[Emergency Contract - Declaration of Emergency - North Shore Force Main - Not to Exceed $7,575,529]

Resolution approving Declaration of Emergency and emergency contract to repair leaks along the North Shore Force Main in an amount not-to-exceed $7,575,529.

WHEREAS, A leak was detected from the existing North Shore Force Main at the intersection of Mission Street and The Embarcadero on March 20, 2012, and emergency work to repair the leak was successfully performed under Job Order Contract 28 at a total contract cost of $575,529; and

WHEREAS, Dye-testing of the existing North Shore Force Main subsequent to the emergency repair work performed under Job Order Contract 28 showed that additional leaks were occurring along the entire length of the North Shore Force Main along The Embarcadero, between Jackson Street and Howard Street; and

WHEREAS, Administrative Code section 6.60 authorizes department heads responsible for public work to award an emergency contract, exempt from the competitive bidding process, in the event of an actual emergency which includes, "... The breakdown or imminent breakdown of any plant, equipment, structure, street or public work necessitating immediate emergency repair or reconditioning to safeguard the lives or property of the citizens; or the property of the City and County; or to maintain the public health or welfare;" and

WHEREAS, The General Manager of the San Francisco Public Utilities Commission declared the existence of an emergency concerning the additional leaks detected in the North Shore Force Main by a memorandum dated June 12, 2012, addressed to the President of the Commission ("Declaration of Emergency"); and
WHEREAS, The Declaration of Emergency stated that the emergency work is estimated to cost $7,575,529; and

WHEREAS, The President of the Commission approved the Declaration of Emergency under the authority set forth in Administrative Code section 6.60(D); and

WHEREAS, The San Francisco Human Rights Commission has granted a waiver of the subcontracting goals for an emergency contract pursuant to Chapter 14.A.12.2 of the San Francisco Administrative Code; and

WHEREAS, The General Manager has selected Shimmick Construction Company, Inc. to perform the emergency work under a design-build contract, with an initial contract amount of $4.2 million; and

WHEREAS, Under Administrative Code section 6.60(D), declarations of emergencies for emergency work estimated to cost in excess of $250,000 are subject to approval by the Board of Supervisors; and

WHEREAS, The Controller has certified that the not-to-exceed amount of funds ($7,575,529) are available for the emergency work to repair the North Shore Force Main from Project No. CENMSCIC; now, therefore, be it

RESOLVED, That the Board of Supervisors hereby approves the Declaration of Emergency and authorizes the General Manager to enter into an emergency contract to perform necessary repair and rehabilitation of the existing North Shore Force Main, with a total contract amount not to exceed $7,575,529; and, be it

FURTHER RESOLVED, That any action to date by the San Francisco Public Utilities Commission to secure such emergency contract and resolve the emergency condition is hereby ratified.
RECOMMENDED:

Harlan L. Kelly, Jr.
General Manager
San Francisco Public Utilities Commission

Funds available:

Ben Rosenfield, Controller
Resolution approving a Declaration of Emergency and emergency contract to repair leaks along the North Shore Force Main in the amount not to exceed $7,575,529.

July 10, 2013 Budget and Finance Sub-Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

July 10, 2013 Budget and Finance Sub-Committee - CONTINUED AS AMENDED

July 17, 2013 Budget and Finance Sub-Committee - RECOMMENDED

July 23, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

I hereby certify that the foregoing Resolution was ADOPTED on 7/23/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

Date Approved: 8/2/2013