

1 [Contract Amendment - Sunol Valley Regional Construction Management Services - Water  
2 System Improvement Program Projects - Not to Exceed \$19,000,000]

3 **Resolution authorizing an amendment to the San Francisco Public Utilities**  
4 **Commission contract CS- 915R for Sunol Valley Regional Construction Management**  
5 **Services in the amount not to exceed \$ 3,000,000, for a total agreement not to exceed**  
6 **amount of \$19,000,000 to fund Construction Management Services for Bioregional**  
7 **Habitat Restoration actions required for various Water System Improvement Program**  
8 **Projects within the Sunol Valley Region, Alameda County, pursuant to Charter Section**  
9 **9.118, and adopting findings pursuant to the California Environmental Quality Act**  
10 **(CEQA).**

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12 WHEREAS, This Board of Supervisors, by Resolution No. 142-09 adopted on April 14,  
13 2009, approved SFPUC awarded Agreement No. CS-915R, Sunol Valley Regional  
14 Construction Management (CM) Services in the amount of \$16,000,000, and with a term of  
15 five years, to CH2M HILL, to provide CM services to WSIP projects within the Sunol Region,  
16 pursuant to Charter Section 9.118; and

17 WHEREAS, The SFPUC is undertaking a coordinated approach in developing  
18 mitigation for biological resource impacts of individual WSIP facility projects in order to avoid  
19 habitat fragmentation, preserve wildlife movement corridors and allow for plants and wildlife to  
20 disperse over large contiguous habitat areas. The SFPUC intends to undertake bioregional  
21 habitat restoration at selected compensatory mitigation habitat sites in the Sunol region to  
22 minimize environmental impacts, while achieving the overall habitat preservation and creation  
23 functions of the sites, to satisfy state and federal regulatory agencies permit requirements and  
24 mitigation measures adopted by the SFPUC and this Board for approved WSIP projects,  
25 which habitat sites may also satisfy requirements and serve as mitigation for projects still

1 undergoing environmental review, subject to subsequent review and action by the SFPUC  
2 and this Board (Bioregional Habitat Restoration); and

3 WHEREAS, Anticipated construction at these Bioregional Habitat Restoration sites  
4 includes excavation, soil placement, stream bank stabilization, and planting to create  
5 seasonal wetlands, riparian habitat and woodlands, to be undertaken pursuant to future  
6 construction contracts, for which CM services are required to augment SFPUC staff in  
7 overseeing the work. CM services also include certain pre-construction activities necessary to  
8 successful implementation of the habitat restoration sites, and for this reason, the SFPUC  
9 authorized Amendment No. 1 to CS 915R, subject to Board approval pursuant to Charter  
10 Section 9.118, and provided that only task orders for pre-construction activities may be issued  
11 subject to further review and approval with respect to each of the various sites in the Sunol  
12 Region; and

13 WHEREAS, Goat Rock, Goldfish Pond, Portal Road North, San Antonio Creek, and  
14 Sheep Camp are proposed Bioregional Habitat Restoration sites within the Sunol Valley  
15 Region for which CM services may be provided under Amendment No. 1 to contract CS. 915R  
16 by an SFPUC task order. The Goat Rock, Goldfish Pond and Portal Road North Bioregional  
17 Habitat Restoration sites are proposed as mitigation for WSIP facility improvement projects  
18 that have been approved by the SFPUC and for which this Board has adopted CEQA findings,  
19 including the Sunol Valley Water Treatment Plant Expansion and Treated Reservoir, New  
20 Irvington Tunnel, Bay Division Reliability Upgrade and Alameda Siphons Seismic Reliability  
21 project. The other proposed sites in this region are being reviewed as part of pending  
22 environmental analysis. In either case, CM services under Amendment No. 1 for each of  
23 these sites will be limited to pre-construction activities, unless and until the SFPUC and this  
24 Board have reviewed and considered the environmental analysis and adopted CEQA findings,

1 if required, for each of the Bioregional Habitat Restoration sites, and the SFPUC authorizes  
2 related construction activities for that site; and

3 WHEREAS, This Board and the SFPUC have previously reviewed and considered the  
4 information and findings contained in the Final Environmental Impact Reports (FEIRs) and  
5 adopted Resolutions, including CEQA Findings, for the Sunol Valley Water Treatment Plant  
6 Expansion and Treated Water Reservoir (Board Resolution No. 25-10), New Irvington Tunnel  
7 (Board Resolution No. 505-09) and Bay Division Reliability Upgrade Projects (Board  
8 Resolution No. 371-09), and the Final Mitigated Negative Declaration for the Alameda  
9 Siphons Seismic Reliability Upgrade Project (Board Resolution No. 94-09), and the Note to  
10 the File prepared by the San Francisco Planning Department, Major Environmental Analysis  
11 Division for the Goat Rock and Goldfish Pond mitigation sites (Board Resolution No. 370-10),  
12 for which Bioregional Habitat Restoration actions will be undertaken in the Sunol Valley  
13 region, all as contained in the respective project files, WSIP Program FEIR, SFPUC and  
14 Board Resolutions, which resolutions are incorporated herein by reference as though fully set  
15 forth, together with all written and oral information provided by the Planning Department, the  
16 public, relevant public agencies, SFPUC and other experts and the administrative files for this  
17 action as identified above; and

18 WHEREAS, This Board and the SFPUC, in adopting the aforementioned CEQA  
19 Findings for those projects, also included CEQA findings for the full implementation of one or  
20 more of the Bioregional Habitat Restoration sites that may also serve as mitigation for  
21 individual WSIP facility improvement projects that have not yet been approved. Neither the  
22 SFPUC, nor this Board, have committed to approve any of those pending WSIP projects or  
23 mitigation measures, nor to make any determination as to the adequacy of the these  
24 Bioregional Habitat Restoration sites as compensatory habitat mitigation for any WSIP project  
25 that has not yet been approved, including but not limited to the Calaveras Dam Replacement

1 Project and San Antonio Backup Pipeline Project, and both the SFPUC and this Board retain  
2 full discretion to consider the environmental documents for those other WSIP projects still  
3 undergoing environmental review, including but not limited to mitigation measures therein, and  
4 to adopt or decline to adopt findings required under CEQA for those projects; and

5 WHEREAS, The SFPUC, by its Resolution No. 10-0197, adopted November 9, 2010,  
6 authorized Amendment No. 1 to CS-915R in the amount not to exceed \$3,000,000 for  
7 additional CM services by CH2MHill with respect to implementation of various Bioregional  
8 Habitat Restoration sites that may be improved within the Sunol Valley Region, because the  
9 nature of the needed CM services is such that using existing skills and knowledge of the CM  
10 staff already working in the Sunol region will result in time and cost savings. The additional  
11 work is primarily environmental monitoring, which is seasonal and of short duration as a result  
12 of wildlife breeding cycles and weather patterns. With Amendment No. 1, the total not to  
13 exceed amount is \$19,000,000 for contract CS-915R for CM services in the Sunol Region;  
14 and

15 WHEREAS, A Human Rights Commission (HRC) sub consulting goal of 16% Local  
16 Business Enterprise (LBE) participation (of the total labor value of services to be provided)  
17 has been established for this agreement; and

18 WHEREAS, Funds for the amendment of the CS -915R agreement are available from  
19 Project No. CUW 38802 –Habitat Reserve Program (The Bioregional Habitat Restoration) and  
20 were accounted for in the existing WSIP budget, approved by the SFPUC on July 28, 2009;  
21 now, therefore, be it

22 RESOLVED, That this Board adopts the CEQA findings contained in SFPUC  
23 Resolution No. 10-0197 authorizing the Amendment No. 1 to contract CS 915R, on file with  
24 the Clerk of the Board of Supervisors in File No. \_\_\_\_\_, which is hereby declared to be a  
25 part of this Resolution as if set forth fully herein; and be it

1 FURTHER RESOLVED, That this Board reaffirms the findings adopted in Board  
2 Resolution Nos. 25-10 and 370-10, and finds that the FEIR for the Sunol Valley Water  
3 Treatment Plant Expansion and Treated Water Reservoir project is adequate for its use as the  
4 decision-making body for action taken herein; having assessed the impacts associated with  
5 implementation of the Goat Rock and Portal Road North mitigation sites and through Note to  
6 the File prepared by the Planning Department, determined that implementation of the Goldfish  
7 Pond site did not involve any new significant impacts not addressed in the FEIR; and be it

8 FURTHER RESOLVED, That this Board finds that since the FEIR was finalized, there  
9 have been no substantial changes in the Sunol Valley Water Treatment Plant Expansion and  
10 Treated Water Reservoir Project, and no substantial changes in circumstances relating to the  
11 project that would require major revisions to the FEIR due to the involvement of new  
12 significant environmental effects or an increase in the severity of previously identified  
13 significant impacts, and there is no new information of substantial importance that would  
14 change the conclusions set forth in the FEIR; and be it

15 FURTHER RESOLVED, That this Board hereby authorizes the General Manager of the  
16 SFPUC to execute Amendment No. 1 to Water Enterprise, Water System Improvement  
17 Program-funded Agreement No. CS-915R, Sunol Valley Regional Construction Management  
18 (CM) Services, with CH2M HILL for additional construction management services associated  
19 with Bioregional Habitat Restoration sites in the Sunol Valley Region; increasing the  
20 agreement by an amount not to exceed \$3,000,000, for a total agreement amount of  
21 \$19,000,000; provided that SFPUC shall limit expenditures on task orders to pre-construction  
22 activities for each individual site unless, and until such time as, the SFPUC and this Board  
23 reviews and considers the environmental analysis and adopt findings pursuant to CEQA, if  
24 required, with respect that Bioregional Habitat Restoration site in the Sunol Region, and the  
25 SFPUC authorizes the related construction activities; and be it

1           FURTHER RESOLVED, That neither this Board, nor the SFPUC, has committed to  
2 approve any pending WSIP projects or mitigation measures, nor to make any determination  
3 as to the adequacy of the these Bioregional Habitat Restoration sites as compensatory habitat  
4 mitigation for any WSIP project that has not yet been approved, including but not limited to the  
5 Calaveras Dam Replacement Project and San Antonio Backup Pipeline Project, and both the  
6 SFPUC and this Board retain full discretion to consider the environmental documents for  
7 those other WSIP projects still undergoing environmental review, including but not limited to  
8 mitigation measures therein, and to adopt or decline to adopt findings required under CEQA  
9 for those projects.

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