



## **SAN FRANCISCO PUBLIC UTILITIES COMMISSION**

City and County of San Francisco

**London N. Breed**

Mayor

### **REGULAR MEETING AGENDA**

**Revised Item #13**

**Tuesday, February 9, 2021**

**1:30 P.M.**

This meeting is being held by Teleconference Pursuant to the Governor's Executive Order N-29-20 and the Twelfth Supplement to Mayoral Proclamation Declaring the Existence of a Local Emergency Dated February 25, 2020

**WATCH LIVE:**

<https://www.sfgovtv.org/sfpuc>

**PUBLIC COMMENT CALL-IN:**

**1 (415) 655-0001 / MEETING ID: 146 359 0630 # #**

During the Coronavirus Disease (COVID-19) emergency, the San Francisco Public Utilities Commission's (SFPUC) regular meeting room, City Hall, Room 400, is closed. Commissioners and SFPUC staff will convene Commission meetings remotely by teleconference.

### **Commissioners**

Sophie Maxwell, President  
Anson Moran, Vice President  
Tim Paulson  
Ed Harrington  
Newsha Ajami

**Michael Carlin**  
Acting General Manager

**Donna Hood**  
Secretary



**Accessible Meeting Policy:** To obtain meeting materials in alternative format, please contact the Commission Secretary at 415-554-3165 or via email at [Commission@sfgov.org](mailto:Commission@sfgov.org). Providing at least 72 hours' notice will help to ensure availability. Written reports or background materials for calendar items are available on-line <http://www.sfgov.org/index.aspx?page=167>.

**Know Your Rights Under the Sunshine Ordinance:** Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance or to report a violation of the ordinance, contact Administrator, by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.4689; by phone at 554.7724; by fax at 554.7854; or by email at [sof@sfgov.org](mailto:sof@sfgov.org). Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Task Force, the San Francisco Public Library and on the City's website at <http://www.sfgov.org>.



**311 Free Language Assistance:** 免費語言協助 / Ayuda gratuita con el idioma / Бесплатная помощь переводчиков / Trợ giúp Thông dịch Miễn phí / Assistance linguistique gratuite / 無料の言語支援 / 무료 언어 / 지원 / ความช่วยเหลือทางภาษาโดยไม่มีค่าบริการ / Libreng tulong para sa wikang Tagalog ยะหลอจ็

**Lobbyist Registration and Reporting Requirements:** Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code §2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site at [www.sfgov.org/ethics](http://www.sfgov.org/ethics).

**CEQA Appeal Rights under Chapter 31 of the San Francisco Administrative Code:** If the Commission's action on a project constitutes the Approval Action for that project (as defined in S.F. Administrative Code Chapter 31, as amended, Board of Supervisors Ordinance Number 161-13), then the CEQA determination prepared in support of that Approval Action is thereafter subject to appeal within the time frame specified in S.F. Administrative Code Section 31.16. Typically, an appeal must be filed within 30 calendar days of the Approval Action for a project that has received an exemption or negative declaration pursuant to CEQA. For information on filing an appeal under Chapter 31, contact the Clerk of the Board of Supervisors at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102, or call (415) 554-5184. If the Planning Department's Environmental Review Officer has deemed a project to be exempt from further environmental review, an exemption determination has been prepared and can be obtained on-line at <http://www.sf-planning.org/index.aspx?page=3447>. Under CEQA, in a later court challenge, a litigant may be limited to raising only those issues previously raised at a hearing on the project or in written correspondence delivered to the Board of Supervisors, Planning Commission, Planning Department or San Francisco Public Utilities Commission at, or prior to, such hearing, or as part of the appeal hearing process on the CEQA decision.

## ORDER OF BUSINESS

1. Call to Order
2. Roll Call
3. [Approval of the Minutes of January 26, 2021](#)
4. General Public Comment  
*Members of the public may address the Commission on matters that are within the Commission's jurisdiction and are not on today's agenda*
5. Communications (discussion only)
  - a) [Advance Calendar](#)
  - b) [Contract Advertisement Report](#)
  - c) [Correspondence Log](#)
  - d) [2009 Water Supply Agreement Update](#)
  - e) [Annual Report on Dry Years Supply Progress Pursuant to AB1823](#)
  - f) [Quarterly Report on Contracts Awarded by the General Manager Pursuant to Delegated Authority](#)
  - g) [Water System Improvement Program Status of Construction Change Orders](#)
  - h) [Water Supply Conditions Update](#)
  - i) [City Attorney Memorandum Re: Application of Local Business Enterprise Rating Bonuses in PRO.0140 Solicitation](#)
6. Update on the project to transform the San Francisco Public Utilities Commission's website into a mobile-friendly, customer-focused hub. (discussion only)  
(Ordikhani/Sandler)
7. Report of the General Manager (discussion only)
  - a) [Water Enterprise Capital Improvement Program Quarterly Report](#)
  - b) [Water System Improvement Program Quarterly Report](#)
  - c) Report on Recent San Francisco Public Utilities Commission Activities, Events and Announcements
8. New Commission Business (discussion only)

## CONSENT CALENDAR

9. *All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the San Francisco Public Utilities Commission and will be acted upon by a single vote of the Commission. There will be no separate discussion of these items unless a member of the Commission or the public so requests, in which event the matter will be removed from the Calendar and considered as a separate item.*
  - a) Approve an increase of \$1,200,000 to the contract cost contingency, and an increase of 365 calendar days to the contract duration contingency, for [Contract No. WD-2668](#), Regional Groundwater Storage and Recovery; and authorize the General Manager to approve future contract modifications for a

total contract amount of up to \$65,778,678 and a total contract duration of up to 2,527 consecutive calendar days (approximately six years and nine months). (How)

- b) Approve the plans and specifications, and award [Contract No. WD-2865](#), Sunol Regional Wilderness Park Water System, in the amount of \$2,395,280, and with a duration of 390 consecutive calendar days (approximately one year and one month), to the responsible bidder submitting the lowest responsive bid, Cratus, Inc., to construct a potable water system at the Sunol Regional Wilderness Park in Sunol, California. (How)
- c) Accept work performed by Precision Engineering, Inc. for [Contract No. WW-621R](#), As-Needed Main Sewer Replacement No. 6, for a total contract amount of \$6,070,732, and with a total contract duration of 836 consecutive calendar days (approximately two years and three months); and authorize final payment to the Contractor. (How)
- d) Approve an increase in the amount of \$817,129 to the contract cost contingency for [Contract No. WW-665](#), Southeast Water Pollution Control Plant 042 Seismic Retrofit and Rehabilitation, with Western Water Constructors; and authorize the General Manager to approve future modifications to the contract for a total contract amount of up to \$10,804,260, with no change to the contract duration. (How)
- e) Accept work performed by Marinship Development Interest, LLC, for [Contract No. WW-694](#), Lincoln Way/48th Ave Diversion Structure Modification; approve Modification No. 1 (Final), decreasing the contract amount by \$7,400, for a total contract amount of \$960,580 and a total contract duration of 90 consecutive calendar days (approximately three months), and authorize final payment to the contractor. (How)

## REGULAR CALENDAR

10. Public hearing to consider and possible action to adopt [mid-cycle adjustments to the FY 2021-22 Capital Budget](#) of the San Francisco Public Utilities Commission, increasing the Wastewater Enterprise capital budget by \$213,511,178 and the Hetchy Power capital budget by \$17,344,824 for a total budget of \$1,020,288,500; authorize the General Manager to seek Board of Supervisors approval for (1) appropriation of \$213,511,178 in Revenue Bond Funded Wastewater Capital Projects, (2) appropriation of \$17,344,824 in Hetchy Power Capital Projects, and (3) de-appropriation of \$6,900,000 in Revenue Funded Power Capital Projects in FY 2020-21; and authorize the General Manager to seek Board of Supervisors approval for the issuance of (1) \$213,511,178 aggregate principal amount of Wastewater Revenue Bonds and other forms of indebtedness, including commercial paper and State Revolving Fund loans or Water Infrastructure Finance and Innovation Act loans, and (2) \$19,344,824 aggregate principal amount of Power Revenue Bonds and other forms of indebtedness, including commercial paper and loans, subject to the terms of Charter Sections 9.107(6) and 9.107(8). (Sandler)

11. Public hearing to consider and possible action to adopt [mid-cycle amendment to the San Francisco Public Utilities Commission FY 2021-22 Operating and Programmatic Budgets](#) as follows: (1) increase FY 2021-22 Operating Budget by \$18,055,757 for a total amount of \$1,444,562,831 (including Revenue Transfers for Capital), and (2) decrease the FY 2021-22 Programmatic Project Budget by \$2,800,000 for a total amount of \$54,079,658. (Sandler)
12. Public Hearing to consider and possible action to adopt the San Francisco Public Utilities Commission [10-Year Capital Plan for FY 2021-22 through FY 2030-31](#), totaling \$9,074,419,985. (Sandler)
13. Public Hearing to consider and possible action to adopt the [San Francisco Public Utilities Commission 10-Year Financial Plan for FY 2021-22 through FY 2030-31](#). (Sandler)
14. Accept work performed by NTK Construction, Inc. for [Contract No. WW-556](#), Southeast Water Pollution Control Plant Chemical System Relocation and Facility Upgrades; approve Modification No. 15 (Final), decreasing the contract amount by \$600, for a total contract amount of \$14,737,293, and increasing the contract duration by 90 consecutive calendar days, for a total contract duration of 1,380 consecutive calendar days (approximately four years); and authorize final payment to the contractor. (How)
15. Approve the plans and specifications, and award [Contract No. WW-645R](#), Westside Pump Station Reliability Improvements, in the amount of \$48,328,300, with a duration of 1,020 consecutive calendar days (approximately two years and 10 months), to the responsible bidder that submitted the lowest responsive bid, Anvil Builders, Inc., to provide redundant electrical power service feeds, replacement of essential wastewater process mechanical and electrical equipment, ancillary structural, ventilation, plumbing and instrumentation and control improvements, as well as construction of a new electrical building. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code. (How)
16. Approve increase of \$1,500,000 to the contract cost contingency and retroactive increase of 390 calendar days (approximately one year and one month) to the duration contingency for [Contract WD-2687R](#), Auxiliary Water Supply System Pumping Station No. 2 Improvements (2016); and authorize the General Manager to approve future modifications to the contract for up to a total contract amount of \$22,744,038 and up to a total contract duration of 1,435 consecutive calendar days (approximately four years). (How)
17. Adopt a [Competitive Selection Process Communications Policy](#) to support the integrity of the competitive selection process for San Francisco Public Utilities Commission contracts; and authorize the General Manager to implement this policy through competitive solicitation documents and other administrative measures, as appropriate, in consultation with the City Attorney. (How)
18. Approve a [California Community Power Joint Powers Agency \(JPA\) agreement](#)

and authorize CleanPowerSF's participation in the JPA with annual costs not-to-exceed \$50,000; and authorize the General Manager to seek approval from the Board of Supervisors to execute the agreement. (Hale)

19. Approve Amendment No. 4 to [Contract No. WW-647R](#), Southeast Water Pollution Control Plant Biosolids Digester Facilities Construction Manager/General Contractor Agreement with MWH Constructors/Webcor Builders Joint Venture, modifying the scope of work and increasing the contract amount by \$350,394,026, and increasing the contract duration by 693 consecutive calendar days (approximately one year, 11 months), for a total contract amount of \$1,289,179,552, and a total contract duration of 3,227 consecutive calendar days (approximately nine years). (How)
20. Public comment on matters to be addressed during Closed Session
21. Motion on whether to assert the attorney-client privilege regarding the matters listed below as Conference with Legal Counsel

*The Commission will go into Closed Session to discuss the following items:*

### **CLOSED SESSION**

22. Conference with Legal Counsel – Pursuant to California Government Code, Section 54956.9(a), and San Francisco Administrative Code, Section 67.10(d)(1) (discussion only) (Mueller)

Conferring with, or receiving advice from, the City Attorney regarding the following existing litigation in which the City is a petitioner and Pacific Gas & Electric Company is an adverse party: In re: PG&E Corporation and Pacific Gas & Electric Company, United States Bankruptcy Court, Northern District of California, Case No. 9-30088-DM, filed January 29, 2019; Federal Energy Regulatory Commission Case No. EL 19-38- 000, filed January 28, 2019; Federal Energy Regulatory Commission Case No. ER18- 1482-000, filed April 30, 2018; Federal Energy Regulatory Commission Case No. ER18-1102-000, filed March 15, 2018; Federal Energy Regulatory Commission Case No. ER18-790-000, filed, February 2, 2018; Federal Energy Regulatory Commission Case No. ER18-768-000, filed January 31, 2018; Federal Energy Regulatory Commission Case No. ER18-198-000, filed October 31, 2017; Federal Energy Regulatory Commission Case No. ER17-2406-000, filed August 31, 2017; Federal Energy Regulatory Commission Case No. ER17-2181-000, filed July 31, 2017; Federal Energy Regulatory Commission Case No. ER17-2204, filed July 31, 2017; Federal Energy Regulatory Commission Case No. ER17-1509-000, filed May 1, 2017; Federal Energy Regulatory Commission Case No. ER17-910-000, filed January 31, 2017; Federal Energy Regulatory Commission Case No. EL 15-3-000, filed October 10, 2014; Federal Energy Regulatory Commission Case No. ER15-702-000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER15-703- 000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER15-704-000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER15-705-000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER15-735-000, filed December 23, 2014; California Public Utilities Commission Case No. 1.15-

08-019, filed February 25, 2015; California Public Utilities Commission Case No. R.18-10-007, filed October 25, 2018; California Public Utilities Commission Case No. R.19-01-006, filed January 10, 2019; and California Public Utilities Commission Case No. R.19-09-016, filed January 10, 2019

*Following Closed Session, the Commission will reconvene in Open Session*

23. Announcement following Closed Session
24. Motion regarding whether to disclose the discussions during Closed Session pursuant to San Francisco Administrative Code Section 67.12(a)
25. Adjournment

San Francisco Public Utilities Commission  
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