

RESOLUTION NO. 142-06

RESOLUTION OF THE MEMBERS OF THE RICHMOND CITY COUNCIL, RICHMOND, CALIFORNIA, FINDING THAT THE CIVIC CENTER PROJECT IS A MASTER DEVELOPMENT PROJECT, APPROVING RICHMOND CIVIC CENTER PARTNERS, LLC, AS THE DEVELOPER FOR THE CIVIC CENTER PROJECT AND APPROVING SWINERTON BUILDERS AS THE CONTRACTOR FOR THE PORTION OF THE CIVIC CENTER PROJECT REQUIRING THE RELOCATION OF THE POLICE DEPARTMENT TO A TEMPORARY FACILITY AS PART OF THE FIRST PHASE OF THE CIVIC CENTER PROJECT.

WHEREAS, the City of Richmond, following a Request for Qualifications released on January 27, 2005, selected Richmond Civic Center Partners, LLC, as the development team for the Civic Center Project; and

WHEREAS, the City of Richmond entered into an Exclusive Right to Negotiate (“ERN”) with Richmond Civic Center Partners, LLC, on July 29, 2005; and

WHEREAS, the City of Richmond subsequently entered into an Agreement to Negotiate (“ANE”) with Richmond Civic Center Partners, LLC, on November 15, 2005; and

WHEREAS, the City of Richmond approved the First Amendment to the ANE on March 28, 2006; and

WHEREAS, the City of Richmond approved the Second Amendment to the ANE on September 12, 2006; and

WHEREAS, the City of Richmond, following a Request for Proposals released on January 5, 2006, selected Swinerton as a consultant for public work projects on March 21, 2006.

NOW, THEREFORE the Council of the City of Richmond hereby makes the following findings:

Finding Number 1: The Civic Center Project is a “Master Development Project” within the meaning of Section 2.52.100 of the Richmond Municipal Code and that the Project includes the work in the areas defined in the Agreement to Negotiate Exclusively and the work necessary to relocate the Police Department to a temporary facility as part of the first phase of the project; and

Finding Number 2: The City will achieve cost and time savings by proceeding with the Richmond Civic Center Partners, LLC, for the Civic Center Project and Swinerton Builders for the relocation of the Police Department and renovation of the Temporary Hall of Justice pursuant to direct negotiations with Richmond Civic Center Partners, LLC and Swinerton Builders rather than through a sealed-bid process; and

Finding Number 3: There was a competitive selection process after adequate public notice; and

Finding Number 4: The City Council approved the selection of Richmond Civic Center Partners, LLC and Swinerton Builders after evaluating the results of the competitive selection processes.

NOW, THEREFORE the Council of the City of Richmond hereby approves Richmond Civic Center Partners, LLC, as the developer for the Civic Center Project, subject to the provisions of the Agreement to Negotiate Exclusively (ANE) and successful negotiation of contracts for each phase of development, and approves Swinerton Builders as the contractor for the portion of the Civic Center Project requiring the relocation of the Police Department to a temporary facility as part of the first phase of the Civic Center Project.

I certify that the foregoing Resolution was passed and adopted by the Members of the City Council of the City of Richmond at a meeting held on December 19, 2006 by the following vote:

AYES: Councilmembers Bates, Griffin, Marquez, McLaughlin, Rogers, Thurmond, Viramontes, and Mayor Anderson

NOES: Councilmember Butt

ABSTENTIONS: None

ABSENT: None

DIANE HOLMES
Clerk of the City of Richmond

[SEAL]

Approved:

IRMA L. ANDERSON
Mayor

Approved as to form:

JOHN EASTMAN
City Attorney

State of California }
County of Contra Costa : ss.
City of Richmond }

I certify that the foregoing is a true copy of Resolution No. 142-06, finally passed and adopted by the Council of the city of Richmond at a meeting held on December 19, 2006.