

**STAFF REPORT FOR CALENDAR ITEM NO.: 8.2**  
**FOR THE MEETING OF: April 9, 2015**

**TRANSBAY JOINT POWERS AUTHORITY**

**BRIEF DESCRIPTION:**

Authorize the Executive Director to amend Professional Services Agreement No. 462-CBD-000, for Community Benefit District (“CBD”) Formation Assistance Services (“Agreement”) between the Transbay Joint Powers Authority (“TJPA”) and MJM Management Group (“MJMMG”) to exercise the option to extend for an additional one (1) year without any additional compensation.

**EXPLANATION:**

In December 2014 the Board approved a resolution authorizing the Executive Director to amend the Agreement between TJPA and MJMMG to change the term of the Agreement from one year to two years with an option to extend for an additional year, as well as increase the total compensation to an amount not to exceed \$79,900.

The original agreement was signed on April 1, 2013. As a result, the amended two year agreement expired on April 1, 2015 and exercising the option to extend for one year is necessary for work to continue. In collaboration with the City and County of San Francisco Office of Economic and Workforce Development, MJMMG and the Rincon Hill CBD Steering Committee have determined that all steps associated with the formation of the CBD can be completed by August 2015. Therefore, this option to extend for one year, without any additional compensation, is sufficient to complete MJMMG’s scope of work.

As reported to the Board in December 2014, the CBD program in San Francisco provides special benefits to assessed properties in the identified districts and strives to improve the overall quality of life in targeted commercial districts and mixed-use neighborhoods through partnerships between the City and local communities. Once an area has voted to establish a CBD, local property owners are levied a special assessment to fund improvements in their neighborhood. The funds are administered by a non-profit organization established by the members of the CBD. The Rincon Hill CBD is intended to provide funding for maintenance, security, and cleaning of various improvements planned for the Transbay Area, including the Transit Center Rooftop Park. The CBD Steering Committee is tasked with developing a feasibility assessment to determine the proportion of special benefits that can be assessed to property owners in the district and to verify that the proposed assessments and services are viewed favorably by major property owners who will vote on the formation of the district, and a Management Plan describing how the CBD will be managed after it is formed. As explained in December, the completion of the feasibility study was delayed, however, primarily by the delays in establishing the Transbay Transit Center Community Facilities District (“CFD”) under the Transit Center District Plan (“TCDP”), which covers a similar geographic area as the proposed CBD and affects several of the same major property owners.

The CFD has now been established and was signed into law by Mayor Lee on January 20, 2015, which will allow the CBD formation to proceed. No budget increases are being authorized as part of this amendment, as the budgets for all phases of the contract were adjusted in the Board-approved Amendment 1 in December. This second amendment only increases the term by one year, or until April 1, 2016, reflecting the extended formation timeline for the CBD.

**RECOMMENDATION:**

Staff recommends that the Board of Directors authorize the Executive Director to exercise the option to extend for an additional one (1) year, until April 1, 2016, without any additional compensation, Agreement No. 462-CBD-000, Community Benefit District Formation Assistance Services with MJM Management Group.

**ENCLOSURES:**

1. Resolution
2. Amendment No. 2

**TRANSBAY JOINT POWERS AUTHORITY  
BOARD OF DIRECTORS**

**Resolution No. \_\_\_\_\_**

WHEREAS, The proposed Community Benefits District (“CBD”) will provide maintenance, safety, and cleaning of the improvements that the TJPA and the Office of Community Investment and Infrastructure (“OCII”) have planned for the Transbay and Rincon Hill Areas, including sidewalks, Rincon Park (Embarcadero at Folsom Street), Transbay Park (mid-block between Howard, Folsom, Main and Beale Streets), the Transit Center Rooftop Park, the park to be constructed under the new bus ramp connecting the Transit Center to the Bay Bridge, and various streetscape improvements; and

WHEREAS, On April 1, 2013, the TJPA Executive Director signed a CBD Formation Assistance Services Agreement (“Agreement”) with MJM Management Group (“MJMMG”) to prepare an Engineer’s Report, Management Plan, a petition, and ballots as a basis to establish the CBD, for a maximum compensation of \$48,600 and a one year term; and

WHEREAS, the Effective Date of the Agreement is April 1, 2013; and

WHEREAS, On December 11, 2014, the TJPA Board of Directors authorized the Executive Director to execute Amendment No. 1 to the Agreement with MJM Management Group, to modify the Agreement to extend the term of the Agreement to two years after the Effective Date with an option to extend for an additional one year, and increase the total compensation to an amount not to exceed \$79,900.

WHEREAS, Staff recommends that the Board of Directors authorize the Executive Director to exercise the option to extend for an additional one (1) year, until April 1, 2016, without any additional compensation, No. 462-CBD-000, Community Benefit District Formation Assistance Services with MJM Management Group; now, therefore, be it

RESOLVED, That the TJPA Board of Directors authorizes the Executive Director to exercise the option to extend for an additional one (1) year, until April 1, 2016, without any additional compensation, No. 462-CBD-000, Community Benefit District Formation Assistance Services with MJM Management Group.

I hereby certify that the foregoing resolution was adopted by the Transbay Joint Powers Authority Board of Directors at its meeting of April 9, 2015.

\_\_\_\_\_  
Secretary, Transbay Joint Powers Authority

**Amendment No. 02**  
**Professional Services Agreement between**  
**the Transbay Joint Powers Authority and MJM Management Group.**

THIS Amendment No. 2 to the Professional Services Agreement to provide Community Benefit District Formation Assistance Services dated April 1, 2013 (“Agreement”) is entered into as of the 9th day of April 2015 in San Francisco, California, by and between **MJM Management Group** (“Contractor”), and the **Transbay Joint Powers Authority** (“TJPA”).

The TJPA and Contractor desire to extend the term of the Agreement without changing the scope or deliverables under the Agreement. The TJPA and Contractor agree to amend Section 2 of the Agreement in its entirety to read as follows:

**2. Term of the Agreement**

Subject to Section 1, the term of this Agreement shall be 3 years from the Effective Date of the Agreement, as described in Section 3 below.

All other provisions of the Agreement shall remain in full force and effect.

**TRANSBAY JOINT POWERS AUTHORITY**

**MJM Management Group**

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\_\_\_\_\_

By: Maria Ayerdi-Kaplan

By: \_\_\_\_\_

Title: Executive Director

Title: \_\_\_\_\_

Transbay Joint Powers Authority  
Board of Directors  
Resolution No. \_\_\_\_\_  
Adopted: \_\_\_\_\_  
Attest:

\_\_\_\_\_  
Secretary, TJPA Board

Approved as to Form:

By \_\_\_\_\_  
TJPA Legal Counsel