

PUBLIC UTILITIES COMMISSION

City and County of San Francisco

RESOLUTION NO. 24-0111

WHEREAS, The San Francisco Public Utilities Commission (SFPUC) Sunol Valley Water Treatment Plant Ozone project is necessary to control taste and odor in the raw water supplied to the Sunol Valley Water Treatment Plant; and

WHEREAS, On September 29, 2023, the SFPUC advertised Contract No. WD-2897, Sunol Valley Water Treatment Plant Ozonation; and

WHEREAS, The Engineer's Estimate is \$183,000,000 for this construction work to install a raw water ozone treatment system and associated facilities and equipment at the Sunol Valley Water Treatment Plant to control taste and odor in the raw water supplied from San Antonio and Calaveras Reservoirs; and

WHEREAS, The contract duration is 1,612 consecutive calendar days; and

WHEREAS, On January 11, 2024, SFPUC received and publicly opened three bids; and

WHEREAS, Staff and Contract Monitoring Division (CMD) reviewed the bids and the application of bid preferences and determined that J.F. Shea Construction, Inc., is the responsible bidder with the lowest responsive bid; and

WHEREAS, CMD established an 8% Local Business Enterprise (LBE) subcontracting requirement for this contract, and J.F. Shea Construction, Inc., committed to 8.65% LBE subcontractor participation in its bid submittal; and

WHEREAS, SFPUC has submitted an application to the State Water Resources Control Board for a State Revolving Fund (SRF) loan and may apply for Water Infrastructure Financing and Innovation Act (WIFIA) funding from the Environmental Protection Agency as well to provide low-interest financing for eligible project costs. If the project is selected by these funding programs, Business Services would return to the Commission to request approval to enter into any funding agreement; and

WHEREAS, On October 30, 2008, by Motion No. 17734, the Planning Commission certified a Final Program Environmental Impact Report (Program EIR) prepared for the Water System Improvement Program (WSIP) and on October 30, 2008, by Resolution No. 08-0200, this Commission approved the WSIP and adopted findings and a Mitigation Monitoring and Reporting Program, as required by the California Environmental Quality Act (CEQA); and

WHEREAS, On December 3, 2009, the Planning Commission, by Motion No. 17992, certified the Final Environmental Impact Report (Final EIR) for the Sunol Valley Water Treatment Plant Expansion and Treated Water Reservoir Project (Case Number 2006.0137E), which is tiered from the 2008 Program EIR and on December 08, 2009, by Resolution No. 09-0203, this Commission approved the Sunol Valley Water Treatment Plant Expansion and Treated Water Reservoir Project and adopted CEQA findings and a Mitigation Monitoring and Reporting Program required by the CEQA; and

WHEREAS, On July 13, 2023, the San Francisco Planning Department issued an Addendum to the Final EIR to construct a new ozonation facility and a new polymer feed facility at the plant, and to conduct repairs and improvements to existing treatment facilities at the plant and no public comments on the addendum were received; and the work under Contract No. WD-

2897, Sunol Valley Water Treatment Plant Ozonation is within the scope of the project authorized under the Final EIR and Addendum; and

WHEREAS, On March 13, 2024, the Addendum was circulated to the State Clearinghouse (SCH Number 2007082014) for public review and no comments were received; and

WHEREAS, The San Francisco Planning Department is the custodian of records, located in File No. 2006.0137E, at 49 South Van Ness Avenue, Suite 1400, San Francisco, California, 94103, which have been made available for review by this Commission and the public, and those files are part of the record before this Commission; and

WHEREAS, The Project files, including the Program EIR, Final EIR, Addendum to the Final EIR, Resolution No. 09-0203, CEQA Findings and the Mitigation Monitoring and Reporting Program have been made available for review by this Commission and the public, and those files are part of the record before this Commission; and

WHEREAS, This Commission has reviewed and considered the information contained in the Program EIR, Final EIR, the findings contained in SFPUC Resolution No. 09-0203, the Addendum to the Final EIR and all written and oral information provided by the Planning Department, the public, relevant public agencies, SFPUC and other experts and the administrative files for the Project; and

WHEREAS, Funding from Project No. 10033123, Sunol Valley Water Treatment Plant Ozone, will be available incrementally over the life of the contract through the Water Enterprise Capital Improvement Program; now, therefore, be it

RESOLVED, This Commission has reviewed and considered the Program EIR, Final EIR and the Addendum and the record as a whole, finds that the Final EIR and Addendum is adequate for its use as the decision-making body for the Project and incorporates the CEQA findings contained in Resolution No. 09-0203 by this reference thereto as though set forth in this Resolution; and be it

FURTHER RESOLVED, This Commission further finds that since the Program EIR and Final EIR as modified by the Addendum were finalized, there have been no substantial project changes and no substantial changes in project circumstances that would require major revisions to them due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts, and there is no new information of substantial importance that would change the conclusions set forth in them; and be it

FURTHER RESOLVED, That this Commission hereby awards Contract No. WD-2897, Sunol Valley Water Treatment Plant Ozonation, to the responsible bidder that submitted the lowest responsive bid, J.F. Shea Construction, Inc., in the amount of \$234,782,000, and for a duration of 1,612 consecutive calendar days.

I hereby certify that the foregoing resolution was adopted by the Public Utilities Commission at its meeting of May 14, 2024.

Cirilo Espinoza

Acting Commission Secretary, Public Utilities Commission