

FILE NO. 190011

RESOLUTION NO.

1 [Emergency Declaration - Repair Southeast Treatment Plant Final Effluent Force Main - Total
2 Estimated Cost Not to Exceed \$4,912,000]

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

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

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

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

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

22 WHEREAS, The request for declaration of emergency is to enable the Wastewater
23 Enterprise to hire a consultant and contractor to inspect the pipe, perform any necessary
24 surveys, provide design recommendations, plans for repairs, complete such repairs and/or
25 potentially bypass the existing outfall pipe; and

1 WHEREAS, Upon further inspection, staff confirmed that the pipe is leaking into Islais
2 Creek; and

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

7 WHEREAS, Administrative Code, Chapter 6, Article IV, Section 6.60, authorizes
8 department heads responsible for public work to award an emergency contract, exempt from
9 the competitive bidding process, in the event of an actual emergency, which is defined to
10 include, “ ... [t]he breakdown or imminent breakdown of any plant, equipment, structure, street
11 or public work necessitating immediate emergency repair or reconditioning to safeguard the
12 lives or property of the citizens, or the property of the City and County, or to maintain the
13 public health and welfare ...”; and

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

18 WHEREAS, On December 26, 2018, due to the increased scope of work, the SFPUC
19 General Manager issued a revised Declaration of Emergency, approved by the President of
20 the San Francisco Public Utilities Commission, to repair the Southeast Treatment Plan Final
21 Effluent Force Main and thereby protect public health and safety, with an increase in the
22 estimated not to exceed amount of \$4,912,000, and clarifying that the repair work also should
23 proceed under Chapter 21 of the Administrative Code; and

1 WHEREAS, Administrative Code, Section 6.60(d), requires that the General Manager
2 immediately notify the Controller, and seek Board of Supervisors' approval of emergency
3 public works with an estimated cost in excess of \$250,000; and

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

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

9 RESOLVED, That the Board of Supervisors approves the emergency declaration
10 issued by the SFPUC General Manager on October 22, 2018, as amended on December 26,
11 2018, to address and complete repairs to the Southeast Treatment Plant Final Effluent Force
12 Main; and, be it

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

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RECOMMENDED:

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

FUNDS AVAILABLE:

BEN ROSENFELD
Controller