

# PUBLIC UTILITIES COMMISSION

City and County of San Francisco

RESOLUTION NO. 21-0116

WHEREAS, The San Francisco Public Utilities Commission (SFPUC) requires the assistance of a professional engineering firm to perform tunnel engineering and design of large underground sewage infrastructure services for a proposed Lower Alemany Area Stormwater Improvement Project (Project); and

WHEREAS, It is necessary to procure the services of a qualified professional engineering firm to provide specialized tunnel engineering and design of large underground sewage infrastructure services to supplement SFPUC staff for this proposed Project; and

WHEREAS, The estimated cost of services is \$7,500,000; and

WHEREAS, The Request for Proposals (RFP) was advertised on February 27, 2020; and

WHEREAS, Services are anticipated to begin in August 2021 and end in July 2027 and the duration of this agreement is six years; and

WHEREAS, For the reasons set forth in the Final Protest Determination letter dated November 20, 2020 on file with the Commission Secretary, SFPUC staff, in consultation with the City Attorney and the City's Contract Monitoring Division, determined to sustain the protest received on May 28, 2020, reject the Stantec/AGS JV proposal because it failed to meet the minimum qualifications in the RFP, and recommend award of the agreement to McMillen Jacobs Associates; and

WHEREAS, SFPUC and Contract Monitoring Division (CMD) staff, upon review of the scores, have determined that McMillen Jacobs Associates is the highest-ranking firm that meets the minimum qualifications based on the established scoring criteria; and

WHEREAS, CMD established a 10% Local Business Enterprise (LBE) subconsultant participation requirement on this project and McMillen Jacobs Associates committed to LBE subconsultant participation of 10.118%; 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 firm 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 two 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

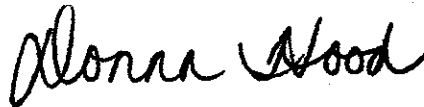
WHEREAS, Funds for Agreement No. PRO.0164, Engineering Services for the Lower Alemany Area Stormwater Improvement Project are available from SSIP-Funded Capital Project 10034360 – Lower Alemany Area Stormwater Improvement Project; and

WHEREAS, Authorization to execute this professional services agreement does not fall within the definition of a "project" under CEQA Guidelines Section 15378 because work under the agreement will consist of engineering design and support services, and no Engineering Support During Bid and Award, Start-up, Construction and Closeout services will be initiated under this contract until CEQA review is complete and until this Commission has reviewed and considered the CEQA determination and has approved the project; and

WHEREAS, Authorization to execute this professional services agreement is not an approval of the proposed Lower Alemany Area Stormwater Improvement Project and SFPUC retains discretion to, among other things, modify the proposed project to mitigate significant environmental impacts, require the implementation of specific measures to mitigate any significant environmental impacts of the projects, or reject the project, following completion of environmental review; now, therefore, be it

RESOLVED, That this Commission hereby approves the selection of McMillen Jacobs Associates and awards Sewer System Improvement Program-funded Agreement No. PRO.0164, Engineering Services for the Lower Alemany Area Stormwater Improvement Project, and authorizes the General Manager to negotiate and execute a professional services agreement for a total amount not to exceed \$7,500,000, and with a duration of six years with McMillen Jacobs Associates, or, in the event negotiations are not successful or City requirements are not satisfied, to negotiate and execute a professional services agreement with the next highest ranked proposer.

*I hereby certify that the foregoing resolution was adopted by the Public Utilities Commission at its meeting of July 27, 2021.*



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*Secretary, Public Utilities Commission*