

1 [Emergency Declaration - Repair Southeast Treatment Plant Final Effluent Force Main - Total  
2 Estimated Cost Not to Exceed \$5,000,000]

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 \$5,000,000.**

7  
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 and

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

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

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

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

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

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

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

20 WHEREAS, On December 26, 2018, due to the increased scope of work, the SFPUC  
21 General Manager issued a revised Declaration of Emergency, approved by the President of  
22 the San Francisco Public Utilities Commission, to repair the Southeast Treatment Plan Final  
23 Effluent Force Main and thereby protect public health and safety, with an increase in the  
24 estimated not to exceed amount of \$5,000,000, and clarifying that the repair work also should  
25 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:

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

FUNDS AVAILABLE:

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BEN ROSENFELD  
Controller