

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

**RESOLUTION NO. 2023-0027**

WHEREAS, The Harrison Street Infrastructure Improvements Project consists of civil roadway work, landscaping work, sewer work, and traffic routing on Harrison Street between the Embarcadero and First Street, and on Fremont Street from Folsom Street to Harrison Street, and includes design elements encompassed in the BSP; and

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, On November 1, 2017, the San Francisco Planning Department issued a determination (“CEQA Determination”) that the proposed Harrison Street Infrastructure Improvements Project is within the scope of the Better Streets Plan FMND and would not require the preparation of a subsequent negative declaration under CEQA Guidelines Sections 15162 and 15168; and,

WHEREAS, On January 16, 2018, the Board of Directors of the San Francisco Municipal Transportation Agency adopted Resolution No. 180116-003 (“SFMTA Board Resolution”) approving the Harrison Street Infrastructure Improvements Project and finding that the Harrison Street Infrastructure Improvements Project would not have a significant effect on the environment based on the criteria of the Guidelines of the State Secretary for Resources, Sections 15064 (Determining Significant Effect), 15065 (Mandatory Findings of Significance), and 15070 (Decision to Prepare a Negative Declaration) and the reasons documented in the FMND, as determined by the Planning Department; and

WHEREAS, On March 22, 2021, San Francisco Public Works awarded Contract No. 1000007916 under DPW Order No 204,497 for the Harrison Street Infrastructure Improvements Project to A. Ruiz Construction Co., & Assoc., Inc in the amount of \$9,284,892.00 with a contract duration of 458 calendar days; and

WHEREAS, An increase of 214 calendar days to the contract duration contingency of 52 calendar days is requested for the Harrison Street Infrastructure Improvements Project; and

WHEREAS, The duration modification approved by this action would cover the longer construction duration due to the utility coordination issues; and WHEREAS, The Public Works Commission has reviewed the FMND, the Planning Commission Resolution, the CEQA Findings, the CEQA Determination, and the SFMTA Board Resolution, 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 Harrison Street Infrastructure Improvements 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 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 Harrison Street Infrastructure Improvements Project could have a significant effect on the environment; and, be it

FURTHER RESOLVED, That this Commission approves an increase of 214 calendar days to the original contract duration contingency of 52 calendar days for the Harrison Street Infrastructure Improvements Project, contract with A. Ruiz Construction Co., & Assoc.; 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 duration of up to 784 consecutive calendar days.

I hereby certify that the foregoing resolution was adopted by the Public Works Commission at its meeting of April 7, 2023



Commission Affairs Manager  
Public Works Commission