

# **PUBLIC UTILITIES COMMISSION**

City and County of San Francisco

RESOLUTION NO. 24-0011

WHEREAS, The San Francisco Public Utilities Commission (SFPUC) requires an improvement to the collection system capacity and flood resilience at the Lower Alemany area in the City and County of San Francisco in compliance with the California Regional Water Quality Control Board Clean-up and Abatement Order R2-2021-0021; and

WHEREAS, On July 27, 2021, by Resolution No. 21-0116, the Commission awarded Contract No. PRO.0164, Engineering Services for the Lower Alemany Area Stormwater Improvement Project, to McMillian Jacobs Associates (dba Delve Underground), to provide specialized tunnel engineering and design of large underground sewer infrastructure and seismic analysis services, with a not-to-exceed contract amount of \$7,500,000 and a duration of six years; and

WHEREAS, Staff recommends approval of proposed Amendment No. 1 to increase the Contract by \$2,000,000, to provide additional specialized field investigation and engineering services to the Lower Alemany Area Stormwater Improvements Project, increasing the total not-to-exceed contract amount to \$9,500,000, with no change to the contract duration; and

WHEREAS, Funds are available from Sewer System Improvement Program Project No. 10034360, Lower Alemany Area Stormwater Improvement; 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 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, The SFPUC will not authorize the contractor to commence any geotechnical or hazardous material field investigation work under this contract until the proposed work is reviewed and any appropriate environmental review under the CEQA, if required, has been completed; 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 Amendment No. 1 to Contract No. PRO.0164, Engineering Services for the Lower Alemany Area Stormwater Improvement Project, with Delve Underground, increasing the contract amount by \$2,000,000 for a total not-to-exceed contract amount of \$9,500,000, and a total contract duration of six years.

*I hereby certify that the foregoing resolution was adopted by the Public Utilities Commission at its meeting of January 23, 2024.*

  
Secretary, Public Utilities Commission