

# PUBLIC UTILITIES COMMISSION

City and County of San Francisco

RESOLUTION NO. 15-0166

WHEREAS, On February 28, 2012, this Commission awarded Agreement No. CS-169, Planning and Engineering Services, Central Bayside Improvement Program, and authorized the General Manager to execute a professional services agreement, in the amount of \$30,000,000 and with a duration of nine years, to the MWH/URS Joint Venture by Resolution Number 12-0035 subject to approval by the San Francisco Board of Supervisors, and

WHEREAS, On May 15, 2012, the San Francisco Board of Supervisors approved the award of the Agreement to the MWH/URS Joint Venture by Resolution Number 179-12 pursuant to Charter Section 9.118; and

WHEREAS, To resolve a conflict of interest that arose in Agreement No. CS-169 as a result of AECOM Technology Corporation's acquisition of URS Corporation, a partner in the MWH/URS Joint Venture, the MWH/URS Joint Venture ("Assignor") has requested a Consent to Assignment of the Agreement to MWH Americas, Inc. ("Assignee"); and


WHEREAS, SFPUC staff has reviewed the proposed Assignment and determined that the Assignee satisfies the requirements of the solicitation for Agreement No. CS-169 and the terms of the Agreement. The original contractor, MWH/URS Joint Venture, will continue to be held responsible for the work performed under the Agreement to date; and

WHEREAS, Amendment No. 1 is being requested to adjust terms to mitigate potential impacts on the SFPUC associated with this Assignment, by adding language regarding changes to key personnel during the term of the Agreement, by allowing Jacobs Engineering, which will perform tunnel engineering, geotechnical and other related tasks required under the Agreement, to apply the multiplier rate of 2.85 for services performed consistent with former Joint Venture Partner URS' multiplier rate and, by increasing the Community Benefits obligation to a total of \$1,050,000; now, therefore, be it

RESOLVED, That this Commission hereby approves the terms and conditions of the Consent to Assignment, and authorizes the General Manager of the San Francisco Public Utilities Commission, subject to the Board of Supervisors' approval pursuant to Charter Section 9.118, to negotiate and execute a Consent to Assignment Agreement in a form approved by the City Attorney; and

FURTHER RESOLVED, If the Consent to Assignment is approved, this Commission hereby approves Amendment No. 1 to Agreement No. CS-169, with MWH Americas Inc., and authorizes the General Manager of the San Francisco Public Utilities Commission to negotiate and execute this amendment, adding language regarding changes to key personnel during the term of the Agreement, allowing Jacobs Engineering, the selected tunnel engineering and geotechnical subcontractor, to apply a multiplier rate of 2.85 for services performed, and, increasing the Community Benefits obligation to \$1,050,000.

*I hereby certify that the foregoing resolution was adopted by the Public Utilities Commission at its meeting of July 28, 2015.*



Secretary, Public Utilities Commission