Resolution retroactively approving Contract Modification No. 2 to extend the term to June 29, 2021; and approving Contract Modification No. 3 to extend the term for a total term of June 1, 2011, through December 31, 2021, with no increase to the contract amount of $536,550 between the Arts Commission, Municipal Transportation Agency, and Paramedia, LLC, to provide designs and consult on the fabrication and installation of artwork to be displayed in the Central Subway.

WHEREAS, The San Francisco Municipal Transportation Agency’s (SFMTA) Central Subway Project, which is Phase 2 of the Third Street Light Rail Project, is constructing a new subway line in San Francisco, which runs approximately 1.6 miles from Fourth and Brannan Streets, north under Fourth Street to Stockton Street, and north under Stockton Street into Chinatown; and

WHEREAS, On March 1, 2011, the San Francisco Arts Commission and the SFMTA approved the Agreement between the City and County of San Francisco and Paramedia, LLC to provide artwork for the Central Subway Project (Paramedia Contract), for the design, fabrication and consultation on the installation of artwork for the Central Subway Union Square Market Street Station (UMS), for an amount not to exceed $536,550 and a term of seven years and ten months, from March 1, 2011, to December 31, 2018; and

WHEREAS, The Paramedia Contract has been amended twice to extend the term due to delays to Central Subway construction: Contract Modification No. 1, dated November 29, 2018, extended the term of the contract one year to December 31, 2019; Contract Modification No. 2, dated December 23, 2019, extended the term of the contract one year and six months to June 29, 2021, and
WHEREAS, Due to staff error, Contract Modification No. 2 exceeded the ten-year term
limit imposed by Charter, Section 9.118(b); and

WHEREAS, Due to delay to the Central Subway Project construction, the term of the
Paramedia Contract must be further extended to December 31, 2021, so that Paramedia will
remain available to consult on the fabrication and the installation of their artwork in the Central
Subway Stations; as so amended, the total term of the Paramedia Contract would exceed the
ten-year contract term limit set out in Charter, Section 9.118(b), and therefore requires the
Board of Supervisors’ approval; and

WHEREAS, The San Francisco Civil Service Commission approved the Paramedia
Contract under Civil Service Commission Notice of Action for Contract No. 4062-10/11, dated
January 3, 2011; and

WHEREAS, The SFMTA’s Contract Compliance Office has previously determined that
due to the proprietary nature of the Paramedia Contract, there are no subcontracting
opportunities for Small Business Enterprises those contracts; and

WHEREAS, The Central Subway Final Supplemental Environmental Impact
Statement/Supplemental Environmental Impact Report (Central Subway SEIS/SEIR)
evaluated the environmental impacts of the Central Subway Project, including construction of
the subway stations; on August 7, 2008, the San Francisco Planning Commission certified the
Final SEIR (Case No. 1996.281E); on August 19, 2008, the SFMTA Board of Directors
approved Resolution 08-150 adopting Central Subway Project Alternative 3B as the Locally
Preferred Alternative, the California Environmental Quality Act (CEQA) Findings, Statement of
Overriding Considerations, and the Mitigation Monitoring and Reporting Plan; and

WHEREAS, The modification of the Paramedia Contract as described herein comes
within the scope of the Central Subway SEIS/SEIR; and
WHEREAS, The Central Subway SEIS/SEIR on file with the Clerk of the Board of Supervisors in File No. 210545, which is hereby declared to be a part of this resolution as if set forth fully herein; now therefore, be it

RESOLVED, That the Board of Supervisors has reviewed and considered the Central Subway Supplemental Environmental Impact Statement/Supplemental Environmental Impact Report and record as a whole, and finds that the Central Subway Supplemental Environmental Impact Statement/Supplemental Environmental Impact Report 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 California Environmental Quality Act findings by this reference as though set forth in this Resolution; and, be it

FURTHER RESOLVED, That the Board of Supervisors retroactively approves Contract Modification No. 2, and approves Contract Modification No. 3 to the Agreement between the City and the County of San Francisco and Paramedia to design and consult on the fabrication and installation of artwork to be displayed in the Central Subway (Paramedia Contract) and to extend the term of that contract to December 31, 2021, to accord with modified Central Subway Project construction deadlines, without increase to the contract amount; and, be it

FURTHER RESOLVED, That the Board of Supervisors approves all actions and expenditures made by the SFMTA and the Arts Commission concerning the Paramedia Contract; and, be it

FURTHER RESOLVED, That the Board of Supervisors authorizes the Director of Transportation and the Director of Cultural Affairs, in consultation with the City Attorney, to take such action as the Director deems necessary to effect the intent and purposes of this Resolution; and, be it
FURTHER RESOLVED, That within 30 days of the Contract Modification being fully-executed by all parties, the Director of Transportation and the Director of Cultural Affairs shall provide the final Contract Modification to the Clerk of the Board for inclusion into the official file.
Resolution retroactively approving Contract Modification No. 2 to extend the term to June 29, 2021; and approving Contract Modification No. 3 to extend the term for a total term of June 1, 2011, through December 31, 2021, with no increase to the contract amount of $536,550 between the Arts Commission, Municipal Transportation Agency, and Paramedia, LLC, to provide designs and consult on the fabrication and installation of artwork to be displayed in the Central Subway.

June 03, 2021 Government Audit and Oversight Committee - RECOMMENDED

June 15, 2021 Board of Supervisors - ADOPTED
   Ayes: 10 - Chan, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani and Walton
   Excused: 1 - Melgar

File No. 210545

I hereby certify that the foregoing Resolution was ADOPTED on 6/15/2021 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

London N. Breed
Mayor

Date Approved 6/25/2021