Resolution approving an updated emergency declaration of the San Francisco Public Utilities Commission (SFPUC), pursuant to San Francisco Administrative Code, Section 6.60, to replace and repair fences on SFPUC watershed land in Alameda damaged by the SCU Lightning Complex Fire, increasing the total not to exceed cost from $4,250,000 to $10,900,000.

WHEREAS, The San Francisco Public Utilities Commission’s (SFPUC) watershed lands located in Santa Clara and Alameda County are critical assets for providing continuous delivery of high-quality water to the 2.7 million water customers in the Bay Area; any inability to use these assets poses a threat to water quality and deliveries, a basic service affecting the lives, property and welfare of the SFPUC water customers in San Francisco, San Mateo, Santa Clara and Alameda Counties; and

WHEREAS, Beginning on August 16, 2020, numerous lightning strikes ignited the SCU Lightning Complex Fire (SCU Fire) that ultimately burned 396,624 acres, including approximately 10,500 acres of SFPUC Alameda watershed property; and

WHEREAS, The SCU Fire damaged or destroyed approximately 60 miles of SFPUC-owned security and grazing operation fencing located on SFPUC Alameda watershed property; and

WHEREAS, The damaged fencing needs to be repaired and/or replaced immediately to re-establish the security barrier to protect SFPUC Alameda watershed lands and regional water system infrastructure from trespass, vandalism, and contamination of drinking water sources (e.g., the Calaveras and San Antonio Reservoirs); and
WHEREAS, The fencing also ensures that cattle from SFPUC grazing tenants remain separated from public roadways, drinking water sources, and sensitive environmental resources; and

WHEREAS, Any delay to replacing and repairing the approximately 60 miles of fences damaged in the SCU Lightning Complex Fire poses a risk to the security and quality of water supply for the 2.7 million SFPUC regional water system customers relying on the water deliveries; and

WHEREAS, As we are living in a global pandemic, COVID-19, water quality is an essential service that will impact public health and safety for our 2.7 million water customers; and

WHEREAS, Administrative Code, Chapter 6, Article IV, Section 6.60, authorizes department heads to declare an emergency and award a public work 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, On October 19, 2020, the SFPUC General Manager declared an emergency, approved by the President of the SFPUC, to replace and repair the fences damaged in the SCU Fire in order to re-establish the security barrier to protect SFPUC Alameda watershed lands; and

WHEREAS, Administrative Code, Section 6.60(d) requires the SFPUC General Manager to seek the Board of Supervisors’ approval in all cases where the estimated cost of the emergency work exceeds $250,000; and
WHEREAS, The SFPUC General Manager originally estimated that replacing and repairing the fences damaged in the SCU Fire would not exceed $4,500,000; and

WHEREAS, On February 2, 2021, by its Resolution No. 45-21, this Board of Supervisors approved, the SFPUC General Manager’s October 19, 2020, emergency declaration to replace and repair the fences damaged in the SCU Lightning Complex Fire, and amended the total not to exceed cost from $4,500,000 to $4,250,000; and

WHEREAS, The SFPUC reached out to eight vendors with the appropriate C-13 fencing contractor licenses to request quotes for the emergency work, and awarded two contracts for the construction work to the two vendors with the lowest quotes, All Commercial Fence, Inc. and Ranch Fence, Inc.; and

WHEREAS, On April 16, 2021, the SFPUC awarded Agreement No. WD-2881(E).A, 2020 SCU Lightning Complex Fire Impacted Fencing Replacement and Repair, to Ranch Fence, Inc., in the amount of $1,897,000, to replace and repair fences on SFPUC watershed land damaged by the SCU Lightning Complex Fires; and

WHEREAS, On March 15, 2021, the SFPUC awarded Agreement No. WD-2881(E).B, 2020 SCU Lightning Complex Fire Impacted Fencing Replacement and Repair, to All Commercial Fence, Inc., in the amount of $1,897,000, to replace and repair fences on SFPUC watershed land damaged by the SCU Lightning Complex Fires; and

WHEREAS, SFPUC staff have determined that the estimated quantities and length of replacement and repair required are more substantial than initially estimated based on further site investigations, including field-confirmed measurement of damaged fencing that was documented after the first sections were built compared to the original estimate used to determine the initial quantities; consequently, staff have updated the budget to reflect an increase of approximately 10 miles of fencing in addition to the original 50 miles estimated, for a total of 60 miles; these increased costs and quantities are due to the topographical realities...
of these rugged environments, and costs associated with working in these remote locations; and

WHEREAS, The SFPUC needs to hire a construction management firm to supervise the vendors that are performing the fence repairs and replacements, as increased construction work requires increased supervision, which the SFPUC General Manager estimates will not exceed $2,000,000; and

WHEREAS, On July 27, 2021, the SFPUC General Manager issued an updated emergency declaration, approved by the President of the SFPUC, to reflect this increase in cost due to the previously mentioned factors; and

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

RESOLVED, That the Board of Supervisors approves, under Administrative Code, Section 6.60, the updated emergency declaration of the San Francisco Public Utilities Commission, dated July 27, 2021, to replace and repair the fences damaged in the SCU Lightning Complex Fire, including construction management services, for a new total cost not to exceed $10,900,000; and be it

FURTHER RESOLVED, That the Board of Supervisors ratifies actions taken to date by the San Francisco Public Utilities Commission to address such emergency work and resolve the emergency condition.
RECOMMENDED:

/s/

MICHAEL CARLIN
Acting General Manager of the SFPUC

FUNDS AVAILABLE:

/s/ Michelle Allersma for
Ben Rosenfield

BEN ROSENFIELD
Controller
Resolution approving an updated emergency declaration of the San Francisco Public Utilities Commission (SFPUC), pursuant to San Francisco Administrative Code, Section 6.60, to replace and repair fences on SFPUC watershed land in Alameda damaged by the SCU Lightning Complex Fire, increasing the total not to exceed cost from $4,250,000 to $10,900,000.

October 06, 2021 Budget and Finance Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

October 06, 2021 Budget and Finance Committee - RECOMMENDED AS AMENDED

October 19, 2021 Board of Supervisors - ADOPTED

Ayes: 11 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

I hereby certify that the foregoing Resolution was ADOPTED on 10/19/2021 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