Resolution approving an updated 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 $5,500,000.

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; and

WHEREAS, The potential continuing leak of treated effluent into Islais Creek, rather than to the Bay though the deep-water outfall, required immediate action to mitigate public health risks and a potentially 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, due to the failure of, and need to repair, the SEP Final Effluent Force Main, with an amount anticipated not-to-exceed $2,000,000; and

WHEREAS, Under the emergency declaration, the Wastewater Enterprise hired a consultant and a contractor to inspect the pipe, perform surveys, provide design
recommendations, develop plans for repairs, complete such repairs and/or potentially bypass the existing outfall pipe; and

WHEREAS, The inspection by SFPUC staff and consultants confirmed that the pipe was leaking into Islais Creek; and

WHEREAS, In December 2018, staff determined that the scope of necessary repair work at the failure location was more substantial than initially identified due to further deteriorated points of connection and stringent regulatory operational constraints; 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 $5,000,000, and clarifying that the repair work also should proceed under Chapter 21 of the Administrative Code; and

WHEREAS, On February 5, 2019, the Board of Supervisors approved the declaration of an emergency through Resolution No. 59-19, which stated that the estimated cost of the emergency repair work was anticipated not-to-exceed $4,912,000; and

WHEREAS, The initial engineering design was based on traditional construction methodology; however, further investigation revealed poor soil conditions and site constraints. The Site conditions necessitated construction of a bypass pipeline with water-tight cofferdams; and

WHEREAS, Cofferdam construction requires a specialized crane and barge configuration and the construction of a temporary seawall; and

WHEREAS, The bypass pipe being constructed with cofferdams is highly complex with a scope of repair more specialized and substantial than previously identified based on further
site investigations, further deteriorated points of connection, and stringently regulated operational constraints; and

WHEREAS, Staff now estimates that the work will exceed the $4,912,000 not-to-exceed estimate stated in San Francisco Board of Supervisors Resolution No. 59-19; and

WHEREAS, Including the additional design and construction costs, staff anticipates the remaining work will not-exceed $2,000,000, with a total project emergency repair cost estimated not-to-exceed $6,250,000; and

WHEREAS, On September 25, 2019, the General Manager of the SFPUC issued a revised declaration of emergency, approved by the President of the San Francisco Public Utilities Commission pursuant to Chapter 6, Section 6.60, and Chapter 21, Section 21.15, of the Administrative Code, due to the failure of, and need to repair, the SEP Final Effluent Force Main, with an amount anticipated not-to-exceed $6,250,000; and

WHEREAS, Administrative Code, Chapter 6, Article IV, Section 6.60, authorizes department heads responsible for public works 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 addressing a declared emergency to procure commodities or services necessary 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, Administrative Code, Section 6.60(d), requires the General Manager to notify the Controller immediately and seek Board of Supervisors’ approval of emergency repairs with an estimated cost in excess of $250,000; and

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

WHEREAS, The Controller has certified that the funding amount specified herein to address this emergency work is available; now, therefore, be it

RESOLVED, That the Board of Supervisors approves the updated emergency declaration issued by the SFPUC General Manager on September 25, 2019, to address and complete repairs to the Southeast Treatment Plan Final Effluent Force Main with a new not-to-exceed amount of $5,500,000; 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 updated 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 $5,500,000.

December 11, 2019 Budget and Finance Committee - AMENDED

December 11, 2019 Budget and Finance Committee - RECOMMENDED AS AMENDED

December 17, 2019 Board of Supervisors - ADOPTED

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

File No. 191099

I hereby certify that the foregoing Resolution was ADOPTED on 12/17/2019 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