Resolution approving an emergency declaration of the San Francisco Public Utilities Commission pursuant to Administrative Code, Sections 6.60 and 21.15, to repair the Southeast Treatment Plant Final Effluent Force Main for a total estimated cost not to exceed $4,912,000.

WHEREAS, On October 18, 2018, the San Francisco Public Utilities Commission (SFPUC) Wastewater Enterprise detected a potential failure of the pipe that conveys the treated final effluent from the Southeast Treatment Plant (SEP) to the deep-water outfall located near Pier 80; and

WHEREAS, The pipe, which crosses under Islais Creek parallel to Third Street to convey the final effluent to the deep-water outfall, appeared to be leaking into Islais Creek;

WHEREAS, The continuing leak of treated effluent into Islais Creek, rather than to the Bay though the deep-water outfall, requires immediate action be taken to mitigate public health risks and substantial regulatory enforcement action and penalties; and

WHEREAS, On October 22, 2018, the General Manager of the SFPUC declared an emergency, approved by the President of the San Francisco Public Utilities Commission, pursuant to Chapter 6, Section 6.60 of the Administrative Code of the City and County of San Francisco, due to the failure of, and need to repair, the SEP Final Effluent Force Main, with an amount not anticipated to exceed $2,000,000; and

WHEREAS, The request for declaration of emergency is to enable the Wastewater Enterprise to hire a consultant and contractor to inspect the pipe, perform any necessary surveys, provide design recommendations, plans for repairs, complete such repairs and/or potentially bypass the existing outfall pipe; and
WHEREAS, Upon further inspection, staff confirmed that the pipe is leaking into Islais Creek; and

WHEREAS, Staff learned further information about the scope of the needed repair work at the failure location, and has determined that the scope of repair is more specialized and substantial than initially identified based on further site investigations, further deteriorated points of connection, and stringent regulated operational constraints; and

WHEREAS, Administrative Code, Chapter 6, Article IV, 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 is defined to include, “...[t]he 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 and welfare...”; and

WHEREAS, Administrative Code, Chapter 21, Section 21.15(c), authorizes department heads responsible for operations for which commodities or services are needed to declare an emergency to make repairs to maintain public health or welfare as a result of the breakdown of any plant equipment, structure, street or public work; and

WHEREAS, On December 26, 2018, due to the increased scope of work, the SFPUC General Manager issued a revised Declaration of Emergency, approved by the President of the San Francisco Public Utilities Commission, to repair the Southeast Treatment Plan Final Effluent Force Main and thereby protect public health and safety, with an increase in the estimated not to exceed amount of $4,912,000, and clarifying that the repair work also should proceed under Chapter 21 of the Administrative Code; and
WHEREAS, Administrative Code, Section 6.60(d), requires that the General Manager immediately notify the Controller, and seek Board of Supervisors’ approval of emergency public works with an estimated cost in excess of $250,000; and

WHEREAS, Administrative Code, Section 21.15(c), requires that the General Manager seek Board of Supervisors’ approval of the declaration of emergency for commodities or services with an estimated cost in excess of $100,000; and

WHEREAS, The Controller has certified that funds are available for this emergency work and contract; now, therefore, be it

RESOLVED, That the Board of Supervisors approves the emergency declaration issued by the SFPUC General Manager on October 22, 2018, as amended on December 26, 2018, to address and complete repairs to the Southeast Treatment Plan Final Effluent Force Main; and, be it

FURTHER RESOLVED, That actions taken to date by the San Francisco Public Utilities Commission to address such emergency work and resolve the emergency condition are hereby ratified.
RECOMMENDED:

HARLAN L. KELLY, JR.
General Manager of the SFPUC

Funds Available:

BEN ROSENFIELD
Controller
Resolution approving an emergency declaration of the San Francisco Public Utilities Commission pursuant to Administrative Code, Sections 6.60 and 21.15, to repair the Southeast Treatment Plant Final Effluent Force Main for a total estimated cost not to exceed $4,912,000.

January 30, 2019 Budget and Finance Committee - AMENDED

January 30, 2019 Budget and Finance Committee - RECOMMENDED AS AMENDED

February 05, 2019 Board of Supervisors - ADOPTED

Ayes: 11 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton and Yee

File No. 190011

I hereby certify that the foregoing Resolution was ADOPTED on 2/5/2019 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