



RESOLUTION EXECUTING AMENDMENT NO. 5 TO THE MEMORANDUM OF AGREEMENT WITH THE TREASURE ISLAND DEVELOPMENT AUTHORITY FOR YERBA BUENA ISLAND VISTA POINT OPERATION SERVICES TO INCREASE THE AMOUNT BY \$400,000 TO A TOTAL AMOUNT NOT TO EXCEED \$1,995,000, AND TO EXTEND THE AGREEMENT THROUGH JUNE 30, 2022, AND AUTHORIZING THE EXECUTIVE DIRECTOR TO MODIFY NON-MATERIAL AMENDMENT TERMS AND CONDITIONS, FOR OPERATIONS AND MAINTENANCE SERVICES FOR THE NEW VISTA POINT AT PIER E2

WHEREAS, As part of the San Francisco-Oakland Bay Bridge Eastern Span bicycle/pedestrian path extension from Oakland to Yerba Buena Island (YBI) in fall 2016, the Transportation Authority determined collectively with the Treasure Island Development Authority (TIDA), the California Department of Transportation (Caltrans), the Bay Area Toll Authority (BATA), and the United States Coast Guard (USCG) that it would be advantageous to provide a trail landing at the Quarters 9 Vista Point improvements on YBI to improve safety for pedestrians and bicyclists; and

WHEREAS, These improvements were opened to the public in early May 2017 and provide a larger, more amenable Vista Point type setting, including but not limited to a hydration station, portable restrooms, bike racks, shuttle to/from Treasure Island and pedestrian crosswalk; and

WHEREAS, With the Vista Point improvements opened to the public, ongoing maintenance, security and operational activities are required; and

WHEREAS, In October 2016, through Resolution 17-08, the Transportation Authority approved a Memorandum of Agreement (MOA) with TIDA for it to utilize its existing resources to provide janitorial, landscape maintenance, security, transportation shuttle, and other services for the Vista Point area; and

WHEREAS, In October 2019, through Resolution 20-13, the Transportation Authority



approved Amendment No. 4 to the MOA to increase the total agreement amount to \$1,595,000 and extend the termination date to June 30, 2021 for continued operation services at the Quarters 9 Vista Point; and

WHEREAS, As part of the Bay Bridge East Span Seismic Safety Replacement Project and to prevent additional implosions of a remaining old bridge foundation near Pier E2, Caltrans incorporated the foundation into a New Vista Point at Pier E2 for public access, anticipated to open in spring 2020; and

WHEREAS, While Caltrans owns Pier E2, BATA and Caltrans have sought other stakeholders and partners for the successful long-term operations and maintenance of the Vista Point; and

WHEREAS, BATA is requesting that the Transportation Authority maintain and operate the New Vista Point at Pier E2 until the rehabilitation of the historic Torpedo building adjacent to the site is completed as part of the Southgate Road Realignment Project, which is expected by the end of 2021; and

WHEREAS, The services requested include maintenance of public furnishings including a communal table and seating, recycled old Bay Bridge handrails, landscaping and a signature tree, stormwater treatment facilities, a portable restroom, a site security gate to be opened and closed daily, daily security checks and response to incidents, trash and litter removal, and graffiti removal; and

WHEREAS, When the area is clear of construction activities, TIDA will assume operations and maintenance for the New Vista Point at Pier E2 with BATA funding reimbursement; and

WHEREAS, The proposed request will increase the total agreement amount by \$400,000 to a total amount not to exceed \$1,995,000 and extend the termination date to



June 30, 2022; and

WHEREAS, BATA has continued its commitment to support Vista Point operations and maintenance through a funding agreement for the Southgate Road Realignment Project, which was approved by BATA on December 11, 2019; and

WHEREAS, Remaining activities for Fiscal Year 2019/20 will be included in the Transportation Authority's mid-year budget amendment and sufficient funds will be included in future fiscal year budgets to cover the cost of the MOA; and

WHEREAS, At its January 22, 2020 meeting, the Citizens Advisory Committee considered the subject request and unanimously adopted a motion of support for the staff recommendation; now, therefore, be it

RESOLVED, That the Transportation Authority hereby authorizes the Executive Director to execute Amendment No. 5 to the MOA with TIDA for YBI Vista Point operation services to increase the amount by \$400,000 to a total amount not to exceed \$1,995,000 and to extend the agreement through June 30, 2022, for operations and maintenance services for the New Vista Point at Pier E2; and be it further

RESOLVED, That the Executive Director is authorized to modify non-material amendment terms and conditions; and be it further

RESOLVED, That for the purposes of this resolution, "non-material" shall mean agreement terms and conditions other than provisions related to the overall agreement amount, terms of payment, and general scope of services; and be it further

RESOLVED, That notwithstanding the foregoing and any rule or policy of the Transportation Authority to the contrary, the Executive Director is expressly authorized to execute agreements and amendments to agreements that do not cause the total agreement value, as approved herein, to be exceeded and that do not expand the general scope of services.



## Memorandum

### AGENDA ITEM 11

**DATE:** January 15, 2020

**TO:** Transportation Authority Board

**FROM:** Eric Cordoba - Deputy Director for Capital Projects

**SUBJECT:** 02/11/2020 Board Meeting: Execution of Amendment No. 5 to the Memorandum of Agreement with the Treasure Island Development Authority for Yerba Buena Island Vista Point Operation Services to Increase the Amount by \$400,000, to a Total Amount Not to Exceed \$1,995,000, and Extend the Agreement Through June 30, 2022 for Operations and Maintenance Services for the New Vista Point at Pier E2

<p><b>RECOMMENDATION</b>   <input type="checkbox"/> Information   <input checked="" type="checkbox"/> Action</p> <ul style="list-style-type: none"> <li>Execute Amendment No. 5 to the Memorandum of Agreement (MOA) with the Treasure Island Development Authority (TIDA) for the Yerba Buena Island (YBI) Vista Point Operation Services to increase the amount by \$400,000, to a total amount not to exceed \$1,995,000, and extend the agreement through June 30, 2022 for Operations and Maintenance Services for the New Vista Point at Pier E2</li> <li>Authorize the Executive Director to modify non-material amendment terms and conditions</li> </ul> <p><b>SUMMARY</b></p> <p>We have been working in collaboration with TIDA to operate and maintain the YBI Quarters 9 Vista Point since November 2016. At the October 22, 2019 meeting, the Board approved Amendment No. 4 to the MOA to increase the total agreement amount to \$1,595,000 and extend the termination date to June 30, 2021. The Bay Area Toll Authority (BATA) has subsequently requested that we provide similar operations and maintenances services on their new Vista Point at Pier E2 on YBI, anticipated to open in spring 2020.</p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Fund Allocation</li> <li><input type="checkbox"/> Fund Programming</li> <li><input type="checkbox"/> Policy/Legislation</li> <li><input type="checkbox"/> Plan/Study</li> <li><input type="checkbox"/> Capital Project Oversight/Delivery</li> <li><input type="checkbox"/> Budget/Finance</li> <li><input checked="" type="checkbox"/> Contract/Agreement</li> <li><input type="checkbox"/> Other: _____</li> </ul>
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## **DISCUSSION**

### **Background.**

As part of the new Bay Bridge Eastern Span bicycle/pedestrian path extension from Oakland to YBI in fall of 2016, we determined collectively with TIDA, Caltrans, BATA, and the United States Coast Guard that it would be advantageous to provide a trail landing at the Quarters 9 Vista Point improvements on YBI to improve safety for pedestrians and bicyclists. We designed and administered the construction of these improvements, which were opened to the public in early May 2017. These improvements provide a larger, more amenable vista point type setting including but not limited to a hydration station, portable restrooms, bike racks, shuttle from Treasure Island and pedestrian crosswalk. The opening of Vista Point coincided with Caltrans' expansion of the hours of the bicycle/pedestrian path to weekdays as well as weekends. The Quarters 9 Vista Point is open the same hours as the bicycle/pedestrian path. With the Quarters 9 Vista Point improvements opened to the public, ongoing maintenance, security and operational activities are required.

As part of the Bay Bridge East Span Seismic Safety Replacement Project and to prevent additional implosions of a remaining old bridge foundation near Pier E2, Caltrans incorporated the foundation into a New Vista Point at Pier E2 for public access. While Caltrans owns Pier E2, BATA and Caltrans have sought other stakeholders and partners for the successful long-term operations and maintenance of the Vista Point, including us and TIDA. Initially, BATA had negotiated for TIDA to operate and maintain the site as the public access and pier since it would be consistent with TIDA's long-range plans to develop recreational opportunities in the area. However, over the next several years, we will be partly rehabilitating the historic Torpedo building adjacent to the site as part of environmental mitigation for the Southgate Road Realignment Project. All parties believe it would be best for our agency to maintain and operate the New Vista Point at Pier E2 until building rehabilitation is complete, which is expected by the end of 2021. Ultimately, when the area is clear of construction activities, TIDA will assume operations and maintenance for the New Vista Point at Pier E2 with BATA funding reimbursement.

### **Memorandum of Agreement.**

In October 2016, through Resolution 17-08, our agency approved a MOA with TIDA for the YBI Vista Point Operation Services in an amount not to exceed \$500,000 through June 30, 2017. Under the terms of the MOA, TIDA utilizes its existing resources to provide janitorial, landscape maintenance, security, transportation shuttle, and other services for the Vista Point area. The MOA was amended as of July 1, 2017 to increase the not to exceed amount to \$600,000; amended again as of July 1, 2018 to increase the not to exceed amount of \$955,000; amended again as of July 1, 2019 to extend the term of the MOA to October 31, 2019; and amended a fourth time as of November 1, 2019 to increase the not to exceed amount of \$1,595,000 and extend the term of the MOA to June 30, 2021. The services provided under the MOA have been fully funded by BATA's Seismic Retrofit funds programmed to the I-80 Westbound Ramps Project.

BATA is requesting that we provide Vista Point operations and maintenance at Pier E2 in accordance with environmental permit requirements from the San Francisco-Oakland Bay



Bridge East Span Seismic Safety Replacement Project. This includes maintenance of public furnishings including a communal table and seating, recycled old Bay Bridge handrails, landscaping and a signature tree, stormwater treatment facilities, a portable restroom, a site security gate to be opened and closed daily, daily security checks and response to incidents, trash and litter removal, and graffiti removal. Shuttle services to/from the site will be provided but are not initially funded as BATA desires to see the ridership levels before committing funding. These items are important to achieve the public use vision intended by Caltrans, BATA and TIDA. TIDA will continue to contract with Toolworks, Inc. and Rubicon Landscape, two vendors who participate in the One Treasure Island jobs program, which provides job opportunities for Treasure Island and San Francisco residents.

The proposed request will increase the total agreement amount by \$400,000 to a total amount not to exceed \$1,995,000 and extend the termination date to June 30, 2022. BATA has continued its commitment to support Vista Point operations and maintenance through our funding agreement for the Southgate Road Realignment Project. The funding agreement was approved by BATA on December 11, 2019.

## **FINANCIAL IMPACT**

The operations and maintenance services for the New Vista Point at Pier E2, up to \$400,000, will be funded by BATA funds programmed to the Southgate Road Realignment Project. Remaining activities for Fiscal Year 2019/20 will be included in our mid-year budget amendment. Sufficient funds will be included in future fiscal year budgets to cover the cost of the MOA.

## **CAC POSITION**

The CAC was briefed on this item at its January 22, 2020 meeting and unanimously adopted a motion of support for the staff recommendation.

## **SUPPLEMENTAL MATERIALS**

None