

1 [Waiver of Administrative Code section 6.64 to allow modification of Agreement No. CS-525A  
2 in an amount that exceeds one hundred-fifty percent of the original contract amount.]

3 **Ordinance granting the San Francisco Public Utilities Commission a waiver of**  
4 **Administrative Code section 6.64 to allow the contract amount of Agreement No. CS-**  
5 **525A with Olivia Chen Consultants to exceed one hundred-fifty percent of the original**  
6 **contract amount.**

7 Note: Additions are *single-underline italics Times New Roman*;  
8 deletions are ~~*strikethrough italics Times New Roman*~~.  
9 Board amendment additions are double underlined.  
Board amendment deletions are ~~strikethrough normal~~.

10 Be it ordained by the People of the City and County of San Francisco:

11 Section 1. General Findings:

12 (a) In early 2001, the California Division of Dams (DSOD) required the San  
13 Francisco Public Utilities Commission (SFPUC) to conduct a geotechnical exploration  
14 program to determine the safe operating levels for the Calaveras Dam and Reservoir.

15 (b) In the summer of 2001, the SFPUC contracted with Olivia Chen Consultants via  
16 As-Needed Contract No. CS-525A, Specialized Engineering Services, to conduct the  
17 geotechnical exploration program for the Calaveras Dam and Reservoir. The scope of work  
18 involved complex and comprehensive analyses of the surrounding rock and soil conditions  
19 using drilling, barge drilling, soil testing and dam instrumentation.

20 (c) Olivia Chen Consultants completed all fieldwork in July 2002, and completed its  
21 final report in January 2003. Based on the final report, DSOD approved the continued  
22 operation of Calaveras Reservoir at a reduced water level.

23 (d) Section 6.64 of the San Francisco Administrative Code provides in relevant part  
24 that cumulative modifications to an as-needed contract shall not result in a contract sum  
25 exceeding one hundred-fifty percent of the original contract amount.

1 (e) The original contract amount for Agreement CS-525A was \$800,000. The  
2 modification for Olivia Chen Consultants is in the amount of \$309,692 which, if approved,  
3 would bring the total contract amount for Agreement CS-525A to \$1,509,691.

4 (f) SFPUC Resolution No. 02-0166 authorizes the General Manager to (i) request  
5 that the Board of Supervisors grant a waiver of Administrative Code section 6.64 to allow  
6 Agreement No. CS-525A to be increased such that cumulative modifications to the Agreement  
7 will exceed one hundred-fifty percent of the original contract amount; and (ii) upon receipt of  
8 such a waiver, to increase the contract amount for Agreement No. CS-525A by \$309,692 for a  
9 total contract amount of \$1,509,691.

10 (g) The SFPUC arranged for an independent audit of all invoices and expenses to  
11 confirm that Olivia Chen Consultants performed additional services in the amount of  
12 \$309,692.

13 Section 2. Waiver of Section 6.64 of the Administrative Code, As-Needed Contracts:

14 (a) By this Ordinance, the Board of Supervisors grants the SFPUC a waiver of  
15 Administrative Code section 6.64 to allow the contract amount of Agreement No. CS-525A  
16 with Olivia Chen Consultants to be increased by \$309,692 for a total contract amount of  
17 \$1,509,691.

18 APPROVED AS TO FORM:  
19 DENNIS J. HERRERA, City Attorney

20 By: \_\_\_\_\_  
21 John G. White  
22 Deputy City Attorney

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