes Park and India Basin Shoreline Park renovation project or Equitable Development Plan.

**PROJECT OUTREACH**

A summary of all meetings is as follows:

- *EPA Brownfield Grant Application Presentation: December 2, 2014*
- *India Basin Waterfront Task Force Meeting #1: February 12, 2015*
- *Sunday Streets Booth: April 12, 2015*
- *Hunters Point Shipyard Community Advisory Committee: June 4, 2015*
- *Black Love Festival Booth: July 18, 2015*
- *India Basin Waterfront Task Force Meeting #2: August 27, 2015*
- *India Basin Waterfront Task Force Meeting #3: October 7, 2015*
- *India Basin Waterfront Task Force Meeting #4: November 5, 2015*
- *India Basin Waterfront Task Force Meeting #5: December 3, 2015*
- *Design Competition Finalist Submission Exhibition: Jan 13 - Feb 13, 2016*
- *Design Competition Finalist Submission Open House: January 23, 2016*
- *Design Competition Finalists Presentation #1: January 26, 2016*
- *Design Competition Finalists Presentation #2: January 26, 2016*
- *900 Innes/IBSP Concept Design Meeting #1: May 10, 2016*
- *900 Innes/IBSP Concept Design Meeting #1: June 21, 2016*
- *900 Innes Brownfield Conditions Meeting: July 14, 2016*
- *900 Innes/IBSP Concept Design Meeting #1: July 27, 2016*
- *BCDC Design Review Board Meeting: November 7, 2016*
- *EPA Brownfield Grant Application Presentation: December 3, 2016*
- *India Basin Waterfront Task Force Meeting 6: February 21, 2017*
- *Bayview Hunters Point Environmental Task Force Meeting: April 20, 2017*
- *Bayview Hunters Point Environmental Task Force Meeting: July 19, 2017*
- *India Basin Neighborhood Association Meeting: November 4, 2017*
- *Bayview Hunters Point Community Advisory Committee: June 6, 2018*
- *Bayview Alliance: April 22, 2019*
- *Sunday Streets Booth: May 5, 2019*
- *LBE Community Outreach/Spring Social Booth: May 10, 2019*
- *Design Open House at the EcoCenter: May 29, 2019*
- *Bayview Hunters Point Community Advisory Committee: June 5, 2019*
- *900 Innes Block Party and Shipwrights Cottage Unveiling: June 7, 2019*
- *Design Options Survey (available online): June 17 to August 2, 2019*
- *Operation Genesis Community Celebration: June 22, 2019*
- *Focus Group with Community Leaders and Local Youth: July 31, 2019*
- *Sundown Cinema Space Jam: September 27, 2019*
- *Play Day at Heron's Head Park: September 28, 2019*
- *On-Site Activation: October 10, 2019*
- *Bay Day, India Basin Shoreline Park: October 12, 2019*

## **RECOMMENDATION**

Staff recommends that the Commission authorize the Department to negotiate with a contractor for the 900 Innes Park Development Project (Contract No. 0000005616) per the Public Works Contracting Code 6.23(c)(1) Procedure Upon Rejection or Failure of Bids, No Bids Received.

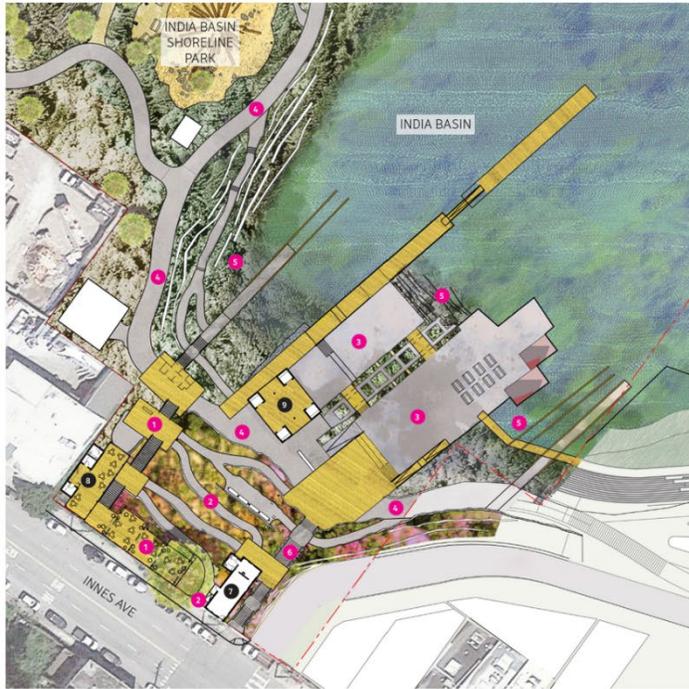
## **ATTACHED**

Exhibit A: Illustrative, site plan of 900 Innes and India Basin Shoreline Park

Exhibit B: India Basin Project Schedule

Exhibit C: 900 Innes Park Development Findings Memo

Exhibit A: Illustrative, site plan of 900 Innes and India Basin Shoreline Park



**Prop 68-funded Recreational Features & Amenities**

- 1 Public Porch & Gathering Decks**  
Welcome residents into the park and serve as platforms for informal gatherings and park programming
- 2 Accessible Entrance, Path, and Gardens**  
Provides an ADA-accessible path to the Boatyard through native gardens, with small gathering spaces along the way
- 3 Boat Yard Plaza**  
A large, flexible space for community events, farmers' markets, concerts, and a range of outdoor recreation by the Water's Edge
- 4 Class I Bike Path (Bay Trail)**  
A 0.1-mile path that provides pedestrian and bicycle access to the San Francisco Bay Trail
- 5 Resilient Water's Edge**  
Restored wetlands and a resilient shoreline provide public access, education, and recreation, as well as long-term flood management
- 6 Community Access Stairs**  
Provide additional, direct community access from Innes Avenue to the Boatyard Plaza and Water's Edge

**Related Amenities Funded through Other Sources**

- 7 Shipwright's Cottage**  
Historically significant building rehabilitated into park icon and information hub, orienting visitors to the site and its history
- 8 Overlook Pavilion**  
Incubator space for local small food/catering businesses, including an outdoor food court-like space
- 9 Maker Shop**  
Flexible, covered space for skill-building workshops and educational activities, with the potential for additional activation as a stage, dance studio, market area, etc.

Exhibit B: India Basin Project Schedule

# INDIA BASIN SCHEDULE

