

1 [Emergency Declaration - Replacement and Repair of Fences - Total Cost Not to Exceed
2 \$4,250,000]

3 **Resolution approving an emergency declaration of the San Francisco Public Utilities**
4 **Commission (SFPUC) pursuant to Administrative Code, Section 6.60, to replace and**
5 **repair fences on SFPUC watershed land in Alameda watershed damaged by the SCU**
6 **Lightning Complex Fire, with a total cost not to exceed \$4,250,000.**

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8 WHEREAS, The San Francisco Public Utilities Commission's (SFPUC) watershed
9 lands located in Alameda watershed are critical assets for providing continuous delivery of
10 high-quality water to the 2.7 million water customers in the Bay Area; any inability to protect
11 these assets poses a threat to water quality and deliveries, a basic service affecting the lives,
12 property and welfare of the SFPUC water customers in San Francisco, San Mateo, Santa
13 Clara and Alameda Counties; and

14 WHEREAS, Beginning on August 16, 2020, numerous lightning strikes ignited the SCU
15 Lightning Complex Fire (SCU Fire) that ultimately burned 396,624 acres, including
16 approximately 10,500 acres of SFPUC Alameda watershed property; and

17 WHEREAS, The SCU Fire damaged or destroyed approximately 50 miles of SFPUC-
18 owned security and grazing operation fencing located on SFPUC Alameda watershed
19 property; and

20 WHEREAS, The damaged fencing needs to be repaired and/or replaced immediately
21 to re-establish the security barrier to protect SFPUC Alameda watershed lands and regional
22 water system infrastructure from trespass, vandalism, and contamination of drinking water
23 sources (e.g., the Calaveras and San Antonio Reservoirs); and

1 WHEREAS, The fencing also ensures that cattle from SFPUC grazing tenants remain
2 separated from public roadways, drinking water sources, and sensitive environmental
3 resources; and

4 WHEREAS, Any delay to replacing and repairing the approximately 50 miles of fences
5 damaged in the SCU Lightning Complex Fire poses a risk to the security and quality of water
6 supply for the 2.7 million SFPUC regional water system customers relying on the water
7 deliveries; and

8 WHEREAS, While living in the global pandemic, COVID-19, water quality is an
9 essential service that will impact public health and safety for 2.7 million water customers; and

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

17 WHEREAS, On October 19, 2020, the SFPUC General Manager declared an
18 emergency, approved by the President of the San Francisco Public Utilities Commission, to
19 replace and repair the fences damaged in the SCU Fire in order reestablish the security
20 barrier to protect SFPUC Alameda watershed lands; and

21 WHEREAS, Administrative Code, Section 6.60(d), requires the SFPUC General
22 Manager to seek the Board of Supervisors’ approval in all cases where the estimated cost of
23 the emergency work exceeds \$250,000; and

24 WHEREAS, The SFPUC General Manager estimates that replacing and repairing the
25 fences damaged in the SCU Fire will not exceed \$4,250,000; and

1 WHEREAS, The SFPUC has reached out to vendors with the appropriate C-13 fencing
2 contractor licenses to request quotes for the emergency work, with the intention to award
3 multiple emergency contracts with a total cumulative amount not to exceed \$4,250,000; and

4 WHEREAS, The Controller has certified that funds are available for this emergency
5 work and contract; now, therefore, be it

6 RESOLVED, That the Board of Supervisors approves, under Administrative Code,
7 Section 6.60, the SFPUC General Manager’s emergency determination dated October 19,
8 2020, to replace and repair the fences damaged in the SCU Lightning Complex Fire for a total
9 cost not to exceed \$4,250,000, and be it

10 FURTHER RESOLVED, That the Board of Supervisors ratifies actions taken to date by
11 the San Francisco Public Utilities Commission to address such emergency work and resolve
12 the emergency condition.

1 RECOMMENDED:

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3 _____ /s/

4 Michael Carlin

5 Acting General Manager of the SFPUC

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FUNDS AVAILABLE:

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BEN ROSENFELD

Controller