

1 [Resolution approving Sixth Modification to water supply contract.]
2

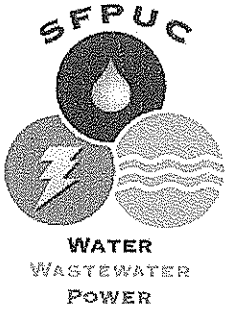
3 **Resolution approving Sixth Modification to water supply contract (Contract No. EY-76-**
4 **C-03-0269) between the City and County of San Francisco and the Department of**
5 **Energy pursuant to Charter section 9.118.**
6

7 WHEREAS, On June 27, 1960 the City and County of San Francisco entered a
8 contract with the Atomic Energy Commission (now the Department of Energy) to provide
9 potable water supply to certain facilities in Alameda County, which contract was originally
10 designated as Contract No. DE-AC03-76SF16828 and is now designated as EY-76-C-03-
11 0269; and

12 WHEREAS, The Contract when entered had anticipated revenue of over one million
13 dollars to the City and County of San Francisco and must now be modified to assign certain
14 responsibilities to DOE; and

15 WHEREAS, Charter Section 9.118 requires Board of Supervisor approval by resolution
16 of modification of contracts that when entered had anticipated revenue of at least one million
17 dollars; now, therefore, be it

18 **RESOLVED, That the Board of Supervisors approves the Agreement to Implement and**
19 **Term Sheet.**
20
21
22
23
24
25



SAN FRANCISCO PUBLIC UTILITIES COMMISSION

1155 Market St., 11th Floor, San Francisco, CA 94103 • Tel. (415) 554-3155 • Fax (415) 554-3161 • TTY (415) 554.3488



TO: Angela Calvillo, Clerk of the Board of Supervisors

FROM: Nathan Purkiss, 554-3404

File 100325

DATE: March 15, 2010

SUBJECT: Resolution approving Sixth Modification to water supply contract

GAVIN NEWSOM
MAYOR

F.X. CROWLEY
PRESIDENT

FRANCESCA VIETOR
VICE PRESIDENT

ANN MOLLER CAEN
COMMISSIONER

JULIET ELLIS
COMMISSIONER

ANSON B. MORAN
COMMISSIONER

ED HARRINGTON
GENERAL MANAGER

Please find the original and 4 copies of the resolution attached to this cover memorandum, as well as supplemental materials regarding the resolution.

Attached is a resolution approving the Sixth Modification to water supply contract (Contract No. EY-76-C-03-0269) between the City and County of San Francisco and the Department of Energy pursuant to Charter section 9.118.

If you have any questions, please feel free to contact Nathan Purkiss.

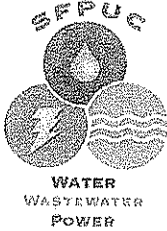
Departmental representative to receive a copy of the adopted resolution:

Name: Nathan Purkiss

Phone: 554-3404

Interoffice Mail Address: 1155 Market Street, 11th Floor

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2010 MAR 15 AM 11:40
BY AK



AGENDA ITEM
Public Utilities Commission
City and County of San Francisco



DEPARTMENT Water Enterprise AGENDA NO. _____
 MEETING DATE March 9, 2010

Water Service Contract Modification: Consent Calendar
Project Manager: Margaret Hannaford

Approve Modification No. M006 to Water Service Contract No. DE-AC03-76SF1628, City and County of San Francisco and the Department of Energy

Summary of Proposed Commission Action:	Approve Modification No. M006 to Contract No. DE-AC03-76SF1628, between the City and County of San Francisco (CCSF) and the U.S. Department of Energy (DOE) for potable water service.
Background:	<p>The City and County of San Francisco (CCSF) has provided water service to the U.S. Department of Energy (DOE) for Lawrence Livermore National Laboratory and associated facilities since 1960. The original contract has been modified five times. The contract cannot be amended without mutual agreement, and it cannot be terminated except by DOE. The following is a chronology of prior contract actions:</p> <ul style="list-style-type: none"> • SFPUC approved Contract AT (04-3)-269 with the U.S. Atomic Energy Commission to provide a potable water supply on July 19, 1960. • SFPUC approved Modification M001 on June 30, 1964 to add fair employment practices language to the contract. • SFPUC approved Modification M002 on January 7, 1969 to increase the pumping capacity by replacing the existing pumps with larger pumps. Modification M002 also allowed the government to extend the contract on a year-to-year basis and give notice of such annually. • Modification M003 was approved on November 20, 1985, and increased the estimated service capacity in gallons per day and changed the contract number to EY-76-C-03-0269. • Modification M004 was approved on January 20, 1987, and added the LLNL Site 300 as a second turnout for water supply to the laboratory and changed the contract number to DE-

APPROVAL:

DEPARTMENT / BUREAU _____

FINANCE Todd L. Rydstrom

COMMISSION SECRETARY Mike Housh

GENERAL MANAGER Ed Harrington

	<p>AC03-76SF16828. Modification M004 required DOE to furnish the necessary pump station, supply lines, and connections the Thomas Shaft.</p> <ul style="list-style-type: none"> • Modification M005 was approved on December 3, 2002, and transferred to the SFPUC ownership and the responsibility to operate, maintain, repair or replace the Government owned facilities at the Thomas Shaft, to facilitate delivery of Hetch Hetchy water to the Government's Site 300 of the Lawrence Livermore National Laboratory. Modification M005 was necessary as controlling laws and regulations regarding water treatment changed since the completion of the DOE's improvements at the point of delivery, resulting in the requirement to construct a chlorination station with associated tanks at the Thomas Shaft along with any necessary water treatment facilities. The supply lines, connections, equipment, and structures installed by DOE at the Thomas Shaft must be substantially altered and the system reconfigured in order for the proposed chlorination station to function as mandated by the California regulatory authorities. These improvements are being constructed by the SFPUC for the benefit of LLNL Site 300 as well as downstream customers. • The sixth modification is necessary to assign certain responsibilities to DOE and to add a service area map. <p>Modification No. M006: is being requested to 1) change Exhibit A to assign certain responsibilities to DOE, and 2) add Exhibit E, Service Area Map, at no change to the value of the contract.</p> <p>Under Charter section 9.118 Board of Supervisors approval is also required since Modification No. 6 will modify a contract that when entered into had anticipated revenue to the City in excess of one million dollars.</p>
Result of Inaction:	A delay in approving this modification will result in certain responsibilities not being assigned to DOE and the service area not being defined in the contract.
Description of Scope of Work:	<p>Modification No. M006 will:</p> <ul style="list-style-type: none"> • Change Exhibit A to require DOE to adjust and maintain storage tank levels at Site 300 to ensure pumping is initiated at least once a day and no more than three times a day assuming there is no need for more or less pumping due to critical maintenance or emergency operations. • Add Exhibit E, "Service Area Maps of Premises to be Served", to define the areas the SFPUC is responsible for provide water.
Recommendation:	SFPUC staff recommends that the Commission adopt the attached resolution.
Attachments:	<ol style="list-style-type: none"> 1. SFPUC Resolution 2. Contract Modification No. M006

PUBLIC UTILITIES COMMISSION

City and County of San Francisco

RESOLUTION NO. 10-0037

WHEREAS, On June 27, 1960, per Resolution No. 20401, the San Francisco Public Utilities Commission (SFPUC) approved the award of Contract No. DE-AC03-76SF16828, City and County of San Francisco-Hetch Hetchy Water and Power-Bureau of Light, Heat & Power (CCSF); to U.S. Department of Energy (DOE); and

WHEREAS, On June 30, 1964, SFPUC approved Modification M001 to add fair employment practices language to the contract; and

WHEREAS, On January 7, 1969, SFPUC approved Modification M002 to increase the pumping capacity by replacing the existing pumps with larger pumps and allowed the government to extend the contract on a year-to-year basis and give notice of such annually; and

WHEREAS, On November 20, 1985, SFPUC approved Modification M003 to increase the estimated service capacity in gallons per day and change the contract number to EY-76-C-03-0269; and

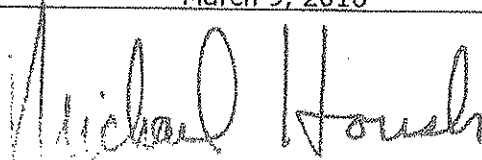
WHEREAS, On January 20, 1987, SFPUC approved Modification M004 to require DOE to furnish the necessary supply lines and connections at the Thomas Shaft to provide water service to Lawrence Livermore National Laboratory (LLNL) Site 300 and change the contract number to DE-AC03-76SF16828 ; and

WHEREAS, On December 3, 2002, SFPUC approved Modification M005 to transfer to the SFPUC ownership and the responsibility to operate, maintain, repair or replace the Government owned facilities at the Thomas Shaft to facilitate delivery of Hetch Hetchy water to the Government's Site 300 of the Lawrence Livermore National Laboratory ; and

WHEREAS, Modification M006 is necessary to assign certain responsibilities to DOE and include a service area map; now, therefore, be it

RESOLVED, That this Commission hereby approves Modification M006 to Contract No. DE-AC03-76SF1628, between City and County of San Francisco and the Department of Energy, and recommends the Board of Supervisors approve Modification No. 6 pursuant to Charter section 9.118.

I hereby certify that the foregoing resolution was adopted by the Public Utilities Commission at its meeting of _____ *March 9, 2010*



Secretary, Public Utilities Commission

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT		1. CONTRACT ID CODE	PAGE OF PAGES 1 4
2. AMENDMENT/MODIFICATION NO. M006	3. EFFECTIVE DATE See Block 16	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (if applicable)
6. ISSUED BY Department of Energy NNSA Service Center P.O. Box 5400 Albuquerque, NM 87185	CODE	7. ADMINISTERED BY (if other than Item 6)	CODE
8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code) San Francisco Public Utilities Commission 1155 Market Street, 4th Floor San Francisco, CA 94103		(X) 9A. AMENDMENT OF SOLICITATION NO.	
		9B. DATED (SEE ITEM 11)	
		10A. MODIFICATION OF CONTRACT/ORDER NO. DE-AC03-76SF16828	
		(X) 10B. DATED (SEE ITEM 13) 06/27/60	
CODE	FACILITY CODE		

11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers is extended, is not extended.

Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods:
 (a) By completing Items 8 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment your desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPRIATION DATA (if required)

13. THIS ITEM ONLY APPLIES TO MODIFICATION OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

CHECK ONE	A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.
<input type="checkbox"/>	
<input type="checkbox"/>	B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).
<input checked="" type="checkbox"/>	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF: Mutual Agreement of the Parties
<input type="checkbox"/>	D. OTHER (Specify type of modification and authority)

E. IMPORTANT: Contractor is not, is required to sign this document and return 1 copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)
 The purpose of this modification is to (1) change Exhibit A and (2) add Exhibit E at no change to the value of this contract.

Except as provided herein, all terms and conditions of the document referenced in item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print)	16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) Francis Ting Contracting Officer
15B. CONTRACTOR/OFFEROR (Signature of person authorized to sign)	16B. UNITED STATES OF AMERICA (Signature of Contracting Officer)
15C. DATE SIGNED	16C. DATE SIGNED

1. Exhibit A is changed as follows:

a. Paragraph 1 of Exhibit A is amended as follows:

"1. PREMISES TO BE SERVED.

The premises to be served under the contract include the facilities at Government's site, located to the north and south of East Avenue approximately three miles east of Livermore, California, and the Government's Site 300, located north of Corral Hollow Road in Alameda and San Joaquin Counties, approximately nine miles southwest of Tracy, California. Exhibit E contains the service area maps for Government's premises to be served under this contract."

b. Paragraph 4 is changed to read as follows:

"4. ESTIMATED SERVICE REQUIREMENTS.

in gallons per day average

Normal Year	Mochó Shaft	Thomas Shaft	Total
1960	350,000	N/A	350,000
1970	800,000 (actual)	N/A	800,000
1975	670,000 (actual)	N/A	670,000
1980	640,000 (actual)	N/A	640,000
1985	890,000	85,000 (actual)	975,000
1990	750,000	90,000 (est)	840,000
1995	795,000	130,000 (est)	925,000
2000	745,000	70,000	815,000
2005	845,000	40,000	885,000
2010	750,000	45,000	795,000
2015	800,000	45,000	845,000
Emergency/Fire	2,500,000	120,000	2,620,000

b. Paragraph 7 is added as follows:

"7. ADDITIONAL REQUIREMENTS

(a) Government shall adjust and maintain storage tank level settings at Site 300 to ensure pumping is initiated at least once a day and no more than three times a day

assuming there is no need for more or less pumping due to critical maintenance or emergency operations, exception from this minimum schedule, pumping may not occur on non-work days which at Site 300 are Friday, Saturday, Sunday and LLNL Holidays.

2. The following exhibit is added to the contract:

"Exhibit E: Service Area Maps of Premises to be Serviced"

Lawrence Livermore National Laboratory-Site 200
Exhibit E to Contract DE-AC03-76SF16828
1 Sandia National Laboratory

