

**TO: Angela Calvillo, Clerk of the Board**

**FROM: Jeremy Spitz, Policy and Government Affairs**

**DATE: December 27, 2022**

**SUBJECT: Administrative Code Waivers and Delegation of Charter Contract Approval Authority - San Francisco Public Utilities Commission Biogas Utilization Project Agreements, Southeast Treatment Plant**

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Please see attached a proposed Ordinance amending the Administrative Code to authorize the San Francisco Public Utilities Commission (SFPUC) to exempt certain design, construction, finance, operation, and maintenance services and related agreements for the Public-Private Partnership (P3) delivery of the Biogas Utilization Project at the Southeast Treatment Plant (SEP), located at 1800 Jerrold Avenue, from Chapters 6, 14B, and 21, and Section 23.30 of the Administrative Code, but requiring compliance with the underlying public policies, including the payment of prevailing wages, implementation of a local business enterprise participation program, and compliance with the City's local hire policy and first source hiring ordinance, as applicable to such agreements, and permitting a best-value selection of the contractor team if the City elects to proceed with the Project after completing its review under the California Environmental Quality Act; and delegating to the SFPUC the authority under Charter Section 9.118 to approve all necessary contracts that are \$10,000,000 or more and/or in excess of 10 years.

The following is a list of accompanying documents:

- (1) Proposed Ordinance
- (2) Legislative Digest
- (3) SFPUC Resolution 22-0213

Please contact Jeremy Spitz at [jspitz@sfgwater.org](mailto:jspitz@sfgwater.org) if you need any additional information on these items.

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