

PUBLIC UTILITIES COMMISSION

City and County of San Francisco

RESOLUTION NO. 20-0237

WHEREAS, The San Francisco Public Utilities Commission (SFPUC) requires specialized and short-term staff augmentation to City staff to manage multiple overlapping construction projects planned over the next seven years under the Regional Water Enterprise Capital Improvement Program (WECIP) and the remainder of the Regional Water System Improvement Program (WSIP); and

WHEREAS, It is necessary to procure the services of qualified construction management firms to provide specialized construction management services to supplement SFPUC staff for the proposed projects; and

WHEREAS, The estimated cost of services for each agreement is \$9,000,000; and

WHEREAS, SFPUC advertised a Request for Proposals (RFP) for Construction Management Services for the East Bay Region on December 31, 2019; and

WHEREAS, Services are anticipated to begin in January 2021 and end in January 2028, with a duration of seven years for each agreement; and

WHEREAS, SFPUC and Contract Monitoring Division (CMD) staff, upon review of the six proposal scores, determined that Cooper Pugaeda Management/CM Pros () Joint Venture (CPM/CM Pros JV) (PRO.0140A) and Hazen and Sawyer/Avila and Associates/Dabri Joint Venture (Hazen/Avila/Dabri JV) (PRO.0140B) are the top two ranked firms based on the established scoring criteria; and

WHEREAS, CMD established a 15% Local Business Enterprise (LBE) subconsultant participation requirement for this agreement, and CPM/CM Pros JV committed to an LBE subconsultant participation of 17% and Hazen/Avila/Dabri JV committed to an LBE subconsultant participation of 15.35% with their proposals; and

WHEREAS, Failure to reach successful agreement on contract terms and conditions within 30 days of the date of the Commission award may result in award of the contract to the next highest ranked proposer, or re-advertising and re-selecting consultants at the discretion of the City; and

WHEREAS, The firms being awarded a contract by the SFPUC must be in compliance with the Equal Benefits Provisions of Chapter 12B of the City's Administrative Code either at the time of the award, or within two (2) weeks of the date of the Commission award; failure of the bidder to obtain compliance certification from CMD may, in the General Manager's sole discretion, result in award of the agreement to the next highest ranked proposer or re-advertising and re-selecting consultants; and

WHEREAS, Of the projects for which services would be provided under these agreements, the SFPUC has completed California Environmental Quality Act (CEQA) review for the Alameda Creek Recapture Project, the East Bay Regional Park District Water System, and the Town of Sunol Pipeline; and

WHEREAS, Authorization to execute these two professional services agreements is not an approval of the remaining projects for which CEQA review has not been completed, because the SFPUC retains sole and absolute discretion to terminate the agreements for convenience for any reason, including as a result of any decision that the SFPUC may make separately about the proposed projects, following consideration of the environmental review for the projects; and

WHEREAS, The SFPUC will separately consider approval of these remaining projects following completion of environmental review and retains discretion to, among other things, modify the projects to mitigate significant environmental impacts, require the implementation of specific measures to mitigate any significant environmental impacts of the projects, or reject the projects; and

WHEREAS, Construction of these projects would not commence prior to completion of CEQA review and the approval process for the projects, and the construction management services provided under these agreements will not occur until the SFPUC issues a Notice to Proceed, and would not occur at all if the projects are not approved; and

WHEREAS, prior to completion of CEQA review, adoption of any CEQA document or determination, CEQA findings, and Mitigation and Monitoring Reporting Program, and SFPUC Commission approval of these projects, work under these contracts on these projects will consist solely of support for planning and design; and

WHEREAS, In the event that the SFPUC Commission approves the projects, separate construction contracts would be procured and any construction management services during construction would be undertaken only at that time; and

WHEREAS, Funds for Agreement Nos. PRO.0140A & B will be available at the time of individual task order awards from Regional Water Enterprise operating and/or capital budgets; now, therefore, be it

RESOLVED, That this Commission hereby approves the selection of CPM/CM Pros JV and Hazen/Avila/Dabri JV, awards (1) Regional Water Enterprise operating and/or capital budget-funded Agreement No. PRO.0140A, Construction Management Services for the East Bay Region, to CPM/CM Pros JV and (2) Agreement No. PRO.0140B, Construction Management Services for the East Bay Region, to Hazen/Avila/Dabri JV, to provide construction management services for various Regional Water Enterprise construction projects, and authorizes the General Manager to execute these two professional services agreements with the two consultants, each for an amount not-to-exceed \$9,000,000, and each with a duration of seven years, and, in the event negotiations are not successful or City requirements are not satisfied, to negotiate and execute a professional services agreement with the next highest ranked proposer(s).

I hereby certify that the foregoing resolution was adopted by the Public Utilities Commission at its meeting December 8, 2020.



Secretary, Public Utilities Commission