

OHLONE COMMUNITY COLLEGE DISTRICT

MEMORANDUM

TO: Board of Trustees

FROM: Douglas Treadway

DATE: November 14, 2007

SUBJECT: Authorization to Enter into Parking Structure Selection Negotiations

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Government Code Section 5956.1 allows the District to enter into a contract to “utilize private investment capital to study, plan, design, construct, develop, finance, maintain, rebuild, improve repair or operate... fee producing infrastructure facilities.”

On September 24, 2007 the district issued RFQ 289-08 Parking and Renewable Energy Projects. This Request for Qualifications sought to identify firms interested in developing and possibly managing parking structures and renewable energy projects on the Fremont campus using private funding through the Lease-Leaseback provisions of Government Code 5956.

Five firms submitted proposals that were reviewed by the parking structure selection committee, consisting of faculty, staff, and administration. Their charge was to select firms that had the expertise, experience, and financial ability to perform the project. During this process two firms were selected that the committee as a whole thought were well-qualified.

The two finalists are Ohlone Parking Development Partners (OPDP) and Parsons.

The next step in the process is to select the best firm based on costs and "best fit" for the college. A Memorandum of Understanding (a legally binding contract) must be negotiated which would then come to the Board for action. This MOU would essentially allow the selected firm to proceed with a feasibility study to determine whether or not the project is viable. Upon completion of the study, the Board would determine whether to proceed or not. There would be no cost or risk to the District until the Board approves the project.

By negotiating with the two finalist firms, the district will be able to finalize the appropriate scope of work and determine the legally binding terms of the MOU. It will also clarify the financing options available to the district and the extent to which the selected firms are willing to participate as partners in the project.

RECOMMENDATION

It is recommended that the governing board authorize the president or his designee to enter into negotiations with OPDP and Parsons for the purpose of selecting a firm to develop a MOU to proceed with a feasibility study for the Parking and Renewable Energy Project.