

File No. 190025

Committee Item No. 9

Board Item No. \_\_\_\_\_

### COMMITTEE/BOARD OF SUPERVISORS AGENDA PACKET CONTENTS LIST

Committee: Budget & Finance Committee

Date February 13, 2019

Board of Supervisors Meeting

Date \_\_\_\_\_

#### Cmte Board

- Motion
- Resolution
- Ordinance
- Legislative Digest
- Budget and Legislative Analyst Report
- Youth Commission Report
- Introduction Form
- Department/Agency Cover Letter and/or Report
- MOU
- Grant Information Form
- Grant Budget
- Subcontract Budget
- Contract/Agreement
- Form 126 – Ethics Commission
- Award Letter
- Application
- Public Correspondence

OTHER (Use back side if additional space is needed)

- Public Works Order No. 200136
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

Completed by: Linda Wong

Date February 8, 2019

Completed by: Linda Wong

Date \_\_\_\_\_

1 [Emergency Declaration - Substructure Support, Inc. - Repairs for Damaged Storm Sewer  
2 System - Third Street, between Berry Street and Third Street Bridge - Not to Exceed  
3 \$700,000]

4 **Resolution approving the emergency declaration of the Director of Public Works,**  
5 **pursuant to Administrative Code, Section 6.60(b), to repair the damaged sewer system**  
6 **in the vicinity of Third Street, between Berry Street and the Third Street Bridge, for a**  
7 **cost not to exceed \$700,000.**

8  
9 WHEREAS, On September 11, 2018, San Francisco Public Utilities Commission staff  
10 observed a damaged sewer system at Third Street between Berry Street and the Third Street  
11 Bridge, including significant cracks in the sewer, and severe erosion of soil above the sewer  
12 resulting in void spaces; and

13 WHEREAS, Both San Francisco Public Works and the San Francisco Public Utilities  
14 Commission further investigated the underground situation to assess the damage at the  
15 subject location; and

16 WHEREAS, On October 29, 2018, San Francisco Public Works staff went into the  
17 damaged storm sewer and concluded that the damaged storm sewer system needs  
18 immediate repair or risks collapsing during the upcoming rainy season and continuous  
19 northbound Third Street traffic loading; and

20 WHEREAS, The Director of Public Works has determined these circumstances  
21 constitute an imminent threat to the property and potential harm to the surrounding public; and

22 WHEREAS, Under authority granted by Administrative Code, Section 6.60(b), the  
23 Director of Public Works declared an emergency on November 2, 2018, and gave notice of  
24 the emergency declaration to the Board of Supervisors, Mayor, and Controller; and  
25

1           WHEREAS, San Francisco Public Works staff has analyzed the circumstances  
2 extensively and determined that repair work estimated to cost approximately \$700,000.00 is  
3 required to ensure safety and minimize risk of collapse; and

4           WHEREAS, Pursuant to Administrative Code, section 6.60(d); the Director Public  
5 Works acting as the Mayor's Designee authorized the commencement of emergency work as  
6 the estimated cost of the work is in excess of \$250,000; and

7           WHEREAS, San Francisco Public Works anticipates executing an emergency contract  
8 with Substructure Support, Inc. for the repairs of the damaged storm sewer; and

9           WHEREAS, The Controller has certified that funds are available for this emergency  
10 contract; now, therefore, be it

11           RESOLVED, That the Board of Supervisors hereby approves the emergency  
12 declaration for the damaged sewer system made by the Director Public Works on  
13 November 2, 2018; and, be it

14           FURTHER RESOLVED, That within thirty (30) days of an emergency contract being full  
15 executed by all parties, San Francisco Public Works shall provide a copy of the signed  
16 contract to the Clerk of the Board for inclusion into the official file.

<b>Item 9</b> <b>File 19-0025</b>	<b>Department:</b> General Services Agency - Department of Public Works (DPW)
--------------------------------------	----------------------------------------------------------------------------------

**EXECUTIVE SUMMARY**

**Legislative Objectives**

- The proposed resolution would approve an emergency declaration by the Director of Public Works pursuant to Administrative Code section 6.60(d) for the repair of the damaged sewer system in the vicinity of Third Street between Berry Street and the Third Street Bridge, for an estimated cost not-to-exceed \$700,000.

**Key Points**

- On September 11, 2018 San Francisco Public Utilities Commission (SFPUC) staff observed a damaged sewer system at Third Street between Berry Street and the Third Street Bridge during an annual inspection. After several weeks of inspection SFPUC and the Department of Public Works concluded that immediate repair was needed to avoid the risk of a collapse of the sewer system during the rainy season. The director of Public Works Declared an Emergency on November 2, 2018 for the repair of the sewer system and affected roadway, and gave notice to the Board of Supervisors, Mayor, and Controller on November 5, 2018.
- The emergency repair work required excavating the street and shoring adjacent structures, removing degraded structures, installing a temporary bulkhead at the adjacent sea wall, installing new torque down piles, installing a new concrete box sewer structure and manhole, backfilling with cohesive materials, and restoring the roadway above. Public Works selected Substructure Support, Inc. because they had already successfully completed several pile driving projects at other SFPUC Wastewater Enterprise facilities. Public Works did not solicit additional bids because of concern that the site might collapse.

**Fiscal Impact**

- Under the proposed resolution, the total cost for the contractor to complete the work is not to exceed \$700,000, all of which will come from the Wastewater Enterprise budget.
- Initial cost estimates were developed in consultation with engineers from SFPUC and Public Works. Subsequent to an on-site assessment, SFPUC and Public Works staff determined that Substructure Support, Inc. price quote to perform the work was in-line with the estimates.

**Recommendation**

- Approve the proposed resolution

**MANDATE STATEMENT**

Administrative Code Section 6.60(d) states that contracts entered into for emergency work that are more than \$250,000 are subject to Board of Supervisors approval. Prior to the commencement of emergency work above the \$250,000 threshold, the Department must also secure approval in writing from the Mayor, the President of the Board, or the Commission.

According to Administrative Code Section 6.60(d), if the emergency does not permit the required approvals of the emergency determination to be obtained before work begins; the Department head must submit a resolution approving the emergency determination to the Board of Supervisors within 60 days.

**BACKGROUND**

On September 11, 2018 San Francisco Public Utilities Commission (SFPUC) staff observed a damaged sewer system at Third Street between Berry Street and the Third Street Bridge during an annual inspection. The damage included cracks in the sewer and erosion of the soil above the sewer. SFPUC staff examined the site but were not able to determine if the erosion of soil constituted a problem and engaged San Francisco Public Works engineers to evaluate. In the six week period between September 11, 2018 and October 29, 2018, SFPUC and Public Works staff conducted additional inspections, with Public Works staff performing the final inspection on October 29, 2018. San Francisco Public Works and SFPUC assessed the damage and concluded that immediate repair was needed to avoid the risk of a collapse of the sewer system during the rainy season.

The Director of Public Works declared an emergency on November 2, 2018 for the repair of the sewer system and affected roadway, and gave notice to the Board of Supervisors, Mayor, and Controller on November 5, 2018. Public Works submitted a resolution to the Board of Supervisors on December 7, 2018, approving the emergency declaration of the Director of Public Works.

**DETAILS OF PROPOSED LEGISLATION**

The proposed resolution would approve an emergency declaration by the Director of Public Works pursuant to Administrative Code section 6.60(d) for the repair of the damaged sewer system in the vicinity of Third Street between Berry Street and the Third Street Bridge, for an estimated cost not-to-exceed \$700,000.

Administrative Code Section 6.60(e) exempts contracts for emergency work from competitive bidding. According to Mr. Thomas Roitman, Public Works Project Manager, Public Works staff determined that part of the collapsed sewer required pile installation, and requested an evaluation and price quote from Substructure Support, Inc.

According to Mr. Roitman, Public Works selected Substructure Support, Inc. because they had already successfully completed several pile driving projects at other SFPUC Wastewater

Enterprise facilities.<sup>1</sup> Public Works did not solicit additional bids because of concern that the site might collapse.

Pre-construction mobilization<sup>2</sup> of the work started on October 29, 2018 and Substructure Support, Inc. began construction on November 9, 2018. Substantial completion occurred on January 8, 2019 with final completion anticipated on February 8, 2019 pending final inspection by the Port of San Francisco<sup>3</sup>.

**FISCAL IMPACT**

The emergency repair work required excavating the street and shoring adjacent structures, removing degraded structures, installing a temporary bulkhead at the adjacent sea wall, installing new torque down piles, installing a new concrete box sewer structure and manhole, backfilling with cohesive materials, and restoring the roadway above. Under the proposed resolution, the total cost for the contractor to complete the work is not to exceed \$700,000, all of which will come from the Wastewater Enterprise budget. According to Mr. Roitman, initial cost estimates were developed in consultation with engineers from SFPUC and Public Works. Subsequent to an on-site assessment, SFPUC and Public Works staff determined that Substructure Support, Inc. price quote to perform the work was in-line with the estimates. Negotiations between Public Works and the Contractor resulted in some cost savings for the final contract price.

The breakdown of the project budget is shown in Table 1 below.

**Table 1: Estimated Costs for Third Street Sewer Repair and Replacement**

Demolition, Off-Haul, and Disposal of materials	\$120,750
Temporary Shoring Materials	58,500
Temporary plug and dewatering	47,250
Torque down piles	137,985
Cast-in-place concrete sewer pipe	61,500
Precast concrete manhole cones and risers	36,000
Compacted Backfill	40,500
Concrete Base Slab	38,250
Asphaltic Concrete Paving	27,000
Mobilization	51,000
De-mobilization	21,000
<u>Contingency (9%)</u>	<u>60,265</u>
<b>Total</b>	<b>\$700,000</b>

<sup>1</sup> According to Mr. Roitman, Substructure Support, Inc. was selected by the Water Enterprise for piling work based on their availability and ability to mobilize and perform the work on short notice.

<sup>2</sup> Pre-construction mobilization includes preparing a site for construction. This can include fencing off the area, requiring PG&E to mark any high-voltage lines, addressing lane blockage, and securing the street.

<sup>3</sup> As noted above, the work includes installation of a temporary bulkhead at the adjacent seawall on Port property.

**POLICY CONSIDERATION**

As noted above, SFPUC staff observed a damaged sewer system at Third Street between Berry Street and the Third Street Bridge during an annual inspection. According to Mr. Roitman, both SFPUC and Public Works have asset management plans that require annual inspections of facilities. Both departments prioritize repairs based on the severity of the problems found and work to address problems as they arise.

**RECOMMENDATION**

Approve the proposed resolution.

City and County of San Francisco

San Francisco Public Works



London N. Breed, Mayor  
Mohammed Nuru, Director

GENERAL - DIRECTOR'S OFFICE  
City Hall, Room 348  
1 Dr. Carlton B. Goodlett Place, S.F., CA 94102  
(415) 554-6920 ■ www.SFPublicWorks.org



Public Works Order No: 200136

**CITY AND COUNTY OF SAN FRANCISCO  
SAN FRANCISCO PUBLIC WORKS  
EMERGENCY DECLARED AND CONTRACT AWARDED**

An **Emergency** exists as a result of an inspection and discovery of a damaged storm sewer system in the vicinity of Third Street between Berry Street and the Third Street Bridge. The damage includes some settlement of the basin, cracks within the walls and lid of the sewer and some void spaces. The current state of the sewer system poses a hazard to the sewer system function and the safety of the roadway and public above. There is an imminent risk of collapse of the roadway and sidewalk on a highly travelled portion of the street. Such collapse could harm pedestrians, cyclists, drivers, or workers and City personnel at the adjacent construction site. This condition constitutes an emergency involving the health, safety and property of the citizens of the City & County of San Francisco.

Therefore, in order to move forward with the project before the start of the winter season, **an Emergency is declared to exist** under the provisions of Section 6.60 of the San Francisco Administrative Code, and

**Substructure Support, Inc.**  
4989 A Peabody Road  
Fairfield, Ca. 94533

is hereby awarded a contract to provide the necessary repair work for the affected sewer system at a cost not to exceed **\$700,000.00**.

Contractor shall indemnify and hold harmless the City & County of San Francisco, its officers, agents and employees and furnish certificates of insurance protecting Contractor, any sub-contractors and the City & County of San Francisco and its officers, agents and employees against claims arising out of work performed pursuant to this order with the City & County of San Francisco, its officers, agents and employees named as additional insureds.

**Commercial General Liability Insurance** with limits not less than \$1,000,000 each occurrence, and \$2,000,000 general aggregate, combined single limit for bodily injury and property damage, including coverage for contractual liability, independent contractors, explosion, collapse and underground (XCU), personal injury, broadform property damage and completed operations.

**Commercial Automobile Liability Insurance** with limits not less than \$1,000,000 each occurrence combined single limit for bodily injury and property damage, including owned, hired or non-owned vehicles, as applicable.

**Workers' Compensation**, in statutory amount, including Employers' Liability coverage with limits not less than \$1,000,000 each accident, injury or illness.

Contractor is notified that in the event that Contractor employs professional engineering or land surveyor services for performing field engineering or preparing design calculations, plans and specifications, Contractor shall require the retained



San Francisco Public Works  
Making San Francisco a beautiful, livable, vibrant, and sustainable city.



engineers and land surveyors to carry professional liability insurance with limits not less than \$1,000,000 each claim with respect to negligent acts, errors or omissions in connection with professional services to be provided under the subject Contract.

This Order serves as the Notice to Proceed.

**DISTRIBUTION:**

Substructure Support, Inc.

IDC: [Patrick Rivera@sfdpw.org](mailto:Patrick.Rivera@sfdpw.org); [Iqbal.Dhapa@sfdpw.org](mailto:Iqbal.Dhapa@sfdpw.org), [Ray.Lui@sfdpw.org](mailto:Ray.Lui@sfdpw.org), [Thomas.Roitman@sfdpw.org](mailto:Thomas.Roitman@sfdpw.org)

Deputy Director: [John.Thomas@sfdpw.org](mailto:John.Thomas@sfdpw.org)

Public Affairs: [Jennifer.Blot@sfdpw.org](mailto:Jennifer.Blot@sfdpw.org)

K2Systems: [K2Systems@sfdpw.org](mailto:K2Systems@sfdpw.org)

Contract Admin: [ContractAdmin.Staff@sfdpw.org](mailto:ContractAdmin.Staff@sfdpw.org);

X

DocuSigned by:

*Thomas, John*

Thomas, .....35E21A1422EC48E...

Acting Director of Public Works

X

DocuSigned by:

*Dawson, Julia*

Dawson, Ju... 90C3DBA632E341F...

Mayor's Designee



November 5, 2018

Mayor London Breed  
City and County of San Francisco  
City Hall, Rm. 200

London N. Breed  
Mayor

Mohammed Nuru  
Director

The Honorable Board of Supervisors  
City and County of San Francisco  
City Hall, Rm. 244  
Attention: Ms. Angela Calvillo, Clerk of the Board

Bruce Robertson  
Finance Manager

General Administration/Finance  
1155 Market St., 4th floor  
San Francisco, CA 94103  
tel 415-554-5418

Mr. Ben Rosenfield, Controller  
City and County of San Francisco  
City Hall, Rm. 316

[sfpublicworks.org](http://sfpublicworks.org)  
[facebook.com/sfpublicworks](https://facebook.com/sfpublicworks)  
[twitter.com/sfpublicworks](https://twitter.com/sfpublicworks)

Subject: Third Street Sewer System Emergency Repair

Dear Mayor Breed, Members of the Board and Mr. Rosenfield:

An Emergency exists as a result of an inspection and discovery of a damaged storm sewer system in the vicinity of Third Street between Berry Street and the Third Street Bridge. The damage includes some settlement of the basin, cracks within the walls and lid of the sewer and some void spaces. The current state of the sewer system poses a hazard to the sewer system function and the safety of the roadway and public above. There is an imminent risk of collapse of the roadway and sidewalk on a highly travelled portion of the street. Such collapse could harm pedestrians, cyclists, drivers, or workers and City personnel at the adjacent construction site. This condition constitutes an emergency involving the health, safety and property of the citizens of the City & County of San Francisco.

San Francisco Public Works' internal order is attached for your reference, which explain the necessity for immediate action. Public Works has retained the services of Substructure Support, Inc. to immediately begin the work. The cost for the work is currently anticipated to be less than \$700,000.00.

Sincerely,

Mohammed Nuru  
Director of Public Works

BOARD OF SUPERVISORS  
SAN FRANCISCO  
2018 NOV -6 PM 3:40



December 7, 2018

Angela Calvillo, Clerk of the Board  
Board of Supervisors  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102-4689

London N. Breed  
Mayor

Mohammed Nuru  
Director

San Francisco Public Works  
1 Dr. Carlton B. Goodlett Pl.  
Room 348  
San Francisco, CA 94102  
tel 415-554-6920

[sfpublicworks.org](http://sfpublicworks.org)  
[facebook.com/sfpublicworks](https://facebook.com/sfpublicworks)  
[twitter.com/sfpublicworks](https://twitter.com/sfpublicworks)  
[twitter.com/mrcleansf](https://twitter.com/mrcleansf)

Dear Ms. Calvillo:

Attached please find a proposed resolution for the Board of Supervisors approval, which approves a declaration of emergency and contract award for a damaged portion of the sewer system in the vicinity of Third Street between Berry Street and the Third Street Bridge, estimated to cost more than \$250,000 to repair, pursuant to Administrative Code, Section 6.60(b).

The following is a list of accompanying documents:

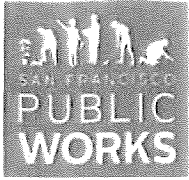
- Proposed Resolution
- Public Works Order No: 200136
- Signed notification letters to the Board of Supervisors, the Mayor and the Controller

The contact person for this proposed legislation Jeremy Spitz, Special Assistant for Legislative Affairs, who can be reached at 415-554-6972 or [Jeremy.Spitz@sfdpw.org](mailto:Jeremy.Spitz@sfdpw.org).

Sincerely,

Julia Dawson  
Acting Director of Public Works

BOA 11/07/18 11:08 AM  
2018 DEC -7 PM 2:55  
ST



November 5, 2018

Mayor London Breed  
City and County of San Francisco  
City Hall, Rm. 200

RECEIVED  
18 NOV -6 PM 3:47  
CITY & COUNTY OF S.F.  
MARKET STREET

London N. Breed  
Mayor

Mohammed Nuru  
Director

The Honorable Board of Supervisors  
City and County of San Francisco  
City Hall, Rm. 244  
Attention: Ms. Angela Calvillo, Clerk of the Board

Bruce Robertson  
Finance Manager

General Administration/Finance  
1155 Market St., 4th floor  
San Francisco, CA 94103  
tel 415-554-5418

Mr. Ben Rosenfield, Controller  
City and County of San Francisco  
City Hall, Rm. 316

[sfpublicworks.org](http://sfpublicworks.org)  
[facebook.com/sfpublicworks](https://facebook.com/sfpublicworks)  
[twitter.com/sfpublicworks](https://twitter.com/sfpublicworks)

Subject: Third Street Sewer System Emergency Repair

Dear Mayor Breed, Members of the Board and Mr. Rosenfield:

An Emergency exists as a result of an inspection and discovery of a damaged storm sewer system in the vicinity of Third Street between Berry Street and the Third Street Bridge. The damage includes some settlement of the basin, cracks within the walls and lid of the sewer and some void spaces. The current state of the sewer system poses a hazard to the sewer system function and the safety of the roadway and public above. There is an imminent risk of collapse of the roadway and sidewalk on a highly travelled portion of the street. Such collapse could harm pedestrians, cyclists, drivers, or workers and City personnel at the adjacent construction site. This condition constitutes an emergency involving the health, safety and property of the citizens of the City & County of San Francisco.

San Francisco Public Works' internal order is attached for your reference, which explain the necessity for immediate action. Public Works has retained the services of Substructure Support, Inc. to immediately begin the work. The cost for the work is currently anticipated to be less than \$700,000.00.

Sincerely,

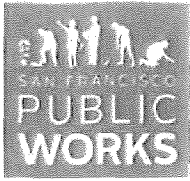
Mohammed Nuru  
Director of Public Works



LONDON N. BREED, MAYOR

**JOCELYNE JACKSON**

FRONT OFFICE COORDINATOR



November 5, 2018

Mayor London Breed  
City and County of San Francisco  
City Hall, Rm. 200

415-554-7631  
415-554-6141 MAIN  
415-554-6160 FAX  
jocelyne.jackson@sfgov.org  
www.sfmayor.org

OFFICE OF THE MAYOR  
CITY HALL, ROOM 200  
1 DR. CARLTON B. GOODLETT PL.  
SAN FRANCISCO, CA 94102

London N. Breed  
Mayor

Mohammed Nuru  
Director

Bruce Robertson  
Finance Manager

General Administration/Finance  
1155 Market St., 4th floor  
San Francisco, CA 94103  
tel 415-554-5418

[sfpublicworks.org](http://sfpublicworks.org)  
[facebook.com/sfpublicworks](https://facebook.com/sfpublicworks)  
[twitter.com/sfpublicworks](https://twitter.com/sfpublicworks)

The Honorable Board of Supervisors  
City and County of San Francisco  
City Hall, Rm. 244  
Attention: Ms. Angela Calvillo, Clerk of the Board

Mr. Ben Rosenfield, Controller  
City and County of San Francisco  
City Hall, Rm. 316

Subject: Third Street Sewer System Emergency Repair

Dear Mayor Breed, Members of the Board and Mr. Rosenfield:

An Emergency exists as a result of an inspection and discovery of a damaged storm sewer system in the vicinity of Third Street between Berry Street and the Third Street Bridge. The damage includes some settlement of the basin, cracks within the walls and lid of the sewer and some void spaces. The current state of the sewer system poses a hazard to the sewer system function and the safety of the roadway and public above. There is an imminent risk of collapse of the roadway and sidewalk on a highly travelled portion of the street. Such collapse could harm pedestrians, cyclists, drivers, or workers and City personnel at the adjacent construction site. This condition constitutes an emergency involving the health, safety and property of the citizens of the City & County of San Francisco.

San Francisco Public Works' internal order is attached for your reference, which explain the necessity for immediate action. Public Works has retained the services of Substructure Support, Inc. to immediately begin the work. The cost for the work is currently anticipated to be less than \$700,000.00.

Sincerely,

Mohammed Nuru  
Director of Public Works

**FORM SFEC-126**  
**NOTIFICATION OF CONTRACT APPROVAL**  
 (S.F. Campaign and Government Conduct Code § 1.126)

<b>City Elective Officer Information</b> <i>(Please print clearly)</i>	
Name of City elective officer(s): Members, San Francisco Board of Supervisors	City elective office(s) held: Members, San Francisco Board of Supervisors

<b>Contractor Information</b> <i>(Please print clearly)</i>	
Name of Contractor: Substructure Support, Inc.	
<i>Please list the names of (1) members of the contractor's board of directors; (2) the contractor's chief executive officer, chief financial officer and chief operating officer; (3) any person who has an ownership of 20 percent or more in the contractor; (4) any subcontractor listed in the bid or contract; and (5) any political committee sponsored or controlled by the contractor. Use additional pages as necessary.</i>	
(2) Steve Neville (CEO, CFO, and COO)	
Contractor address: 4989A Peabody Road Fairfield, CA 94533	
Date that contract was approved:	Amount of contract: Not to exceed \$700,000
Describe the nature of the contract that was approved:	
Public Works has executed a contract with Substructure Support, Inc., to fix damage to some settlement of the basin, cracks within the walls and lid of the sewer and some void spaces. The current state of the sewer system poses a hazard to the sewer system function and the safety of the roadway and public above.	
Comments:	

This contract was approved by (check applicable)

The City elective officer(s) identified on this form

A board on which the City elective officer(s) serves

San Francisco Board of Supervisors

\_\_\_\_\_  
Print Name of Board

The board of a state agency (Health Authority, Housing Authority Commission, Industrial Development Authority Board, Parking Authority, Redevelopment Agency Commission, Relocation Appeals Board, Treasure Island Development Authority) on which an appointee of the City elective officer(s) identified on the form sits

\_\_\_\_\_  
Print Name of Board

<b>Filer Information</b> <i>(Please print clearly)</i>	
Name of filer: Angela Calvillo, Clerk of the Board	Contact telephone number: (415) 554-5184
Address: City Hall, Room 244, 1 Dr. Carlton B. Goodlett Pl., San Francisco, CA 94102	E-mail: Board.of.Supervisors@sfgov.org

\_\_\_\_\_  
Signature of the Elective Officer (if submitted by City elective officer)

\_\_\_\_\_  
Date Signed

\_\_\_\_\_  
Signature of Board Secretary or Clerk (if Submitted by Board Secretary or Clerk)

\_\_\_\_\_  
Date Signed