

PUBLIC UTILITIES COMMISSION

City and County of San Francisco

RESOLUTION NO. 13-0086

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

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

WHEREAS, The estimated cost of services is not to exceed \$80,000,000 and services are anticipated to begin in August 2013 and end in August 2023, and the duration of this agreement is not to exceed 10 years; and

WHEREAS, The proposal was advertised on April 1, 2013; and

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

WHEREAS, SFPUC staff and Contract Monitoring Division (CMD) has confirmed that Brown and Caldwell met the minimum qualifications and other pre-award requirements; and

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

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

WHEREAS, Failure to reach successful agreement on contract terms and conditions within 30 days of the date of the Commission award may result in award of the contract to the next highest ranked proposer, or re-advertising and re-selecting consultants at the discretion of the City; and

WHEREAS, The firms being awarded a contract by the SFPUC must be in compliance with the Equal Benefits Provisions of Chapter 12B of the City's Administrative Code either at the time of the award, or within 2 weeks of the date of the Commission award; failure of the bidder to obtain compliance certification from CMD may, in the General Manager's sole discretion, result in award of the agreement to the next highest ranked proposer, or re-advertising and re-selecting consultants at the discretion of the City; and

WHEREAS, The RFP solicited services for two phases of work: Phase 1: Planning and Preliminary Engineering and Phase 2: Detailed Design, Procurement and Engineering Construction Support. Task orders and expenditures shall be limited to pre-construction planning and engineering services until such time as the Commission reviews and considers the environmental analysis for the proposed BDFP, determines whether or not to approve the proposed BDFP project, and makes appropriate findings, all in compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and Chapter 31 of the San Francisco Administrative Code. The Phase 2 work will be dependent on the construction implementation strategy and project delivery methods to be selected by the SFPUC in Phase 1. The treatment processes and the other elements of the proposed BDFP project are technically complex and interdependent, and must ultimately operate as an efficient system; therefore, it is essential that the planning and design be a single cohesive effort that addresses the entire project from planning through facility start-up, should the Commission approve the construction of the BDFP; and

WHEREAS, Funds for this agreement will be available at the time of award of the agreement from Project CWWSIPDP, Biosolids Digester Project, now, therefore, be it

RESOLVED, That this Commission hereby approves the selection of Brown and Caldwell for the Wastewater Enterprise, Sewer System Improvement Program-funded Agreement No. CS-235, Southeast Plant Biosolids Digester Facilities Project, to provide planning and engineering services, and authorizes the General Manager of the San Francisco Public Utilities Commission to negotiate and execute a professional services agreement with Brown and Caldwell for an amount not-to-exceed \$80,000,000, and with a duration not-to-exceed 10 years, subject to Board of Supervisors approval, pursuant to Charter Section 9.118; provided, however, that task orders and expenditures shall be limited to pre-construction planning and engineering services until such time as the Commission reviews and considers the environmental analysis for the proposed BDFP, determines whether or not to approve the proposed BDFP project, and makes appropriate findings, all in compliance with CEQA, the CEQA Guidelines, and Chapter 31 of the San Francisco Administrative Code.

I hereby certify that the foregoing resolution was adopted by the Public Utilities Commission at its meeting of May 28, 2013.



Secretary, Public Utilities Commission