

File No. 200772

Committee Item No. 10

Board Item No. \_\_\_\_\_

# COMMITTEE/BOARD OF SUPERVISORS

## AGENDA PACKET CONTENTS LIST

Committee: Budget & Finance Committee

Date July 22, 2020

Board of Supervisors Meeting

Date \_\_\_\_\_

### Cmte Board

- Motion
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- Youth Commission Report
- Introduction Form
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- Award Letter
- Application
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### OTHER (Use back side if additional space is needed)

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Completed by: Linda Wong

Date July 17, 2020

Completed by: Linda Wong

Date \_\_\_\_\_

1 [Pier 45 Fire - Declaration of Emergency and Authorization for Emergency Contracts]

2

3 **Resolution declaring an emergency under Administrative Code, Section 6.60, and**  
4 **Administrative Code, Chapter 21, relating to the May 23, 2020, fire at Pier 45; approving**  
5 **emergency contracts entered into by the Port of San Francisco in accordance with**  
6 **Administrative Code, Section 6.60, and Administrative Code, Chapter 21; and directing**  
7 **the Port of San Francisco to take all necessary and appropriate measures to perform**  
8 **repair work to Pier 45 in the most expeditious manner.**

9

10 WHEREAS, Pier 45 is within the San Francisco Embarcadero Historic District, which is  
11 listed in the National Register of Historic Places; and

12 WHEREAS, On May 23, 2020, a 4-alarm fire severely damaged Pier 45, including  
13 Shed C which was completely destroyed; and

14 WHEREAS, Administrative Code, Chapter 6, Article IV, Section 6.60, authorizes  
15 department heads responsible for public work to award an emergency contract, exempt from  
16 the competitive bidding process, in the event of an actual emergency in accordance with the  
17 procedures set forth in Section 6.60; and

18 WHEREAS, Administrative Code, Chapter 21, Section 21.15(c), authorizes department  
19 heads responsible for the operations for which commodities or services are needed to enter  
20 into a contract in order to respond to the emergency in accordance with the procedures set  
21 forth in Section 21.15; and

22 WHEREAS, On June 3, 2020, the Acting Executive Director of the Port (“Executive  
23 Director”) declared an emergency at the Port as a result of the Pier 45 fire, which declaration  
24 was concurred and approved by the President of the Port Commission (“Declaration of  
25 Emergency”); and

1           WHEREAS, The Declaration of Emergency enables the Port to engage consultants  
2 and contractors to inspect Pier 45, perform cleanup and restoration, demolish damaged and  
3 unsafe structures on the site, dispose of demolition debris, develop design recommendations  
4 and plans for repairs, complete such repairs, and perform associated environmental  
5 monitoring and protection, the cost of which will exceed \$250,000 and was authorized by the  
6 President of the Port Commission (collectively, the “Initial Emergency Work”); and

7           WHEREAS, The Port learned after the June 3rd Declaration of Emergency that the  
8 emergency also requires the procurement of commodities and services pursuant to Chapter  
9 21 of the Administrative Code, specifically, the services of a forensic accountant to assist with  
10 its insurance claim, the cost of which will exceed \$100,000 (together with the Initial  
11 Emergency Work, the “Emergency Work”); and

12           WHEREAS, On June 10, 2020, the Declaration of Emergency was updated by the  
13 Executive Director so that the Declaration of Emergency is authorized under both Section  
14 21.15 and Section 6.60 of the Administrative Code, which updated Declaration of Emergency  
15 was concurred and approved by the President of the Port Commission on June 24, 2020; and

16           WHEREAS, Administrative Code, Section 6.60(D), requires that the San Francisco  
17 Board of Supervisors approve emergency work with an estimated cost in excess of \$250,000;  
18 and

19           WHEREAS, Administrative Code, Section 21.15, requires that the San Francisco Board  
20 of Supervisors approve emergency contracts in excess of \$100,000; and

21           WHEREAS, The Port has requested that the Board of Supervisors declare an  
22 emergency under Administrative Code, Sections 6.60(A), and 21.15(c), with respect to the  
23 Pier 45 fire to allow the Pier 45 Emergency Work to be accomplished in an expeditious  
24 manner to protect the public safety, health, welfare and property of the citizens of San  
25 Francisco; now, therefore, be it

1 RESOLVED, That the Board of Supervisors hereby declares an actual emergency  
2 under Administrative Code, Section 6.60(A), and Section 21.15, with respect to the Pier 45  
3 fire; and, be it

4 FURTHER RESOLVED, That the Board of Supervisors hereby finds that performing  
5 the Emergency Work as expeditiously as possible are in the best interests of the City to  
6 protect the public safety, health, welfare and property of the citizens of San Francisco; and, be  
7 it

8 FURTHER RESOLVED, That the Board of Supervisors hereby approves the contracts  
9 entered into by the Port to perform the Emergency Work and directs the Port Executive  
10 Director to take all actions necessary to perform the Emergency Work as expeditiously as  
11 possible, including, but not limited to, entering into further contracts relating to the design,  
12 historical preservation, hazardous materials abatement, engineering and construction of the  
13 Pier 45 stabilization, repair and restoration work; and, be it

14 FURTHER RESOLVED, That any action to date taken by the Port to secure such  
15 emergency contracts and resolve the emergency is hereby ratified.

16  
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# Introduction Form

By a Member of the Board of Supervisors or Mayor

Time stamp  
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning : "Supervisor [ ] inquiries"
- 5. City Attorney Request.
- 6. Call File No. [ ] from Committee.
- 7. Budget Analyst request (attached written motion).
- 8. Substitute Legislation File No. [ ]
- 9. Reactivate File No. [ ]
- 10. Topic submitted for Mayoral Appearance before the BOS on [ ]

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

**Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form.**

Sponsor(s):

Supervisor Peskin

Subject:

[Pier 45 Fire - Declaration of Emergency and Authorization for Emergency Contracts]

The text is listed:

Resolution 1) declaring an emergency under Administrative Code Section 6.60 and Administrative Code Chapter 21 relating to the May 23, 2020 fire at Pier 45; 2) approving emergency contracts entered into by the Port of San Francisco in accordance with Administrative Code Section 6.60 and Administrative Code Chapter 21; and 3) directing the Port of San Francisco to take all necessary and appropriate measures to perform repair work to Pier 45 in the most expeditious manner.

Signature of Sponsoring Supervisor:

[Handwritten Signature]

For Clerk's Use Only