

1 [Agreement - Brown and Caldwell - Wastewater Enterprise Sewer System Improvement  
2 Program - Not to Exceed \$80,000,000]

3 **Resolution authorizing the General Manager of the San Francisco Public Utilities  
4 Commission to execute an agreement with Brown and Caldwell for planning and  
5 engineering services for the Wastewater Enterprise, Sewer System Improvement  
6 Program-funded Agreement No. CS-235, Southeast Plant Biosolids Digester Facilities  
7 Project with an agreement amount not to exceed \$80,000,000 and duration not to  
8 exceed ten years.**

9  
10 WHEREAS, The existing digester and solids handling facilities at the Southeast Water  
11 Pollution Control Plant (SEP) represent technology developed in the 1940's and are currently  
12 operating well beyond their useful lives. They are not designed to withstand the maximum  
13 credible design earthquake. The Wastewater Enterprise recently has had to dedicate  
14 significant resources to repairing the existing digester and solids handling processes to keep  
15 them in operation and maintain regulatory compliance. With SEP receiving 80% of the City's  
16 wastewater/stormwater flows, the failure of the digestion and/or solids handling processes  
17 would be catastrophic. The City's ability to treat wastewater would be compromised, resulting  
18 in severe public health, safety, regulatory, and environmental impacts. Thus, the SFPUC  
19 authorized staff to initiate planning and engineering analysis for the proposed improvements  
20 to the Southeast Plant Biosolids Digester facilities; and

21 WHEREAS, It is necessary to procure the services of qualified wastewater engineering  
22 team to provide specialized wastewater and biosolids treatment planning and engineering  
23 services to supplement SFPUC staff, the SFPUC advertised a Request for Proposals (RFP)  
24 for the Wastewater Enterprise, Sewer System Improvement Program-funded Agreement No.  
25 CS-235, Southeast Plant Biosolids Digester Facilities Project (BDFP) on April 1, 2013; and

1        WHEREAS, The estimated cost of services is not to exceed \$80,000,000 and services  
2 are anticipated to begin in August 2013 and end no later than August 2023, and the duration  
3 of this agreement is not to exceed 10 years; and

4        WHEREAS, The Request for Proposals was advertised on April 1, 2013; and

5        WHEREAS, SFPUC received a sole proposal from Brown and Caldwell in response to  
6 the Request for Proposal; and

7        WHEREAS, SFPUC staff determined that Brown and Caldwell is imminently qualified to  
8 perform the services identified in the RFP and further outreach, re-advertising or modifying the  
9 RFP would not change the outcome of receiving additional proposals and in fact may result in  
10 a detrimental effect to the proposed BDFFP Project; and

11        WHEREAS, A Contract Monitoring Division (CMD) subconsulting goal of 10% was  
12 established for this project and Brown and Caldwell has committed to 14% Local Business  
13 Enterprise (LBE) participation (of the total value of services to be provided) for this agreement;  
14 and,

15        WHEREAS, The RFP solicited services for two phases of work: Phase 1: Planning and  
16 Preliminary Engineering and Phase 2: Detailed Design, Procurement and Engineering  
17 Construction Support. Task orders and expenditures shall be limited to pre-construction  
18 planning and engineering services until such time as the Commission reviews and considers  
19 the environmental analysis for the proposed BDFFP, determines whether or not to approve the  
20 proposed BDFFP project, and makes appropriate findings, all in compliance with the California  
21 Environmental Quality Act (CEQA), the CEQA Guidelines, and Chapter 31 of the San  
22 Francisco Administrative Code. The Phase 2 work will be dependent on the construction  
23 implementation strategy and project delivery methods to be selected by the SFPUC in Phase  
24 1. The treatment processes and the other elements of the proposed BDFFP project are  
25 technically complex and interdependent, and must ultimately operate as an efficient system;

1 therefore, it is essential that the planning and design be a single cohesive effort that  
2 addresses the entire project from planning through facility start-up; and

3 WHEREAS, Funds for this agreement will be available at the time of award of the  
4 agreement from Project CWWSIPDP, Biosolids Digester Project; and

5 WHEREAS, Charter Section 9.118(b) requires Board authorization, by resolution, of  
6 contracts with a value in excess of ten million dollars or terms anticipated to exceed ten (10)  
7 years; and

8 WHEREAS, On May 28, 2013, by Resolution No. 13-0086, the SFPUC approved the  
9 selection of and authorized the General Manager of the SFPUC to negotiate and execute the  
10 professional services agreement with a not-to-exceed amount of \$80,000,000 and a term not-  
11 to-exceed ten years, subject to Board approval, under Charter Section 9.118, of Wastewater  
12 Enterprise, Sewer System Improvement Program-funded Agreement No. CS-235, Southeast  
13 Plan Biosolids Digester Facilities Project to Brown and Caldwell; provided, however, that task  
14 orders and expenditures shall be limited to pre-construction planning and engineering  
15 services until such time as the SFPUC and the Board of Supervisors review and consider the  
16 final environmental analysis for the proposed BDFFP, the SFPUC determines whether or not to  
17 approve the proposed BDFFP project and the Board of Supervisors and the Mayor determine  
18 whether to appropriate funding for the proposed BDFFP, and both the SFPUC and Board make  
19 appropriate findings, all in compliance with CEQA, the CEQA Guidelines, and Chapter 31 of  
20 the San Francisco Administrative Code; now, therefore, be it

21 RESOLVED, That the Board of Supervisors authorizes the General Manager of the  
22 SFPUC to enter into an agreement with Brown and Caldwell in substantially the form of  
23 agreement on file with the Clerk of the Board of Supervisors in File No. 130589 in an amount  
24 not to exceed \$80 million and a term not to exceed ten years commencing in 2013 and  
25 concluding in 2023.