

FILE NO. 041351

ORDINANCE NO.

17-05

1 [Contract for Electric Services]  
2

3 **Ordinance approving two contracts between the City and County of San Francisco and**  
4 **the United States, through the Department of Energy Western Area Power**  
5 **Administration, for electric services required to ensure reliable delivery of low cost**  
6 **electric power for use at Treasure Island on file with the Clerk of the Board of**  
7 **Supervisors in File No. 041351; and approving indemnifying and holding harmless the**  
8 **United States against claims arising from the activities of the City under the contract;**  
9 **and waiving requirement of Section 21.35 of the San Francisco Administrative Code**  
10 **that every contract contain a statement regarding liability of claimants for submitting**  
11 **false claims; and waiving requirement of Section 21.19 of the San Francisco**  
12 **administrative code that every contract contain a statement regarding guaranteed**  
13 **maximum costs.**  
14

15 Be it ordained by the People of the City and County of San Francisco:

16 Section 1. FINDINGS. The Board of Supervisors hereby finds and declares that:

17 (1) The City is currently providing operations and maintenance services at Treasure  
18 Island and Yerba Buena Island (TI/YBI) under a multi-year Cooperative Agreement with the  
19 Navy.

20 (2) The City is the local reuse authority for Naval Station Treasure Island under the  
21 Federal Base Closure and Realignment Act (BRAC).

22 (3) The San Francisco Public Utilities Commission is providing the utilities portion of  
23 these operations and maintenance services to TI/YBI on behalf of the City.

24 (4) The Board of Supervisors has previously approved a contract ("Power Purchase  
25 Agreement" or "PPA") between the City and County of San Francisco and the Western Area

1 Power Administration for the delivery of low cost electric power for use at TI/YBI pursuant to  
2 Ordinance No. 001795 on file with the Clerk of the Board of Supervisors.

3 (5) The PPA between the City and WAPA contemplated additional electricity services  
4 that would be needed by the City to effectuate service at TI/YBI.

5 (6) The Western Area Power Administration (WAPA), makes available other services  
6 including Scheduling Coordinator Services and Supplemental Power Purchases to ensure that  
7 loads at TI/YBI would be served reliably.

8 (7) These services will allow the City to provide reliable low cost federal power for all  
9 anticipated electric power needs of TI/YBI.

10 (8) Funds for the purchase of these services are available in the TI/YBI project budget.

11 (9) The San Francisco Public Utilities Commission approved the contracts for  
12 Scheduling Coordinator Services and for Full Load Service on September 14, 2004. The  
13 contracts are a standard form used by the United States for purchase of WAPA power and  
14 services. Indemnification of the United States is a required element of the contracts. WAPA  
15 would not agree to modify the contracts to include the statements required by San Francisco  
16 Administrative Code Sections 21.35 and 21.19.

17 (10) Without these contracts, the City would be required to obtain these services from  
18 a third party, such as PG&E, at a higher cost.

19 (11) The term of the contracts is from September 1, 2004, and will remain in effect until  
20 September 1, 2010.

21 Section 2. The General Manager of the Public Utilities Commission is hereby  
22 authorized to execute the Contracts for Scheduling Coordinator Services Contract and Full  
23 Load Service with WAPA. Copies of the contracts are on file with the Clerk of the Board of  
24 Supervisors in File No.041351.

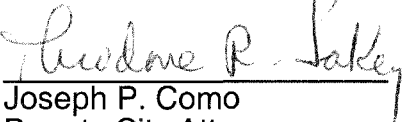
25 Section 3. WAIVERS. For the purpose of these contracts:

1 (1) The Board of Supervisors hereby waives the requirement of San Francisco  
2 Administrative Code Section 21.35 that every contract include a statement regarding liability  
3 of claimants for submitting false claims to the City.

4 (2) The Board of Supervisors hereby waives the requirement of San Francisco  
5 Administrative Code Section 21.19 that every contract include a statement regarding  
6 guaranteed maximum costs.

7  
8 Section 4. The value of the scheduling coordinator services and California  
9 Independent System Operator charges should not exceed \$1,200,000 and the value of the  
10 supplemental power should not exceed \$2,120,000.

11 APPROVED AS TO FORM:  
12 DENNIS J. HERRERA, City Attorney

13 By:   
14 Joseph P. Como  
15 Deputy City Attorney



# City and County of San Francisco

City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

## Tails Ordinance

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**File Number:** 041351

**Date Passed:**

Ordinance approving two contracts between the City and County of San Francisco and the United States, through the Department of Energy Western Area Power Administration, for electric services required to ensure reliable delivery of low cost electric power for use at Treasure Island on file with the Clerk of the Board of Supervisors in File No. 041351; and approving indemnifying and holding harmless the United States against claims arising from the activities of the City under the contract; and waiving requirement of Section 21.35 of the San Francisco Administrative Code that every contract contain a statement regarding liability of claimants for submitting false claims; and waiving requirement of Section 21.19 of the San Francisco administrative code that every contract contain a statement regarding guaranteed maximum costs.

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January 4, 2005 Board of Supervisors — PASSED ON FIRST READING

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Gonzalez, Ma, Maxwell,  
McGoldrick, Peskin, Sandoval  
Excused: 1 - Daly

January 11, 2005 Board of Supervisors — FINALLY PASSED

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick,  
Mirkarimi, Peskin, Sandoval  
Absent: 1 - Daly

File No. 041351

I hereby certify that the foregoing Ordinance  
was **FINALLY PASSED** on January 11, 2005  
by the Board of Supervisors of the City and  
County of San Francisco.

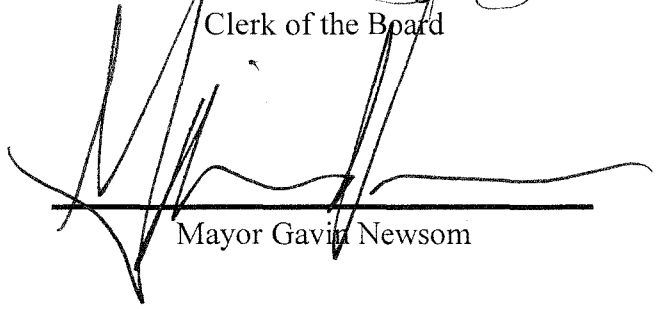
Jan 11 2005

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Date Approved



Gloria L. Young  
Clerk of the Board



Mayor Gavin Newsom