

SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY
BOARD OF DIRECTORS

RESOLUTION No. 180821-115

WHEREAS, On July 7, 2015, the SFMTA Board of Directors adopted Resolution No. 15-108 awarding Contract No. 1289, Van Ness Corridor Transit Improvement Project (Project), to Walsh Construction Company II, LLC, in the amount of \$800,000, to provide pre-construction services; and,

WHEREAS, On August 16, 2016, the SFMTA Board of Directors adopted Resolution No. 16-110 authorizing Modification No. 1 to Contract No. 1289, in the amount of \$193,027,555, to construct the Van Ness Corridor Transit Improvement Project, for a total contract amount of \$193,827,555 and for an overall contract term not to exceed five years; and,

WHEREAS, On May 15, 2012, the SFMTA Board of Directors adopted Resolution No. 12-070, selecting the Center-running BRT with Right Side Boarding Platforms Single Median and Limited Left Turns as the Locally Preferred Alternative (LPA) for the Project to be analyzed in the Final EIS/EIR for the Project (Final EIS/EIR); Under this alignment of the Project, BRT lanes would flank the center median except at stations where the BRT vehicles would transition to the center of the roadway and be protected by right side boarding platforms; this alignment would also eliminate all left turns from Van Ness Avenue between Mission and Lombard streets, with the exception of a two-lane left turn onto Broadway from southbound Van Ness, in order to gain the most transit travel time benefits; and,

WHEREAS, On September 10, 2013, the Transportation Authority, as lead agency under CEQA, certified the Final EIS/EIR under Resolution 14-18, adopted CEQA Findings and a Statement of Overriding Considerations, adopted the Mitigation Monitoring and Reporting Plan, and approved the Locally Preferred Alternative (LPA); the certification of the Final EIS/EIR included incorporating the Vallejo Northbound Station Variant into the Project; and,

WHEREAS, On September 17, 2013, the SFMTA Board of Directors, acting in the capacity as a responsible agency under CEQA, adopted Resolution No. 13-214, approving the Project, analyzed as the LPA in the Final EIS/EIR, including an amendment to include the Vallejo Northbound Station Variant in the approval of the LPA; as part of the resolution, the Board also adopted the CEQA Findings, a Statement of Overriding Considerations, and the Mitigation Monitoring and Reporting Plan for the Final EIS/EIR and authorized the Director of Transportation to direct staff to continue with obtaining the necessary approvals to implement the Project; and,

WHEREAS, On December 20, 2013, the Federal Transit Administration issued a Record of Decision (ROD) for the Project, determining that the requirements of the National Environmental Policy Act have been met through the Final EIS document and process; and,

WHEREAS, Since the adoption of the CEQA Findings and the approval of the Project, the Transportation Authority has prepared a memo to file dated July 15, 2014, titled “Van Ness Avenue Bus Rapid Transit Project – Environmental Compliance for the Proposed Parking Removal from Conceptual Engineering Report” (Memo to File), which concludes that the removal of 11 parking spaces more than assumed in the Van Ness BRT Project Final EIS/EIR, as proposed by SFMTA in the Conceptual Engineering Report, will not result in a new significant environmental impact due to parking loss; based on its review and consideration of the information contained in the Final EIS/EIR, the SFMTA Board found, on July 7, 2015, under Resolution No. 15-108, that the actions to remove parking spaces are within the scope of the Final EIS/EIR, and that no additional environmental review is required under Public Resources Code section 21166; and,

WHEREAS, On March 4, 2016, the SFCTA issued an “Addendum to Environmental Impact Report” for the Project, which concludes that removal and replacement of various trees along the Van Ness corridor not previously identified in the Final EIS/EIR would not result in a new significant environmental impact; based on its review of the Addendum, the SFMTA Board found, on April 5, 2016, under Resolution No. 16-044, that actions to remove and replace trees, as outlined in the Addendum, are within the scope of the Final EIS/EIR and that no additional environmental review is required under Public Resources Code section 21166; and,

WHEREAS, The proposed Modification No. 2 to Contract No. 1289 that is the subject of this calendar item would include the changes to the OCS trolley/light pole and foundations and increase the Contract amount by \$4,463,160.98, for a total contract amount not to exceed \$198,290,715.98; it would also further authorize the Director of Transportation to approve up to an aggregate of \$10,000,000 in future contract amendments for Contract No. 1289 before requiring further approval of the SFMTA Board of Directors; the proposed contract modification is within the scope of the Final EIS/EIR; and,

WHEREAS, On July 17, 2018, the San Francisco Planning Department determined that no further assessment was required under the CEQA Guidelines for the Project; and,

WHEREAS, On July 23, 2018, the SFMTA, under authority delegated by the Planning Department, determined that Modification No. 2 to Contract No. 1289, Van Ness Corridor Transit Improvement Project, is not a “project” under the California Environmental Quality Act (CEQA) pursuant to Title 14 of the California Code of Regulations Sections 15060(c) and 15378(b); and,

WHEREAS, A copy of the CEQA determination is on file with the Secretary to the SFMTA Board of Directors and is incorporated herein by reference; and,

WHEREAS, The SFMTA’s Contract Compliance Office has reviewed and approved the Calendar Item requesting authorization to execute Modification No. 2 to Contract 1289; now, therefore, be it

RESOLVED, That the SFMTA Board has reviewed and considered the Van Ness BRT Project Final Environmental Impact Statement/Environmental Impact Report and record as a whole, finds that Final EIS/EIR is adequate for the Board's use as the decision-making body for the actions taken herein relative to construction of the Project, and incorporates the CEQA findings by this reference as though set forth in this Resolution; and be it

FURTHER RESOLVED, That the SFMTA Board further finds that since the Final Environmental Impact Statement/Environmental Impact Report was finalized, there have been no substantial project changes and no substantial changes in Project circumstances that would require major revisions to the Final EIS/EIR due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts, and there is no new information of substantial importance that would change the conclusions set forth in the Final EIS/EIR; and be it

FURTHER RESOLVED, That the SFMTA Board of Directors authorizes the Director of Transportation to execute Modification No. 2 to Contract No. 1289, Van Ness Corridor Transit Improvement Project, with Walsh Construction Company II, LLC, for changes to the Overhead Contact System support pole/streetlight and foundations, increasing the Contract amount by \$4,463,160.98, for a total contract amount not to exceed \$198,290,715.98; and be it

FURTHER RESOLVED, That the SFMTA Board of Directors authorizes the Director of Transportation to approve up to an additional aggregate of \$10,000,000 in future amendments to Contract No. 1289 without further approval by the SFMTA Board of Directors provided that staff shall immediately provide written notice to the Board of such amendments.

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of August 21, 2018.



Secretary to the Board of Directors
San Francisco Municipal Transportation Agency