

1 [Novation Agreement - MWH Americas, Inc. to Stantec Consulting Services, Inc. - Planning
2 and Engineering Services Contract - Central Bayside System Improvement Project]

3 **Resolution approving the novation of the San Francisco Public Utilities Commission**
4 **(SFPUC) Agreement No. CS-169, for planning and engineering services for the Central**
5 **Bayside System Improvement Project, from MWH Americas, Inc. to Stantec Consulting**
6 **Services, Inc., and authorizing the SFPUC General Manager to negotiate and execute a**
7 **Novation Agreement, pursuant to Charter, Section 9.118.**

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9 WHEREAS, On February 28, 2012, by Resolution No. 12-0035, the San Francisco
10 Public Utilities Commission (SFPUC) awarded Agreement No. CS-169, Planning and
11 Engineering Services, Central Bayside Improvement Program, and authorized the General
12 Manager to execute a professional services agreement, in the amount of \$30,000,000 and
13 with a duration of nine years, to the MWH/URS Joint Venture subject to approval by the San
14 Francisco Board of Supervisors, and

15 WHEREAS, On May 15, 2012, by Resolution No. 179-12, the San Francisco Board of
16 Supervisors approved Agreement No. CS-169 between the SFPUC and MWH/URS Joint
17 Venture pursuant to Charter, Section 9.118; and

18 WHEREAS, On July 28, 2015, subject to approval by the Board of Supervisor pursuant
19 to Charter, Section 9.118, by Resolution 15-0166, the SFPUC authorized a Consent to
20 Assignment of Agreement No. CS-169 to resolve a conflict of interest that arose as a result of
21 AECOM Technology Corporation's acquisition of URS Corporation, a partner in the
22 MWH/URS Joint Venture; and

23 WHEREAS, The Consent to Assignment assigned the interests in Agreement No.
24 CS-169 to MWH Americas, Inc.; and

1 WHEREAS, On September 29, 2015, by Resolution No. 353-15, the San Francisco
2 Board of Supervisors approved the terms and conditions of the Consent to Assignment
3 Agreement for Agreement No. CS-169, and authorized the SFPUC General Manager to
4 execute a Consent to Assignment Agreement pursuant to Charter, Section 9 .118; and

5 WHEREAS, On January 1, 2017, MWH Americas, Inc. merged into Stantec Consulting
6 Services Inc., resulting in Stantec Consulting Services Inc. acquiring all the assets,
7 obligations, and liabilities of MWH Americas, Inc.; and

8 WHEREAS, MWH Americas, Inc. is currently performing services that are needed to
9 provide planning and engineering services for the Central Bayside System Improvement
10 Project; and

11 WHEREAS, The SFPUC has concluded that Stantec Consulting Services Inc., which
12 meets the minimum qualifications of the original Request for Proposals, is the only consultant
13 that can readily perform these services without causing severe disruption to the continued
14 operation of the Central Bayside System Improvement Project; moreover, background
15 resources required to complete these services would be lost if the City was required to
16 completely procure the contract again; and

17 WHEREAS, On April 11, 2017, by Resolution No. 17-0066, the SFPUC approved the
18 novation of Agreement No. CS-169, Planning and Engineering Services, Central Bayside
19 System Improvement Project, to Stantec Consulting Services, Inc., and authorized the
20 General Manager of the SFPUC to negotiate and execute a Novation Agreement, with
21 Stantec Consulting Services Inc., in a form approved by the City Attorney, subject to the San
22 Francisco Board of Supervisors' approval; and

23 WHEREAS, The proposed Novation Agreement for Agreement No. CS-169 is on file
24 with the Clerk of the Board of Supervisors in File No. 170586, and is hereby declared to be
25 part of this Resolution as if fully set forth herein; now, therefore, be it

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RESOLVED, That the San Francisco Board of Supervisors hereby approves the novation of Agreement No. CS-169, and authorizes the General Manager of the SFPUC to negotiate and execute a Novation Agreement with Stantec Consulting Services Inc., pursuant to Charter, Section 9.118.

FURTHER RESOLVED, That within thirty (30) days of the Novation Agreement being fully executed by all parties, the SFPUC shall provide the final Novation Agreement to the Clerk of the Board for inclusion into the official file.



City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 170586

Date Passed: July 25, 2017

Resolution approving the novation of the San Francisco Public Utilities Commission (SFPUC) Agreement No. CS-169, for planning and engineering services for the Central Bayside System Improvement Project, from MWH Americas, Inc. to Stantec Consulting Services, Inc., and authorizing the SFPUC General Manager to negotiate and execute a Novation Agreement, pursuant to Charter, Section 9.118.

July 13, 2017 Budget and Finance Sub-Committee - RECOMMENDED

July 25, 2017 Board of Supervisors - ADOPTED

Ayes: 11 - Breed, Cohen, Farrell, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Tang and Yee

File No. 170586

I hereby certify that the foregoing
Resolution was ADOPTED on 7/25/2017 by
the Board of Supervisors of the City and
County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

Date Approved