

**PUBLIC WORKS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO**

RESOLUTION NO. 2022-0032

WHEREAS, On July 28, 2010, the Planning Department prepared and published for public review the Draft Mitigated Negative Declaration for the San Francisco Better Streets Plan (Case No. 2007.1238E or “BSP”), which included adoption of a set of citywide streetscape and pedestrian goals, objectives, policies, and design guidelines, as well as future strategies to improve the San Francisco pedestrian realm including sidewalks, crosswalks, and portions of the roadway and the Draft Mitigated Negative Declaration for the BSP was available for public comment; and

WHEREAS, On September 15, 2010, the Planning Department adopted the Final Mitigated Negative Declaration (“FMND”) pursuant to the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.) (“CEQA”) and determined the BSP would not have a significant effect on the environment based on the criteria of and Sections 15064 (Determining Significant Effect), 15065 (Mandatory Findings of Significance), and 15070 (Decision to Prepare a Negative Declaration) of the CEQA Guidelines (14 California Code of Regulations Sections 1500 et seq.) and the reasons documented in the FMND; and

WHEREAS, On October 28, 2010, the Planning Commission, in Resolution No. 18211 (“Planning Commission Resolution”), adopted findings under CEQA, the CEQA Guidelines, and Chapter 31 of the Administrative Code (“CEQA Findings”), and adopted a Mitigation Monitoring and Reporting Program associated with the Better Streets Plan; and,

WHEREAS, The John Yehall Chin School Safe Routes to School Project (“Project”) seeks to improve the safety and convenience of walking, bicycling, and taking transit for both students traveling to John Yehall Chin Elementary School and others living and working in the neighborhood in northeastern San Francisco; and

WHEREAS, The project consists of improvements encompassed in the BSP including curb extensions, ADA compliant curb ramps, pedestrian and traffic signal work, and street light work; and

WHEREAS, On March 10, 2021, the San Francisco Planning Department issued a determination (“CEQA Determination”) that the proposed Project is within the scope of the FMND and would not require the preparation of an addendum, supplemental Environmental Impact Report, or a subsequent negative declaration under CEQA; and,

WHEREAS, On January 20, 2020, San Francisco Public Works awarded Contract No. 1000011945 under DPW Order No 202,553 for the John Yehall Chin School Safe Routes to School Project to R&S Construction Management, Inc. in the amount of \$2,286,352.00 with a contract duration of 240 calendar days; and

WHEREAS, An increase of \$238,635.20 to the contract cost contingency is requested for the John Yehall Chin School Safe Routes to School Project; and

WHEREAS, The cost modification approved by this action would cover unforeseen sub-sidewalk basement conditions and utility workarounds within sub-sidewalk basements encountered during construction; and

WHEREAS, The Public Works Commission has reviewed the FMND, the Planning Commission Resolution, the CEQA Findings, and the CEQA Determination, and the preceding documents are on file with the Public Works Commission Affairs Manager, and are incorporated herein by reference; now, therefore, be it

RESOLVED, That this Commission finds that the Project would not cause new significant impacts or a substantial increase in the severity of impacts identified and analyzed in the FMND, no changes have occurred in the BSP since the adoption of the FMND that would cause new significant impacts or a substantial increase in the severity of impacts identified and analyzed in the FMND, and no new information has emerged that would materially change the analysis or conclusions set forth in the FMND; and that the actions approved herein would not necessitate implementation of additional or considerably different mitigation measures than those identified in the FMND; and be it

FURTHER RESOLVED, That in compliance with Chapter 31 of the San Francisco Administrative Code, this Commission adopts as its own the CEQA Findings and the Planning Department's determination in the CEQA Determination that there is no substantial evidence that the Project could have a significant effect on the environment; and be it

FURTHER RESOLVED, That this Commission hereby approves an increase of \$238,635.20 to the contract cost contingency for the John Yehall Chin School Safe Routes to School Project contract with R&S Construction Management, Inc.; and be it

FURTHER RESOLVED, That this Commission hereby authorizes the Director of Public Works to approve future modifications to the contract for a total contract cost of up to \$3,102,257.60.

I hereby certify that the foregoing resolution was adopted by the Public Works Commission at its meeting of December 16, 2022



Commission Affairs Manager
Public Works Commission