

OVERSIGHT BOARD RESOLUTION NUMBER OB-2014-70

A RESOLUTION OF THE OVERSIGHT BOARD FOR THE CITY OF SAN DIEGO REDEVELOPMENT SUCCESSOR AGENCY APPROVING THE CONTRACTING PROCESS AND AWARD OF PROFESSIONAL SERVICES AGREEMENT RELATED TO THE FIRE STATION NO. 2 BAYSIDE PROJECT IN THE CENTRE CITY REDEVELOPMENT PROJECT AREA.

WHEREAS, the former Redevelopment Agency of the City of San Diego (Former RDA) administered the implementation of various redevelopment projects, programs, and activities within designated redevelopment project areas throughout the City of San Diego (City); and

WHEREAS, in accordance with Assembly Bill x1 26 (AB 26) enacted on June 28, 2011, the Former RDA dissolved as of February 1, 2012, at which time the City of San Diego, solely in its capacity as the designated successor agency to the Former RDA (Successor Agency), assumed the Former RDA's assets and obligations; and

WHEREAS, the Successor Agency is required to administer the winding down of the Former RDA's operations and to ensure compliance with the Former RDA's obligations in accordance with AB 26, as subsequently amended (collectively, the Dissolution Laws); and

WHEREAS, the Dissolution Laws specify that the Oversight Board and the California Department of Finance (DOF) must review and approve certain actions and decisions of the Successor Agency, including the Successor Agency's approval of each Recognized Obligation Payment Schedule (ROPS); and

WHEREAS, among other things, each ROPS shows the estimated payments owed by the Successor Agency to third parties for enforceable obligations during the upcoming six-month period and identifies the funding sources that will be used to make such payments; and

WHEREAS, the Oversight Board's adopted resolution approving ROPS 13-14B included language that authorized the Successor Agency to enter into contracts, and amendments thereto,

for the expenditure of excess non-housing bond proceeds that are budgeted in the approved ROPS 13-14B (Authorization for Bond-Funded Contracts), as permitted by California Health and Safety Code (HSC) section 34191.4(c), upon the Successor Agency's receipt of a finding of completion pursuant to HSC section 34179.7; and

WHEREAS, the DOF issued a letter dated November 8, 2013 (November 2013 Letter) rejecting the Authorization for Bond-Funded Contracts in connection with expenditures during the ROPS 13-14 time period (January through June 2014); and

WHEREAS, the November 2013 Letter effectively requires the Oversight Board and the DOF to approve all new contracts that will involve the Successor Agency's expenditure of excess non-housing bond proceeds in the ROPS 13-14B time period and beyond; and

WHEREAS, the Successor Agency intends to construct a new fire station on property owned by the Former RDA (Project) in the Centre City Redevelopment Project Area using excess ROPS-approved bond proceeds and development impact fees; and

WHEREAS, in order to complete the Project, the Successor Agency or its agent, CivicSD, is required to award and enter into various contracts related to the Project, including but not limited to, those contracts attached as Exhibits A through D to the Staff Report dated July 1, 2014 accompanying this item; and

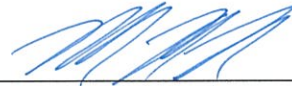
WHEREAS, the Successor Agency also must select (through a qualifications-based selection process), negotiate, and enter into an agreement (Agreement) with a consultant for construction management services for the Project (Construction Management Services Contract Process); and

WHEREAS, the Agreement involves the expenditure of ROPS-approved bond proceeds in an amount not to exceed \$400,000 (Maximum Funding Amount) for construction management services associated with the Project; and

WHEREAS, the Successor Agency, or Civic San Diego as the contracting agent on its behalf, will pay for the services performed under the Agreement utilizing the funding sources shown in line item 588 of the ROPS.

NOW, THEREFORE, BE IT RESOLVED by the Oversight Board that the Successor Agency or its agent, CivicSD, is authorized to engage in the Construction Management Services Contract Process, subject to the Maximum Funding Amount.

PASSED AND ADOPTED by the Oversight Board at a duly noticed meeting of the Oversight Board held on July 9, 2014.



Chair, Oversight Board