

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

RESOLUTION NO. 2023-0109

WHEREAS, The work performed under the Folsom Streetscape Project (Sourcing ID No. 0000004297) consists of streetscape and landscaping improvements, pavement resurfacing, traffic signal and street lighting upgrades, bulbout construction, curb ramp and sidewalk enhancements, sewer and emergency firefighting water replacement, drainage work, overhead contact system (OCS) and traction power work, traffic control improvements and other associated infrastructure work along Folsom Street from 2nd Street to 11th Street in San Francisco (together the “Project”); and

WHEREAS, On May 10, 2018, the Planning Commission certified the Central South of Market (SoMa) Environmental Impact Report (EIR) (Planning Department Case No. 2011.1356E) according to Planning Commission Motion No. 20182 pursuant to requirements of California Environmental Quality Act (CEQA), which included analysis at a program level for adoption and implementation of the Central SoMa Plan as well as “project-level” environmental review for street network changes, which includes components of the Project, and open space improvements proposed in the Plan; and

WHEREAS, On May 10, 2018, the Planning Commission, in Motion No. 20183 (together with Planning Commission Motion No. 20182, the “Planning Commission Motions”), adopted findings under CEQA, the CEQA Guidelines, and Chapter 31 of the Administrative Code (“CEQA Findings”), and adopted a Mitigation Monitoring and Reporting Program (“MMRP”); and

WHEREAS, On April 12, 2019, the Planning Department determined in a Note to File that the Folsom-Howard Streetscape Project (Planning Department Case No. 2011.1356E), which includes project modifications with new two-way cycle track, transit-only lane and new bulbouts, is within the scope of the Central SoMa Plan EIR; and

WHEREAS, On June 18, 2019, the SFMTA Board of Directors approved Resolution 190618-075 approving the Folsom-Howard Streetscape Project, including the Folsom Street transit lanes that comprise part of the Project, and adopted the CEQA Findings and the MMRP; and

WHEREAS, On February 15, 2021, San Francisco Public Utilities Commission (SFPUC) submitted a request to recommend statutory exemption on the Project’s sewer main replacement scope from environmental review under Public Resources Code (PRC) Section 21080.21 and CEQA Guidelines Section 15282(k); and

WHEREAS, On December 13, 2022, California Department of Transportation, issued a categorical exclusion determination (“NEPA Determination”) concluding that the transportation safety improvements on Folsom Street between 2nd and 11th Streets to be performed under this contract are categorically excluded under the National Environmental Policy Act (“NEPA”) pursuant to Code of Federal Regulations Title 23 Part 771.117(c), Activity (c)(3); and

WHEREAS, The Project’s cost estimate was \$37,518,400, and the contract duration is 950 consecutive calendar days; and

WHEREAS, Federal Highway Administration regulations require federally-aided contracts to subcontract with Disadvantaged Business Enterprises (DBE) and on December 23, 2022, the California Department of Transportation (Caltrans) approved the DBE subcontracting requirement of 23% for this contract; and

WHEREAS, On July 7, 2023, San Francisco Public Works advertised for the Project, and on September 20, 2023, San Francisco Public Works received five (5) bids; and

WHEREAS, Public Works staff and Contract Monitoring Division (CMD) staff reviewed the bids and application of bid subcontracting requirement and determined that Mitchell Engineering is the responsive and responsible bidder that submitted the lowest bid; and

WHEREAS, Mitchell Engineering committed to DBE participation of 23.77% in its bid submittal and received CMD’s award recommendation; and

WHEREAS, The Public Works Commission has reviewed the EIR, the Note to File, Planning Commission Motions, the CEQA Findings, the Statutory Exemption, and the NEPA 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

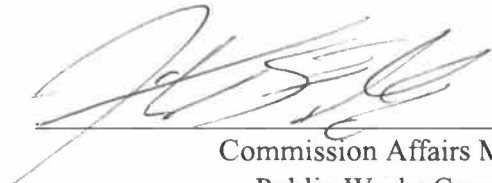
RESOLVED, The Commission has reviewed and considered the EIR and record as a whole, finds that the EIR is adequate for its use as the decision-making body for the action taken to award the construction contract for the Project and incorporates the CEQA findings contained in SFMTA Board of Directors Resolution No. 190618-075 by this reference thereto as though set forth in this Resolution; and be it further

RESOLVED, That this Commission adopts as its own the CEQA Findings, the Planning Department’s determination in the Note To File, the MMRP, and Caltrans’s NEPA determination, and finds that since the EIR and the Note to File were finalized, there have been no substantial project changes and no substantial changes in project circumstances that would require major revisions to the EIR due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts, and there is no new information of substantial importance that would change the conclusions set forth in the

EIR, and this Commission determines that there is no substantial evidence that the work performed under this contract could have a significant effect on the environment; and be it

FURTHER RESOLVED, That this Commission hereby awards the Folsom Streetscape Project (Sourcing ID No. 0000004297) contract to Mitchell Engineering in the amount of \$34,979,747.50 with \$3,497,974.75 for contingency, and with 950 consecutive calendar days with 95 consecutive calendar days of contingency to complete the Project.

I hereby certify that the foregoing resolution was adopted by the Public Works Commission at its meeting of November 3, 2023.



Commission Affairs Manager
Public Works Commission