

AMENDED IN COMMITTEE
12/11/2019

FILE NO. 191099

RESOLUTION NO.

1 [Updated Emergency Declaration - Repair Southeast Treatment Plant Final Effluent Force
2 Main - Total Estimated Cost Not to Exceed \$5,500,000]

3 **Resolution approving an updated emergency declaration of the San Francisco Public**
4 **Utilities Commission pursuant to Administrative Code, Sections 6.60 and 21.15, to**
5 **repair the Southeast Treatment Plant Final Effluent Force Main for a total estimated**
6 **cost not to exceed \$5,500,000.**

7

8 WHEREAS, On October 18, 2018, the San Francisco Public Utilities Commission
9 (SFPUC) Wastewater Enterprise detected a potential failure of the pipe that conveys the
10 treated final effluent from the Southeast Treatment Plant (SEP) to the deep-water outfall
11 located near Pier 80; and

12 WHEREAS, The pipe, which crosses under Islais Creek parallel to Third Street to
13 convey the final effluent to the deep-water outfall, appeared to be leaking into Islais Creek;
14 and

15 WHEREAS, The potential continuing leak of treated effluent into Islais Creek, rather
16 than to the Bay through the deep-water outfall, required immediate action to mitigate public
17 health risks and a potentially substantial regulatory enforcement action and penalties; and

18 WHEREAS, On October 22, 2018, the General Manager of the SFPUC declared an
19 emergency, approved by the President of the San Francisco Public Utilities Commission,
20 pursuant to Chapter 6, Section 6.60 of the Administrative Code, due to the failure of, and need
21 to repair, the SEP Final Effluent Force Main, with an amount anticipated not-to-exceed
22 \$2,000,000; and

23 WHEREAS, Under the emergency declaration, the Wastewater Enterprise hired a
24 consultant and a contractor to inspect the pipe, perform surveys, provide design

25

1 recommendations, develop plans for repairs, complete such repairs and/or potentially bypass
2 the existing outfall pipe; and

3 WHEREAS, The inspection by SFPUC staff and consultants confirmed that the pipe
4 was leaking into Islais Creek; and

5 WHEREAS, In December 2018, staff determined that the scope of necessary repair
6 work at the failure location was more substantial than initially identified due to further
7 deteriorated points of connection and stringent regulatory operational constraints; and

8 WHEREAS, On December 26, 2018, due to the increased scope of work, the SFPUC
9 General Manager issued a revised Declaration of Emergency, approved by the President of
10 the San Francisco Public Utilities Commission, to repair the Southeast Treatment Plant Final
11 Effluent Force Main and thereby protect public health and safety, with an increase in the
12 estimated not-to-exceed amount of \$5,000,000, and clarifying that the repair work also should
13 proceed under Chapter 21 of the Administrative Code; and

14 WHEREAS, On February 5, 2019, the Board of Supervisors approved the declaration
15 of an emergency through Resolution No. 59-19, which stated that the estimated cost of the
16 emergency repair work was anticipated not-to-exceed \$4,912,000; and

17 WHEREAS, The initial engineering design was based on traditional construction
18 methodology; however, further investigation revealed poor soil conditions and site constraints.
19 The Site conditions necessitated construction of a bypass pipeline with water-tight
20 cofferdams; and

21 WHEREAS, Cofferdam construction requires a specialized crane and barge
22 configuration and the construction of a temporary seawall; and

23 WHEREAS, The bypass pipe being constructed with cofferdams is highly complex with
24 a scope of repair more specialized and substantial than previously identified based on further
25

1 site investigations, further deteriorated points of connection, and stringently regulated
2 operational constraints; and

3 WHEREAS, Staff now estimates that the work will exceed the \$4,912,000 not-to-
4 exceed estimate stated in San Francisco Board of Supervisors Resolution No. 59-19; and

5 WHEREAS, Including the additional design and construction costs, staff anticipates the
6 remaining work will not-exceed \$2,000,000, with a total project emergency repair cost
7 estimated not-to-exceed \$6,250,000; and

8 WHEREAS, On September 25, 2019, the General Manager of the SFPUC issued a
9 revised declaration of emergency, approved by the President of the San Francisco Public
10 Utilities Commission pursuant to Chapter 6, Section 6.60, and Chapter 21, Section 21.15, of
11 the Administrative Code, due to the failure of, and need to repair, the SEP Final Effluent Force
12 Main, with an amount anticipated not-to-exceed \$6,250,000; and

13 WHEREAS, Administrative Code, Chapter 6, Article IV, Section 6.60, authorizes
14 department heads responsible for public works to award an emergency contract, exempt from
15 the competitive bidding process, in the event of an actual emergency, which is defined to
16 include, “ ... [t]he breakdown or imminent breakdown of any plant, equipment, structure, street
17 or public work necessitating immediate emergency repair or reconditioning to safeguard the
18 lives or property of the citizens, or the property of the City and County, or to maintain the
19 public health and welfare ...”; and

20 WHEREAS, Administrative Code, Chapter 21, Section 21.15(c), authorizes department
21 heads addressing a declared emergency to procure commodities or services necessary to
22 make repairs to maintain public health or welfare as a result of the breakdown of any plant
23 equipment, structure, street or public work; and

1 WHEREAS, Administrative Code, Section 6.60(d), requires the General Manager to
2 notify the Controller immediately and seek Board of Supervisors' approval of emergency
3 repairs with an estimated cost in excess of \$250,000; and

4 WHEREAS, Administrative Code, Section 21.15(c), requires the General Manager to
5 seek Board of Supervisors' approval of a declaration of emergency for procurement of
6 commodities or services with an estimated cost in excess of \$100,000; and

7 WHEREAS, The Controller has certified that the funding amount specified herein to
8 address this emergency work is available; now, therefore, be it

9 RESOLVED, That the Board of Supervisors approves the updated emergency
10 declaration issued by the SFPUC General Manager on September 25, 2019, to address and
11 complete repairs to the Southeast Treatment Plan Final Effluent Force Main with a new not-to-
12 exceed amount of \$5,500,000; and, be it

13 FURTHER RESOLVED, That actions taken to date by the San Francisco Public
14 Utilities Commission to address such emergency work and resolve the emergency condition
15 are hereby ratified.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

RECOMMENDED:

HARLAN L. KELLY, JR.
General Manager of the SFPUC

FUNDS AVAILABLE:

BEN ROSENFELD
Controller