File No.
 230625
 Committee Item No.
 9
 Board Item No. 46

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee:	Budget and Finance Committee	Date	July 12, 2023
Board of Sup	pervisors Meeting	Date	July 18, 2023

Cmte Board

	Motion Resolution Ordinance Legislative Digest Budget and Legislative Analyst Report Youth Commission Report Introduction Form Department/Agency Cover Letter and/or Report MOU Grant Information Form Grant Budget Subcontract Budget Contract/Agreement Form 126 – Ethics Commission Award Letter Application Public Correspondence
OTHER	(Use back side if additional space is needed)
	Emergency Declaration 3/22/2023 PUC Presentation 7/12/2023 Presidential Memo - Temporary Assignment - Engardio 7/10/2023

Completed by:	Brent Jalipa	Date	July 6, 2023
Completed by:	Brent Jalipa	Date	July 13, 2023

 [Emergency Declaration - Repair of Hetch Hetchy Water and Power Roads - Not to Exceed -\$20,000,000]

Resolution approving an emergency declaration of the San Francisco Public Utilities
Commission pursuant to Administrative Code Section 6.60, to contract resources to
repair the road failures on Cherry Lake Road and Hetch Hetchy Road, which were
damaged by above normal precipitation and a series of recent winter storms, with a
total estimated emergency contract cost not to exceed \$20,000,000.

8

WHEREAS, Above-normal precipitation from November 2022 through March 2023 and 9 in particular a series of storms occurring March 10, 2023 through March 15, 2023 brought 10 11 heavy rainfall to upcountry locations, causing significant damage to the City's road infrastructure and impeded access to essential Hetch Hetchy watershed facilities; and 12 WHEREAS, The additional precipitation in March 2023, combined with early snowmelt 13 and previously saturated soils after the December 2022 and January 2023 series of 14 atmospheric river events, resulted in countless rockslides and multiple road failures, some 15 16 occurring along steep embankments, creating a risk to employee and public safety; and WHEREAS, Under the terms of the federal Raker Act, the City is obligated to maintain 17 these roads; and 18 WHEREAS, Cherry Lake Road has multiple slides – the top of Intake Grade (Intake) is 19 most concerning given that the road descends steeply to the Tuolumne River canyon floor 20 21 and has been eroded and undercut at multiple locations, reducing the roadbed to a single vehicle width; and 22 WHEREAS, The road has many additional hazard locations with overhanging rocks, 23 active slide areas, potential rockfalls and continued precipitation jeopardizes the remaining 24

25 roadbed; and

WHEREAS, Cherry Lake Road failure is a risk to emloyees, public safety, and would
 eliminate road access to the Intake 230kV Switchyard, Kirkwood Powerhouse, Holm
 Powerhouse, Cherry Lake Dam, Lake Eleanor Dam, and Cherry Lake Compound, including
 access for SFPUC employee residents of those facilities; and

5 WHEREAS, A section of Hetch Hetchy Road, which provides primary access to
6 O'Shaughnessy Dam from Early Intake, has failed completely in a steep location and is not
7 passable; and

8 WHEREAS, Under Administrative Code, Chapter 6, Section 6.60, "an 'actual 9 emergency' means a sudden, unforeseeable and unexpected occurrence involving a clear 10 and imminent danger, demanding immediate action to prevent or mitigate loss of or damage 11 to, life, health property or essential public services. An 'actual emergency' shall also mean 12 the discovery of any condition involving a clear and imminent danger to public health or 13 safety, demanding immediate action. Examples of an actual emergency may include, but are 14 not limited to, the following: (1) Weather conditions, fire, flood, earthquake or other 15 unforeseen occurrences of unusual character; or (2) The breakdown or imminent breakdown 16 of any plant, equipment, structure, street or Public Work necessitating immediate emergency 17 repair or reconditioning to safeguard the lives or property of the citizens; or the property of the 18 City; or to maintain the public health or welfare . . ."; and

WHEREAS, On March 22, 2023, the SFPUC General Manager declared an
emergency, which the President of the San Francisco Public Utilities Commission approved,
to contract resources to repair the road failures on Cherry Lake Road and Hetch Hetchy
Road; and

WHEREAS, Under Administrative Code, Section 6.60(d), the SFPUC General Manager
 must seek the Board of Supervisors' approval in all cases where the estimated cost of the
 emergency work exceeds \$250,000; and

Public Utilities Commission BOARD OF SUPERVISORS WHEREAS, The SFPUC estimates the cost of construction requiring an emergency
 contract under Section 6.60 to repair the road failures on Cherry Lake Road and Hetch Hetchy
 Road will not exceed \$20,000,000; and

WHEREAS, Certain repairs such as removing rocks and debris from the roadway,
placing traffic safety barricades to protect the public, clearing damaged/blocked culverts and
diverting runoff, installing visqueen to protect the remaining roadbed from erosion, and
removing additional hazard rocks from above the roadway, were prioritized for immediate
action using non-emergency contracts in place before the emergency condition; and
WHEREAS, Professional service contract task orders under non-emergency contracts

10 in place before the emergency condition are being used for planning, design, environmental,

- 11 and construction management; and
- 12 WHEREAS, The Controller has certified that funds are available for this emergency
- 13 work and contract; now, therefore, be it

14 RESOLVED, That the Board of Supervisors approves the SFPUC declaration of
15 emergency dated March 22, 2023, to contract for the repair of Cherry Lake Road and Hetch
16 Hetchy Road, for a total cost not to exceed \$20,000,000; and hereby authorizes the General
17 Manager to use any source of available Hetch Hetchy Water and Power funds for such
18 purposes, including the authority to reallocate funds between Authorities 15363 - Water,

19 15364 - Power, and 15365 - Joint, ; and, be it

FURTHER RESOLVED, That the Board of Supervisors ratifies actions taken to date by the San Francisco Public Utilities Commission to address such emergency work and resolve the emergency condition.

23

24 \$20,000,000 Available

Fund ID: HHP 2021 Bond Fund

25

25337

Public Utilities Commission BOARD OF SUPERVISORS

		ı
1	Fund ID: WTR CPF HHW 2021 Bond Fund	26602
2	Department ID: HHP10 Hetchy Water	298646
3	Project ID: 2023 January Winter Storm Jnt	10040016
3	Project ID: 2023 March Winter Storm Joint	10040031
4	Authority ID: UH Hetchy Water - Joint Projec	15365
F	Account ID: Bldgs,Struct&Imprv Proj-Budget	567000
5	Activity ID: Program Management Activity ID: Program Management	1
6		
7	Fund ID: HHD 2021 Rend Fund	25337
8	Fund ID: HHP 2021 Bond Fund Fund ID: WTR CPF HHW 2021 Bond Fund	26602
0	Department ID: HHP10 Hetchy Water	298646
9	Project ID: Hetchy Water - Joint Projects	10014093
10	Project ID: Mocc Old Powerhouse Hazard Mit	10037077
	Authority ID: UH Hetchy Water - Joint Projec	15365
11	Account ID: Bldgs,Struct&Imprv Proj-Budget	567000
12	Activity ID: Hetchy Water - Joint Projects Activity ID: Mocc Old Powerhouse Hazard Mit	1
13		
14	Fund ID: HHW CPF 2019 Bond	25327
. –	Fund ID: HHP 2021 Bond Fund	25337
15	Fund ID: WTR CPF HHW 2021 Bond Fund	26602
16	Department ID: HHP10 Hetchy Water	298646
. –	Project ID: R&R Wildfire Mitigation-Joint	10039681
17	Authority ID: UH Hetchy Water - Joint Projec	15365
18	Account ID: Bldgs,Struct&Imprv Proj-Budget	567000
19	Activity ID: R&R Wildfire Mitigation-Joint	1
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3	RECOMMENDED:	FUNDS AVAILABLE:
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5	/s/	/s/
6	Dennis Herrera	BEN ROSENFIELD
7	General Manager of the SFPUC	Controller
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	-	artment:	
Fil	ile 23-0625 Pub	lic Utilities Commission (PUC)	
EX	EXECUTIVE SUMMARY		
	Legisl	ative Objectives	
•		ove an emergency declaration of the San Francisco o repair road failures on Cherry Lake Road and Hetch o exceed \$20,000,000.	
		Key Points	
•	which had already been covered in sn facilities, was eroded and blocked by to changes in the landscape. Hetch H was not passable. SFPUC declared an	bught heavy rainfall to SFPUC's upcountry locations, ow. Cherry Lake Road, which provides access to SFPUC debris, with the potential for additional hazards due etchy Road failed completely in a steep location and emergency, and after a competitive process, SFPUC n contract to Sierra Mountain construction for an	
•	anticipates that approximately \$8.5 m Hetch Hetchy Road, repair to furthe contingencies associated with uncert	ntract with Sierra Mountain Construction, SFPUC nillion is needed for work at an additional location on er damage caused by construction equipment, and ain field conditions and partial designs at time of bid. yould be added to the scope of Sierra Mountain nge orders.	
	F	iscal Impact	
•	Sierra Mountain Construction's eme	aration is not to exceed \$20,000,000. In addition to rgency contract amount of \$11,541,525, the total million for additional anticipated construction work	
•	response also includes approximately Mountain Construction under an exis services for planning and design management. Including these tasks, t	unt of the emergency declaration, the emergency \$5 million for preliminary tasks completed by Sierra ating on-call contract and \$3.4 million in professional construction management, and environmental he total emergency response budget is approximately osts are funded by SFPUC's Hetch Hetchy Water and	
	Rec	ommendation	
•	Approve the proposed resolution.		
L			

MANDATE STATEMENT

Administrative Code Section 6.60(D) states that contracts entered into for emergency work that are more than \$250,000 are subject to Board of Supervisors approval. Prior to the commencement of emergency work above the \$250,000 threshold, the Department must also secure approval in writing from the Mayor, the President of the Board, or the Commission. If the emergency does not permit approval of the emergency determination by the Board of Supervisors before work begins, the Department head must submit a resolution approving the emergency determination to the Board of Supervisors within 60 days.

BACKGROUND

The State of California experienced above normal precipitation from November 2022 through March 2023, resulting in one of the wettest years on record. In March 2023, a series of storms brought heavy rainfall to the San Francisco Public Utilities Commission's (SFPUC) upcountry locations, which had already been covered in snow. Cherry Lake Road, which provides access to SFPUC facilities, was eroded and blocked by debris, with the potential for additional hazards due to changes in the landscape. Hetch Hetchy Road failed completely in a steep location and was not passable. Under the federal Raker Act, which authorized construction of the O'Shaughnessy Dam, SFPUC is responsible for maintaining these roads. On March 22, 2023, SFPUC General Manager Dennis Herrera declared an emergency, which was approved by SFPUC Commission President Newsha Ajami.

On April 20, 2023, SFPUC issued a Request for Qualifications (RFQ) to identify qualified firms to perform the road repairs through an emergency contract. SFPUC determined that six respondents were qualified and issued a Request for Bids (RFB) to these respondents. Two firms submitted bids, which were evaluated on a low-bid basis, as shown in Exhibit 1 below.

Exhibit 1: Respondents and Bids from RFB

Proposer	Bid Amount
Sierra Mountain Construction, Inc.	\$11,541,525
Wilson Utility Construction Company	17,352,792
Engineer's Estimate	\$14,000,000

Source: SFPUC

Sierra Mountain Construction, which also performed approximately \$5,000,000 of preliminary construction work through an existing on-call contract,¹ was deemed the lowest bidder at an amount of \$11,541,525, which was below the engineer's estimate of \$14,000,000, and was awarded an emergency contract. SFPUC submitted a resolution approving the emergency declaration to the Board of Supervisors on May 22, 2023, or 61 days after General Manager Herrera's declaration, which is one day after the deadline required by Administrative Code Section 6.60(D).

¹ Following a Request for Proposals (RFP) process, SFPUC awarded Sierra Mountain Construction an on-call construction contract in (2023) for an amount not to exceed (\$5,000,000).

DETAILS OF PROPOSED LEGISLATION

The proposed resolution would approve SFPUC's emergency declaration to repair road failures on Cherry Lake Road and Hetch Hetchy Road, with a total cost not to exceed \$20,000,000.

According to Jeremy Spitz, SFPUC Local and Regional Government Affairs Manager, Sierra Mountain Construction has begun construction. SFPUC anticipates that Cherry Lake Road construction will be complete in August 2023 and Hetch Hetchy Road construction will be complete in October 2023. SFPUC utilized Sierra Mountain Construction through an existing oncall contract to complete preliminary tasks, such as removing debris from the roadway, placing traffic safety barricades, clearing damaged/blocked culverts and diverting runoff, installing erosion protection measures, constructing small repairs, and removing additional hazard rocks from above the roadway. SFPUC has also used professional service contractors for planning and design, construction management, and environmental management work.

The City Attorney's Office has advised SFPUC that only new contracts, and not tasks initiated from existing contracts, should be counted towards the proposed \$20,000,000 not-to-exceed amount of the requested emergency declaration. For this reason, initial work undertaken by Sierra Mountain Construction and professional service contractors does not count towards the proposed resolution's \$20,000,000 not to exceed amount.

In addition to the emergency contract with Sierra Mountain Construction, SFPUC anticipates that approximately \$8.5 million is needed for work at an additional location on Hetch Hetchy Road, repair to further damage caused by construction equipment, and contingencies associated with uncertain field conditions and partial designs at time of bid. The additional construction work would be added to the scope of Sierra Mountain Construction's contract through change orders.

FISCAL IMPACT

The total cost of the emergency declaration is not to exceed \$20,000,000. In addition to Sierra Mountain Construction's emergency contract amount of \$11,541,525, the total amount includes approximately \$8.5 million for additional anticipated construction work and design contingencies, as shown in Exhibit 2 below.

Scope	Amount
Sierra Mountain Construction- Emergency Contract	\$11,541,525
Additional Sites Work	1,687,950
Pavement Repairs (Due to Construction Equipment)	4,375,800
Contingency (Due to Partial Design at Time of Bid)	2,390,000
Total	\$19,995,275

Exhibit 2: Estimated Emergency Declaration Budget

Source: SFPUC

In addition to the \$20 million amount of the emergency declaration, the emergency response also includes approximately \$5 million for preliminary tasks completed by Sierra Mountain Construction under an existing on-call contract and \$3.4 million in professional services for planning and design, construction management and environmental management. Including

these tasks, the total emergency response budget is approximately \$28.4 million. Emergency Response costs are funded by SFPUC's Hetch Hetchy Water and Power Enterprises.

RECOMMENDATION

Approve the proposed resolution.



Hetch Hetchy Water and Power (HHWP) Road Emergency Repair Project

Budget and Finance Committee

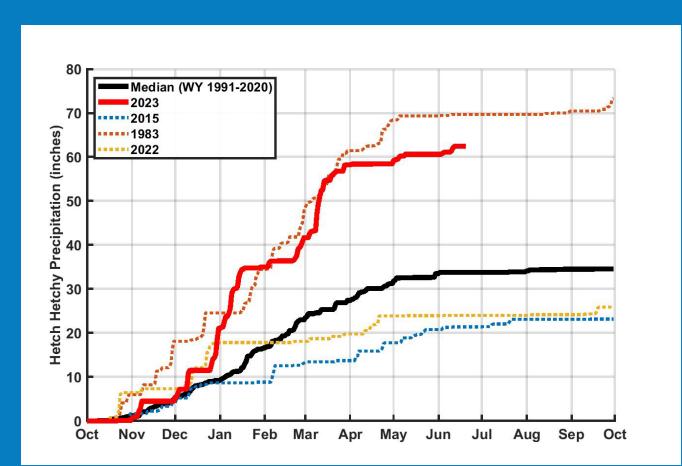
July 12, 2023

Margaret Hannaford, Hetch Hetchy Water Division Manager

San Francisco Public Utilities Commission



- November 2022 through March 2023, the gauge at Hetch Hetchy Reservoir recorded about 58 inches of precipitation (160% of what we normally expect in a 12 month period).
- Saturated soils and a series of atmospheric rivers events resulted in countless rockslides, multiple road failures, creating a risk to both employee and public safety and access issues to HHWP Project facilities.



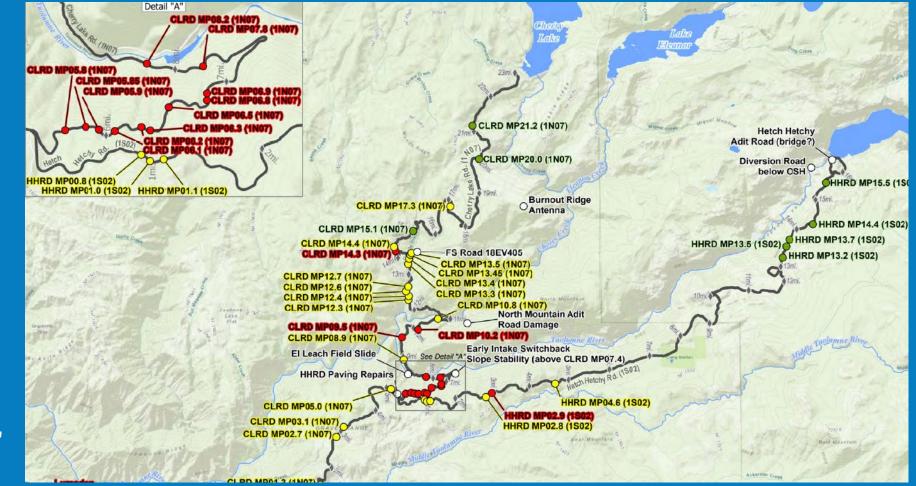


- HHWP Project assets stretch from Hetch Hetchy Reservoir in Yosemite National Park to Newark.
- Identified damage on our access roads to our facilities, from Hetch Hetchy Road down to Livermore Valley.





- The majority of storm damage is on Cherry Lake and Hetch Hetchy roads
- Significant damage identified by red markers
- Contract HH-1014E to remediate these sites
- The estimated cost to remediate these sites, marked in red, is \$20 million





•



- Hetch Hetchy Road (left)
- Above Cherry Lake Road (below)





- On April 20, 2023, SFPUC issued a Request for Qualifications to identify qualified firms to perform the road repairs through an emergency contract
- SFPUC determined that six respondents were qualified and issued a Request for Bids to these respondents
- Two of the six firms submitted bids

Proposer	Bid Amount
Sierra Mountain Construction, Inc.	\$11,541,525
Wilson Utility Construction Company	\$17,352,792
Engineer's Estimate	\$14,000,000



Contract	Contractor	Service	New Chapter 6.60	Existing Contracts
PRO.167.A	KH-Terra	Professional Services: Design		\$1.60 Million
PRO.167.B	Kleinfelder & Lee	Professional Services: Design		\$0.86 Million
PRO.097.A	AECOM-EMS	Professional Services: Design		\$0.63 Million
PRO.097.C	Avila & Associates	Professional Services: Design		\$0.07 Million
CS-258.C	URS	Professional Services: Design		\$0.25 Million
JOC 92	Sierra Mountain Construction, Inc. (SMCI)	Construction (Job Order Contract)		\$5.00 Million
HH-1014E	SMCI	Construction (Emergency Contract)	\$11.5 Million	
		TBD	\$8.5 Million	
		Total	\$20 Million	\$8.4 Million



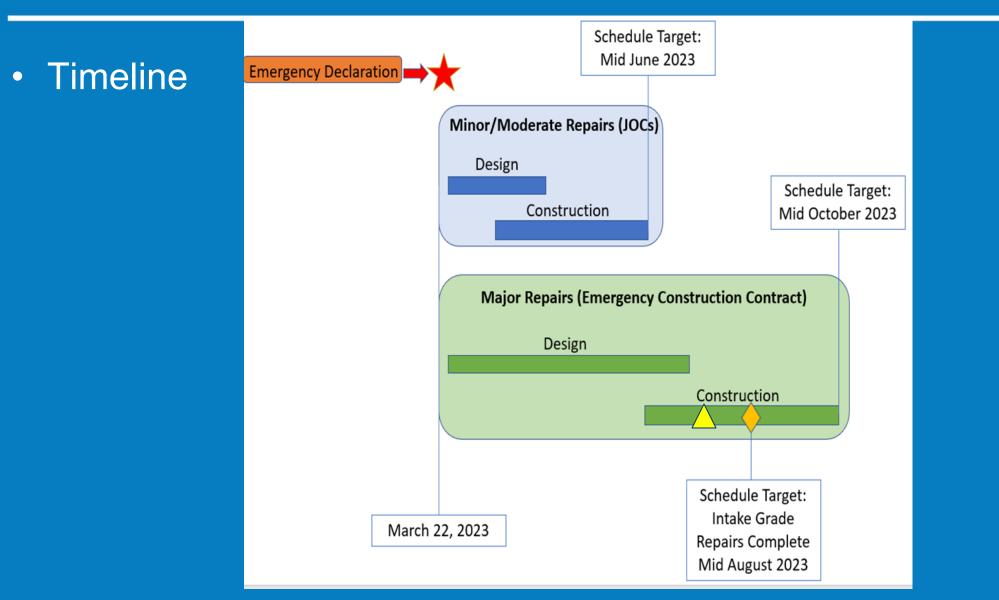
- HH-1014E, Sierra Mountain Construction Inc. emergency contract amount is \$11,541,525
- We have estimated contingencies at approximately \$5.5 to \$8.5 million
- Emergency declaration is not to exceed \$20,000,000

Scope	Amount
SMCI- Emergency Contract (HH-1014E)	\$11.5 Million
Additional Site(s) Work*	\$1.7 Million
Pavement Repairs (Due to Construction Equipment)**	\$4.4 Million
Contingency (Due to Partial Design at time of Bid)	\$2.4 Million
Total	\$20 Million

* Site on Hetch Hetchy Road. Current estimate at \$1.7 million.

** Cut, remove, dispose and replace about 4 miles of pavement (about 10% of total paved roads). Estimated at \$4.4 million.







• Questions?



MEMORANDUM

DATE:	March 22, 2023
TO:	Commissioner Newsha K. Ajami President, San Francisco Public Utilities Commission
FROM:	Dennis J. Herrera
SUBJECT:	Declaration of Emergency – Repair of Hetch Hetchy Water and Power Roads due to March Storms

In accordance with Chapter 6, Article IV, Section 6.6(D) and Section 21.15(a) of the Administrative Code of the City and County of San Francisco, I am declaring an emergency on behalf of the Public Utilities Commission.

Above normal precipitation from November 2022 to March 2023 has significantly impaired the City's road infrastructure to essential facilities. Under the terms of the federal Raker Act, the City is obligated to maintain these roads. The following figure shows precipitation at Hetch Hetchy during Water Year 2023 compared to the historical median and the wettest year on record (1983). A series of storms occurring March 10 to March 15 brought heavy rainfall to upcountry locations, which were already covered in snow. The additional precipitation combined with early snowmelt and already saturated soils after the December and January series of atmospheric river events resulted in countless rockslides and multiple road failures, some occurring along steep embankments, creating a risk to both employee and public safety. More precipitation is expected, and we expect the coming snowmelt this spring to be intense.

London N. Breed Mayor

Newsha K. Ajami President

Sophie Maxwell Vice President

> Tim Paulson Commissioner

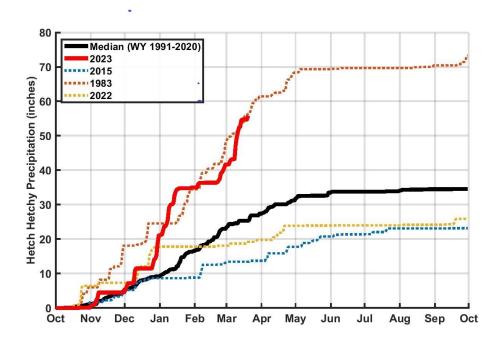
Anthony Rivera Commissioner

Kate H. Stacy Commissioner

Dennis J. Herrera General Manager



OUR MISSION: To provide our customers with high-quality, efficient and reliable water, power and sewer services in a manner that values environmental and community interests and sustains the resources entrusted to our care.



Cherry Lake Road has multiple slides – the top of Intake Grade (Intake) is most concerning. The road at Intake descends steeply to the Tuolumne River canyon floor and has been eroded and undercut at multiple locations, reducing the roadbed to a single vehicle width. The road has many additional hazard locations with overhanging rocks, active slide areas, and potential rockfalls. Continued precipitation jeopardizes the remaining roadbed. In addition to the risk to employees and public safety, Cherry Lake Road failure would eliminate road access to Intake 230kV Switchyard, Kirkwood Powerhouse, Holm Powerhouse, Cherry Lake Dam, Lake Eleanor Dam, and Cherry Lake Compound, including access for SFPUC employee residents of those facilities.

Also, a section of Hetch Hetchy Road failed completely in a steep location and is not passable. (See photo in Attachment A.). The road provides primary access to O'Shaughnessy Dam from Early Intake.

According to Chapter 6.60 of the Administrative Code, an "actual emergency" means a sudden, unforeseeable and unexpected occurrence involving a clear and imminent danger, demanding immediate action to prevent or mitigate loss of or damage to life, health, property, or essential public services. An "actual emergency" shall also mean the discovery of any condition involving a clear and imminent danger to public health or safety, demanding immediate action."

According to Section 21.15(a) of the Administrative Code, "The Board of Supervisors hereby declares that an actual emergency shall exist when it becomes necessary to immediately procure Commodities or Services to make repairs, to safeguard the lives or property of the citizens or the property of the City or to maintain public health or welfare as a result of extraordinary conditions created by war, epidemic, weather, fire, flood, earthquake or other catastrophe, or the breakdown of any plant equipment, structure, street or public work."

This emergency declaration is for contracting and emergency procurement authority to repair the road failures on Cherry Lake Road and Hetch Hetchy Road. The current estimate for repairs is \$20 million based on already observed damage as well as ongoing damage assessment work and expected damages to occur as a result of short-term wet weather and anticipated snowmelt runoff from the historic snowpack in the High Sierra.

The immediate- and high- priority field activities include: (1) removing rocks and debris from the roadway; (2) placing traffic safety barricades to protect the public; (3) clearing damaged/blocked culverts and diverting runoff; (4) installing visqueen to protect the remaining roadbed from erosion; and (5) removing additional hazard rocks from above the roadway. Repairs are being prioritized for immediate action using Job Order Contract task orders and near-term action using emergency construction contracts. Professional service contract task orders will be used for planning, design, environmental, and construction management.

I am therefore declaring the existence of an emergency. I trust that this meets with your concurrence and approval.

CONCUR AND APPROVE:

Newsha Khodatalab Ajami

Newsha K. Ajami – President, San Francisco Public Utilities Commission

cc: Commissioners Sophie Maxwell, Timothy Paulson, Anthony Rivera, and Kate H. Stacy Margaret Hannaford Steven Ritchie Moccasin Records

Attachment A Hetch Hetchy Road Failure – Stanislaus National Forest



President, District 3 BOARD of SUPERVISORS



City Hall 1 Dr. Carlton B. Goodlett Place, Room 244 San Francisco, CA 94102-4689 Tel. No. 554-7450 Fax No. 554-7454 TDD/TTY No. 544-6546

Aaron Peskin

PRESIDENTIAL ACTION

Date:

To: Angela Calvillo, Clerk of the Board of Supervisors

Madam Clerk,	horobu		
Pursuant to Board Rules, I am	-		
Waiving 30-Day Rule (Boar	rd Rule No. 3.23)		
File No.			
Title.		(Primary Sponsor)	
Transferring (Board Rule No 3.	3)		
File No.			
Title.		(Primary Sponsor)	
From:			Committee
To:			Committee
Assigning Temporary Con	nmittee Appoi	ntment (Board Rule No. 3.1)	
Supervisor:	Rep	placing Supervisor:	
For:			Meeting
(Date)		(Committee)	8
Start Time:	End Time:		
Temporary Assignmen	nt: Partial	Full Meeting	
		Cler Pl.	

Aaron Peskin, President Board of Supervisors



FROM: Jeremy Spitz, Policy and Government Affairs

DATE: May 22, 2023

SUBJECT: [Emergency Declaration - Repair of Hetch Hetchy Water and Power Roads – Total Estimated Cost Not to Exceed \$20,000,000]

Please see attached a proposed Resolution approving an emergency declaration of the San Francisco Public Utilities Commission pursuant to Administrative Code Section 6.60, to contract resources to repair the road failures on Cherry Lake Road and Hetch Hetchy Road, which were damaged by above normal precipitation and a series of recent winter storms, with a total estimated cost not to exceed \$20,000,000.

The following is a list of accompanying documents:

- Proposed Resolution (Word Doc Version)
- Signed SFPUC Declaration of Emergency Letter

Please contact Jeremy Spitz at jspitz@sfwater.org if you need any additional information on these items.

London N. Breed Mayor

> Newsha Ajami President

Sophie Maxwell Vice President

> Tim Paulson Commissioner

Tony Rivera Commissioner

Kate Stacy Commissioner

Dennis J. Herrera General Manager

