

# **PUBLIC UTILITIES COMMISSION**

City and County of San Francisco

RESOLUTION NO. 17-0043

WHEREAS, San Francisco Public Utilities Commission staff developed a project description for Project No. CWWSIPSE02, Southeast Water Pollution Control Plant (SEP) New Headworks Facility (Project); and

WHEREAS, The objectives of the Project are to replace the two headworks facilities (SEP 011 and SEP 012 Headworks) and make modifications at the Bruce Flynn Pump (BFS) Station facility in order to provide a centralized and efficient preliminary treatment system to improve screening and grit removal, ensure meeting the level of service, maintain regulatory compliance, protect public health and safety, meet current seismic standards and construct a new odor control facility; and

WHEREAS, On May 24, 2016, through Resolution No. 16-0099, this Commission awarded Sewer System Improvement Program Funded Agreement No. WW-628 to Sundt/Walsh Joint Venture (JV) as a Construction Manager/General Contractor (CM/GC) to provide pre-construction services for the Project and, subject to the completion of environmental review and approval of the Project, to provide construction services to deliver the Project; and

WHEREAS, The Notice-to-Proceed date for Pre-Construction was set for August 15, 2016; and

WHEREAS, A Preliminary Mitigated Negative Declaration (PMND) for the Project was prepared and published for public review on November 2, 2016; and

WHEREAS, The PMND was available for public comment until December 2, 2016 and no public comments were received on the PMND; and

WHEREAS, On December 19, 2016, the Environmental Review Officer (ERO) reviewed and considered the Final Mitigated Negative Declaration (FMND) and found that the contents of said report and the procedures through which the FMND was prepared, publicized, and reviewed complied with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.) (CEQA), 14 California Code of Regulations Sections 15000 et seq. (the CEQA Guidelines) and Chapter 31 of the San Francisco Administrative Code (Chapter 31); and

WHEREAS, The ERO found the FMND was adequate, accurate and objective, reflected the independent analysis and judgment of the Planning Department, and certified the FMND for the Project in compliance with CEQA, the CEQA Guidelines and Chapter 31; and

WHEREAS, The Planning Department is the custodian of records, located in File No. 2015-006224ENV, at 1650 Mission Street, Fourth Floor, San Francisco, California; and

WHEREAS, The FMND, CEQA Findings, and Mitigation Monitoring and Reporting Program (MMRP) were made available to the public and this Commission for this Commission's review, consideration and action; and

WHEREAS, The original contract amount was for \$244,562,224; the contract duration for pre-construction is 625 consecutive calendar days and construction phase duration is 2,033 consecutive calendar days; and

WHEREAS, Modification No. 1 is being issued to increase the scope and contract amount for construction by \$11,600,000 to construct 12kV infrastructure, seismic upgrade of SEP 042 Primary, install Bar Screens at BFS Pump Station and control system work in order to facilitate construction coordination, increasing the contract amount for construction up to \$252,295,198 and the total contract amount up to \$256,162,224; and

WHEREAS, Scope A is included in the FMND, Scopes B and D were determined not to be a project under CEQA Guidelines Section 15378 because they would not cause a change in the physical environment, and Scope C was determined by Planning on June 24, 201, to be a project of independent utility and exempt under CEQA Guidelines Section 15301, Class 1(Existing Facilities) (b); and

WHEREAS, Subject to approval of the Project, staff recommends authorizing the Project to proceed to the Construction Phase, consistent with this Commission Resolution, and for Sundt/Walsh JV to provide construction services in the amount up to \$252,295,198 consistent with the terms and conditions of Agreement No. WW-628; and

WHEREAS, Subject to the Commission's approval of the Project, funding will be available in the amount of \$252,295,400 for construction services from State Revolving Loans Funds and/or Wastewater Enterprise Revenue Bonds, subject to appropriation and certification of funds; now therefore, be it

RESOLVED, That the SFPUC has reviewed and considered the FMND and the record as a whole, and finds that the FMND is adequate for its use as the decision making body for the Project, that there is no substantial evidence that the Project will have a significant effect on the environment with the adoption of the mitigation measures contained in the MMRP and that the FMND reflects the City's independent judgment and analysis, and hereby adopts the FMND; and be it

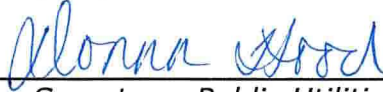
FURTHER RESOLVED, That the SFPUC hereby adopts the CEQA Findings and the MMRP attached hereto as Attachments A and B and incorporated herein as part of this Resolution by this reference thereto and commits to all required mitigation measures identified in the FMND and contained in the MMRP; and be it

FURTHER RESOLVED, That the SFPUC shall ensure implementation of all mitigation measures identified in the MMRP either directly or via binding contractual mechanisms, and the SFPUC finds that the measures it is adopting can be carried out by the SFPUC at the designated time and are feasible at this time; and be it

FURTHER RESOLVED, That this Commission hereby approves Project No. CWWSIPSE02, SEP New Headworks Facility and authorizes the General Manager to proceed with actions necessary to implement the Project; and be it

FURTHER RESOLVED, That this Commission hereby authorizes the General Manager to proceed to the Construction Phase for Sundt/Walsh JV to deliver a new Headworks facility at the SEP in the amount up to \$256,162,224 in accordance with the terms and conditions of Agreement No. WW-628, subject to appropriation and certification of funds.

*I hereby certify that the foregoing resolution was adopted by the Public Utilities Commission at its meeting of February 28, 2017.*



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*Secretary, Public Utilities Commission*