



**Request for Proposals (RFP) for a
Concrete Batching Facility and/or Asphalt Plant
at Seawall Lot 352 with a Bulk Maritime Terminal at Pier 94**

Questions and Answers August 7, 2009

Question: How do you plan for us to review the environmental technical data?

Answer: Environmental technical data are available by contacting Richard Berman at (415) 274-0276 or e-mailing Richard.Berman@sfport.com

Question: As to the concrete plant, you stated that the entitlements have been [largely] completed, and that you would discuss the asphalt plant later. What entitlements are required for the asphalt plant?

Answer: Please refer to the RFP for a list of required permits. It is the responsibility of a successful respondent to obtain all required permits and regulatory approvals.

The Port has a Southern Waterfront Supplemental Environmental Impact Report that was published by the Planning Department for this broader area of the waterfront. New lease proposals are often analyzed in the form of an addendum to that SEIR.

The form of environmental review for any given southern waterfront lease is determined by the Planning Department: projects can require a negative declaration, mitigated negative declaration, an addendum or a full-blown environmental impact report.

The Planning Department published an addendum for the former Pacific Cement lease at the site (a concrete batching lease that was approved but never perfected). The Pacific Cement SEIR addendum is on the Port's web site and is available for download. That SEIR addendum contemplated production limits as a way establishing limits on environmental impacts associated with truck trips and other activity related to the batching facility.

In the past, the Port's SEIR contemplated asphalt production. However, the Pacific Cement lease proposal borrowed production capacity from the SEIR that had been assigned to asphalt production. The Port Commission also made a policy decision several years ago to disallow asphalt production on Port property. That decision occurred before the City contemplated closing the Municipal Asphalt Plant and then opening up a new facility on Port property.

Port staff expects that for asphalt production, a new CEQA application with a new project description would have to be submitted to the Planning Department.

A permit from the Regional Water Quality Control Board will also be required. This site overlays a former unregulated landfill; the Regional Board is primarily concerned about stormwater seeping into that landfill site. The improvements at the site create an impermeable surface and include stormwater capture components, so Port staff does not see groundwater intrusion as a problem.

A Bay Conservation and Development Commission permit is required for purposes of accessing the 100' shoreline band, including any conveyor system from the site down to the Pier 94 berth.

A permit from the Bay Area Air Quality Management District will also be required. Homeland security approvals would be required for activities at the Pier 94 berth.

Those are the major regulatory project entitlements. The only approval needed for the lease is Port Commission approval. The lease is not subject to Board of Supervisor's approval because it is a maritime lease. The Board of Supervisors would have to approve the supply contract for asphalt.

Question: Page four of the RFP mentions that utilities, sewer line, etc. are required. I have heard from associates that the utilities mentioned here are not in place at the site.

Answer: Rather than trying to answer that question definitively, bidders may schedule an appointment with the Port's building permit desk by contacting John Aires at (415) 274-0564 or e-mailing John.Aires@sfport.com.

Pacific Cement was in the process of obtaining its building permits when its lease was terminated. So foundation work and utility work was permitted and partially completed. Please refer to the actual permit files to determine the extent of the work.

Question: Is there possibly on the disc a detailed drawing of the site showing the utilities? Are there any as-builts available?

Answer: The Port cannot verify that it owns plans associated with the improvements at SWL 352, and therefore cannot share copies of these documents with the public. To view available documents, please contact John Aires at (415) 274-0564 or e-mail John.Aires@sfport.com.

Question: Maybe I interpreted incorrectly, but I seem to remember that there was some reference to this RFP being used for a subsequent leasing opportunity on the Backlands site. Could you please elaborate on that?

Answer: The RFP contemplates the possibility that if there is strong market demand for both concrete batching and asphalt production, that the Port could use responses to this RFP not just for this site, but for another area in the as yet unprogrammed Pier 90-94 Backlands area.

Question: Going along that note, if it does go that route, would this still require that the aggregate be channeled through the maritime component of this project?

Answer: Some feedstock may be shipped by alternate means, but any long-term maritime lease must include a significant maritime component.

Questions Posed Before or After the Pre-Bid Conference

Question: How does this offering relate to the Hanson leasehold?

Answer: The two leases would share access to the Pier 94 berth.

Question: Is there any minimum tonnage that must be shipped over the Pier 94 berth?

Answer: The RFP sets no minimum. Lease negotiations between the Port and a successful bidder would have to address this question.

Question: Does the Port require union labor? What is the local trucking requirement mentioned in the RFP?

Answer: By law the Port cannot require any form of representation for employees. Historically, members of the International Longshore and Warehouse Union have worked in this area of the San Francisco waterfront.

The local trucking provision incorporated in Port leases requires that Port lessees make good faith efforts to make available 60% of contracted trucking to local truckers certified by the San Francisco Human Rights Commission. This provision does not apply to fleets operated by a Port lessee or privately-owned trucks visiting a leasehold but not under contract to the lessee.