

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

RESOLUTION NO. 2023-0011

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 17, 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, Tree-related sidewalk repairs are a core element of San Francisco Public Works Bureau of Urban Forestry’s citywide street tree maintenance program and such repairs include and,

WHEREAS, The GAN24 As-Needed Contract Slicing Contract (“Project”) will provide an efficient and cost-effective method for reducing potential pedestrian tripping hazards caused by tree roots with a slicing program that grinds or shaves down the uplifted edges to restore a safe condition. It is only feasible when the slicing would leave a sufficiently thick concrete slab to meet the sidewalk support specifications without cracking or crumbling. As the slicing is

performed, the concrete dust generated is vacuumed, and the sidewalk is immediately ready for use after a single visit.; and,

WHEREAS, On September 19, 2022, Public Works issued an Advertisement for Bids in search of Contractors with the necessary qualifications and price to perform the contract scope of work; and,

WHEREAS, On October 12, 2022, Public Works received one Bid submitted by Precision Emprise LLC in the amount of \$7,499,950 which is above the Engineer's Estimate of \$5,000,000 for the contract; and

WHEREAS, San Francisco Administrative Code Chapter 6, Section 6.23(c)(2) allows the Commission to authorize the Director to negotiate with the sole bidder if the Director determines that further outreach efforts nor removal or modification of certain contract requirements would not result in more than one bid at bid prices substantially lower than the bid price received; and,

WHEREAS, The Department has determined that further outreach or scope changes would not likely result in additional bidders at substantially lower bid price since good faith efforts were made to alert the largest number of qualifying contractors of the Bid Opportunity and modification of the contract scope of work is not advised given the high volume of the City's sidewalk repair needs; and,

WHEREAS, On December 19, 2022, the San Francisco Planning Department issued a determination ("CEQA Determination") that the Project is within the scope of the FMND and would not require the preparation of a subsequent negative declaration under CEQA Guidelines Sections 15162 and 15168; 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 the negotiation with the sole bidder, Precision Emprise LLC; and, be it

FURTHER RESOLVED, The San Francisco Public Works Commission hereby awards the General As-Needed G24 Concrete Slicing contract to Precision Emprise LLC in the not-to-exceed amount of \$7,499,950 with a total contract duration of 730 calendar days.

I hereby certify that the foregoing resolution was adopted by the Public Works Commission at its meeting of February 17, 2023



Commission Affairs Manager
Public Works Commission