




MEMORANDUM

January 7, 2022

TO: MEMBERS, PORT COMMISSION
Hon. Kimberly Brandon, President
Hon. Willie Adams, Vice President
Hon. John Burton
Hon. Gail Gilman
Hon. Doreen Woo Ho

FROM: Elaine Forbes
Executive Director 

SUBJECT: Request authorization to advertise for competitive bids for Construction Contract No. 2841, Heron's Head Shoreline Resilience

DIRECTOR'S RECOMMENDATION: Approve the Attached Resolution No. 22-02

Executive Summary

The Port of San Francisco created Heron's Head Park over 20 years ago. Located at the southern end of the Port's jurisdiction, the park has evolved over the past two decades, including the addition of the EcoCenter in 2010 and expansion and improvement of the park in 2012. Heron's Head Park has become a valued natural and community resource that supports diverse habitat and attracts a diverse population to the waterfront. The Park has experienced significant erosion along its southern shoreline and infestation of the wetlands by non-native plants. In 2018, the Port studied erosion that has adversely affected Heron's Head Park, analyzed alternatives for stabilizing the shoreline, and has since developed plans for a living shoreline to mitigate erosion and improve habitat value. The proposed mitigation and improvement scope of work is to install a gravel beach, rock structures, and habitat features along the south shoreline.

Port staff requests that the Port Commission authorize the advertisement for competitive bids for Construction Contract No. 2841, Heron's Head Shoreline Resilience (the "Project"). The Project is located on the southern shoreline of Heron's Head Park,

THIS PRINT COVERS CALENDAR ITEM NO. 10B

at the foot of Cargo Way (see Exhibit “A” for Area of Work Location Map). Funding is provided by multiple grants. The Engineer’s Construction Cost Estimate, including a 15% contingency, is \$2.7 million. Two bid alternates are included in the bid documents: (1) to install wood habitat structures along the beach and (2) to install oyster reef ball habitat structures in the water; the estimates for both combined are \$260,000, including a 15% contingency.

Strategic Objective

Completion of this Project is a stated goal of the Port’s 2021-2025 Strategic Plan, the project supports the goals of the Port’s Strategic Plan as follows:

Sustainability: *Implement nature-based shoreline stabilization and improvement projects and complete the Heron’s Head Park Shoreline Project by 2023.* Acceptance of California Department of Fish & Wildlife grant funds will substantially contribute to the Port’s achievement of this objective.

Engagement: *Partner with City departments and government agencies to align communication, engagement, and activities.* Port staff has presented the Project to the Port’s Southern Advisory Committee and the EcoCenter Advisory Committee (staffed by the San Francisco Recreation and Parks Department) on multiple occasions over the past four years. The Project has support from Committee members and members of the public attending those meetings.

Literacy for Environmental Justice (LEJ), a community-based organization and project partner, will engage the neighboring Bayview Hunters Point community through informational presentations about the Heron’s Head Park Shoreline Resilience project and the potential for nature-based infrastructure to serve as shoreline protection and adaptation to sea level rise. These presentations will be community-driven; LEJ interns will develop content with technical support from the Port and deliver the presentations to organizations and stakeholders of their choice. LEJ staff and interns’ work to deliver up to four such presentations will be funded by the SFBRA grant to the Port.

Evolution: *Improve Port open spaces to provide publicly desired amenities and activities.* Protecting and enhancing the shoreline and wetland habitat at Heron’s Head Park will increase biodiversity and preserve a valuable public asset that is enjoyed by a diversity of users. In doing so, the Project preserves opportunities for healthy outdoor recreation and connection to nature in an area of the City where there is less access to such benefits.

Project Description

The scope of work for this construction contract will be placement of coarse sand and gravel stabilized by rock and cobble groynes¹ to reconstruct the beach along the southern shoreline. Also included is scope to restore the areas of the marsh and park

¹ A low wall or barrier built out into the water from the shore to abate erosion and/or drifting of material.

used for construction access to their pre-construction condition. The area of work is shown in Exhibit A.

One of the bid alternates is wood habitat structures that would consist of natural tree trunks and branches intended to mimic the form and ecological functions of natural driftwood deposited on the crest beach berm, creating refuge for animals and plants.

The other bid alternate is installation of subtidal reef structures (“oyster reef balls”) to support habitat for oysters, herring larvae, and other native plants and animals.

Construction of the shoreline would restore the originally designed habitat at Heron’s Head Park; the new beach, restored wetland plant community, and constructed oyster reefs would also provide new habitat area and diversity. The planned sand/gravel shoreline would be dynamic, enabling wetlands to migrate with rising sea level so that some wetland habitat and key public access features will remain through mid-century.

Heron’s Head Park currently is an approximately 21-acre peninsula, comprised of seven acres of wetlands and tidal ponds, and 14 acres of public open space. It is a highly valued resource for both wildlife and people. It is utilized by over 100 species of migratory and resident birds each year, and includes habitat for two endangered species: a bird, the California Ridgway’s rail, and a plant: California seablite. Heron’s Head Park is also a valuable resource for public access, recreation, and education, visited by thousands of San Francisco Bay Area residents annually. Recent surveys of park visitors found that 75% are San Francisco residents. Most visitors surveyed come to Heron’s Head Park for exercise and to experience time in nature for their health and enjoyment.

The work that the Port has done over the past 22 years has transformed a blighted mass of fill in the Bay into a valuable natural and community resource. However, over the years since the wetlands and park were created, the shoreline at Heron’s Head Park has experienced subsidence, erosion from wind-waves and tidal flows, and a low supply of suspended sediment in Bay waters needed to replenish the marsh. These forces have caused a loss of both wetland acreage and quality. In the most impacted area, the shoreline has retreated up to 50 feet from its 1999 location. One of the tidal ponds is consistently flooded rather than tidally flushed, essentially returning that former pond habitat to open Bay water. Exhibit B shows the shoreline’s changes since 1989. Without protecting the shoreline from erosion, Heron’s Head Park is expected to lose two more acres over the next 30 years. Additionally, the wetland plant habitat that is the basis of the site’s ecological function has decreased in size and suffers from invasion by non-native species. Now, Heron’s Head Park needs protection, maintenance, and stewardship.

A Heron’s Head Park living shoreline presents a unique opportunity to demonstrate nature-based resilient design and evaluate the feasibility of natural shorelines as a sea level rise adaptation measure. A living shoreline is a protected and stabilized shoreline that is made of natural materials such as plants, sand, or rock. It would safeguard the

existing wetlands from erosion, enabling the wetlands to migrate inland with rising sea level for the next 30 years, through 2050², and create a basis upon which future sea level rise adaptations could be implemented. Through the Waterfront Land Use Plan and Waterfront Resilience Program community engagement processes, the Port understands that San Franciscans value and want nature-based shoreline design to be included in the suite of solutions, including specifically for Heron’s Head Park. The Heron’s Head Living Shoreline project is incorporated as a case study to build public understanding and expansion of nature-based resilience concepts. This objective is further reinforced in other regional and local plans³ that call for nature-based shoreline stabilization and adaptation measures.

Budget and Funding

The Engineer’s construction cost estimate, including a 15% contingency on the base bid item for this proposed Project, is \$2.7 million, plus \$300,000 for the bid alternate items, for a total of \$3 million. Note that Port staff typically account for a 10% contingency, but due to the uncertain bidding climate and unusual nature of the work, a 15% contingency has been used for the base bid item. The funding will come from two grants, summarized in Table 1.

Table 1: Funding Summary

Funding Description	Amount for this Contract	Status
Grant, California Ocean Protection Council (“OPC”) Prop 68, Coastal Resilience Grant Program	\$1,667,000	Fully executed
Grant, California Department of Fish & Wildlife (“CDFW”) Prop 1, Ecosystem Restoration	\$1,333,000	Approved by Port Commission and Board of Supervisors, awaiting execution by Port Executive Director and CDFW Executive Officer
TOTAL	\$3,000,000	

Local Business Enterprise Role/Opportunities

The Contract Monitoring Division (CMD) enforces the City's Administrative Code Chapter 14B, the Local Business Enterprise and Non-Discrimination in Contracting Ordinance. The ordinance establishes 10% bid discounts for Local Business Enterprise

² The design elevation of the marsh-fringing beach is established to maintain marsh area as the marsh migrates landward with sea level rise. The design criteria are based on guidance for addressing sea level rise issued by the State of California Ocean Protection Counsel (2018) and Bay Conservation and Development Commission (2011).

³ [San Francisco Baylands Ecosystem Habitat Goals Science Update](#) (2015), the [USFWS Recovery Plan for Tidal Marsh Ecosystems of Northern and Central California](#) (2013), the San Francisco Bay Comprehensive Conservation and Management Plan (2016), the [San Francisco Bay Joint Venture](#) Tier 1 Priority Project list, the [San Francisco Bay Shoreline Adaptation Atlas](#) (2019) and the [New Life for Eroding Shorelines report](#) (2020).

(“LBE”) prime contractors and empowers CMD to set LBE subcontractor participation goals based upon availability of LBE firms to complete the type of work included in the Contract. CMD staff have reviewed the Contract scope and funding sources for this Contract, and established a 20% LBE subcontractor participation goal. (Refer to Exhibit C – CMD Memorandum).

Port staff will work with CMD staff on outreach to construction contractors located in San Francisco to encourage bidding by LBE contractors. Staff’s outreach will include phone calls and emails to LBE contractors, newspaper advertisements, and facilitating introductions at the pre-bid meeting.

Regulatory Permits & Approvals

This work requires notification to and/or approval from several regulatory agencies as well as a Port Building Permit. The major regulatory approvals and current status are shown in Table 2.

Table 2: Permitting & Approval Summary

<u>Agency</u>	<u>Permit or Approval Required and Status</u>
San Francisco City Planning – Environmental Analysis	City Planning is the lead agency ensuring compliance with the California Environmental Quality Act (CEQA). City Planning determined that the project is categorically exempt from CEQA under Class 33. Small Habitat Restoration Projects. This determination is documented in a Notice of Exemption filed 11/12/20.
U.S. Army Corps of Engineers (Army Corps)	The Army Corps has jurisdiction over work in water and the intertidal zone. Work in the intertidal zone for this project will be authorized under Nationwide Permit #27. Aquatic Habitat Restoration, Enhancement and Establishment as documented in a letter dated 10/15/2020.
Bay Conservation and Development Commission (BCDC)	BCDC has jurisdiction over work in the bay and shoreline band (within 100 ft. of Mean High Water). This project will be authorized by an amendment to the Port’s BCDC permit to construct Heron’s Head Park, approved 2/5/21.
Regional Water Quality Control Board (Water Board)	The Water Board authorized construction of the shoreline resilience project through issuance of a water quality certification dated 10/20/2020.

Port of San Francisco Building Permit	Permit to be secured prior to start of work.
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Schedule

The regulatory agencies have placed restrictions on when the construction work can take place to protect special-status species of plants and wildlife. Therefore, award and notice-to-proceed of this contract will be time-sensitive. The contractor will have a tight timeline to complete the work, and most on-site construction work needs to occur in the period from August through November. The anticipated contract schedule is as follows:

Port Commission Authorization to Advertise Contract	January 2022
Advertise for Bids	January 2022
Port Commission Approval of Award of Contract	April 2022
Substantial Completion	December 2022
Final Completion	February 2023

Summary

Port staff is prepared to seek bids for the Heron’s Head Shoreline Resilience contract and therefore respectfully asks the Port Commission for authorization to advertise for competitive bids for this Construction Contract No. 2841.

Prepared by: Erica Petersen
Project Manager

Prepared for: Rod K. Iwashita
Chief Harbor Engineer

Exhibits:

- A. Area of Work Location Map
- B. Shoreline Erosion Figure
- C. CMD Memorandum

**PORT COMMISSION
CITY AND COUNTY OF SAN FRANCISCO**

RESOLUTION NO. 22-02

- WHEREAS, Port staff seeks Port Commission authorization to solicit competitive bids for construction Contract No. 2841, Heron's Head Shoreline Resilience (the "Contract"); and
- WHEREAS, the scope of work for Contract No. 2841 includes placement of coarse sand and gravel stabilized by rock and cobble groynes to reconstruct the beach along the southern shoreline. Also included is scope to restore the areas of the marsh and park used for construction access to their pre-construction condition; and
- WHEREAS, the bid alternates scopes of work are installation of wood habitat structures and installation of subtidal reef structures ("oyster reef balls") to support habitat for oysters, herring larvae, and other native plants and animals.; and
- WHEREAS, the Engineer's construction cost estimate for the base bid, including a 15% contingency, is \$2.7 million, and the cost estimate for the bid alternates, including a 15% contingency is \$300,000, for a total of \$3 million; and
- WHEREAS, the estimated Contract cost for the full bid package, including a 15% contingency, will be funded by a California Ocean Protection Council grant and California Department of Fish & Wildlife grant; and
- WHEREAS, Port staff will secure the Port Building Permit and other approvals dependent upon selection of the Contractor prior to construction; and
- WHEREAS, CMD staff have reviewed the Contract scope and funding sources for this Contract, and established a 20% LBE subcontractor participation goal; now, therefore be it
- RESOLVED, that the Port Commission hereby authorizes Port staff to advertise for and accept competitive bids for construction Contract No. 2841, Heron's Head Shoreline Resilience.

I hereby certify that the foregoing resolution was adopted by the San Francisco Port Commission at its meeting of January 11, 2022.

Secretary

EXHIBIT A
AREA OF WORK LOCATION MAP

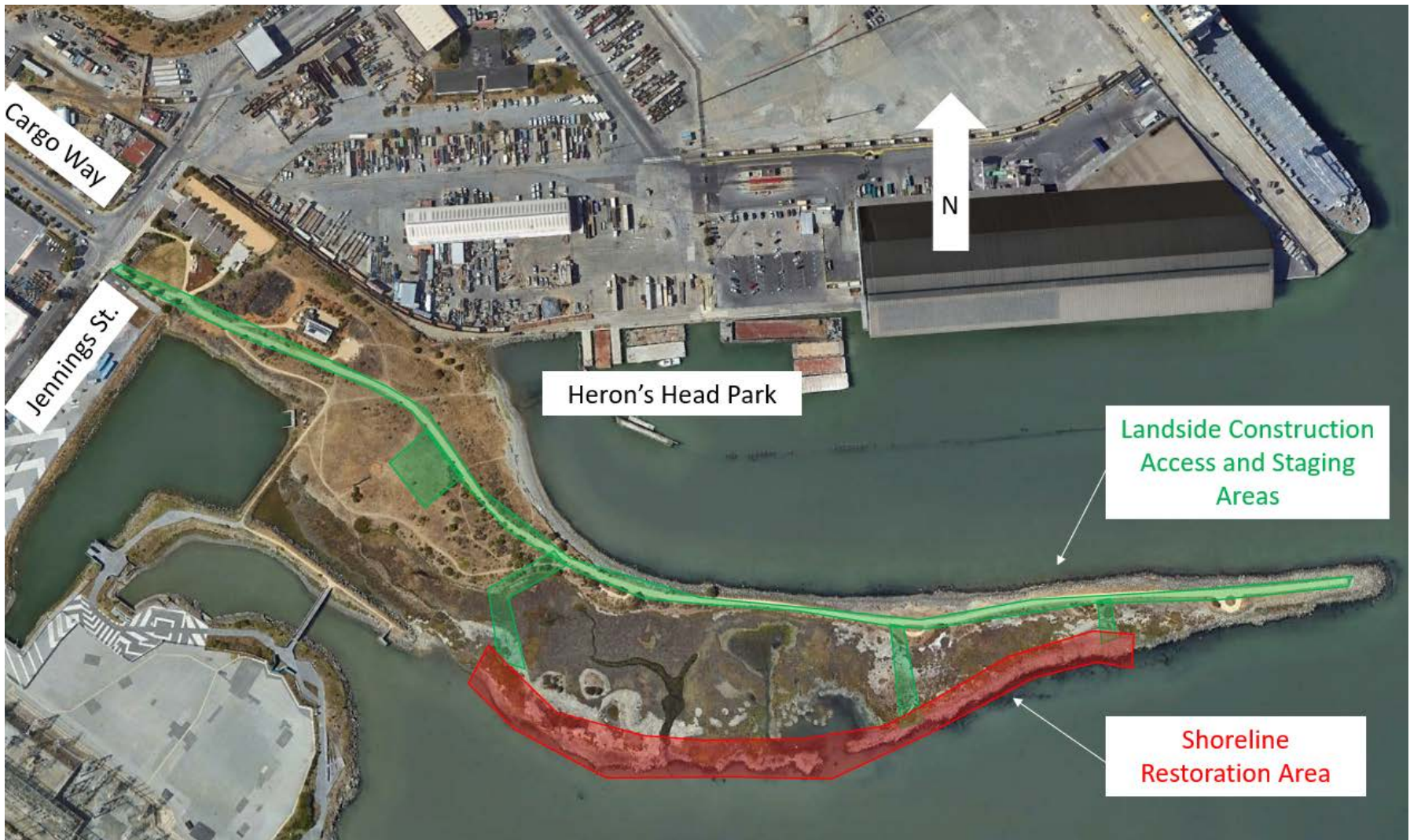


EXHIBIT B
SHORELINE EROSION FIGURE

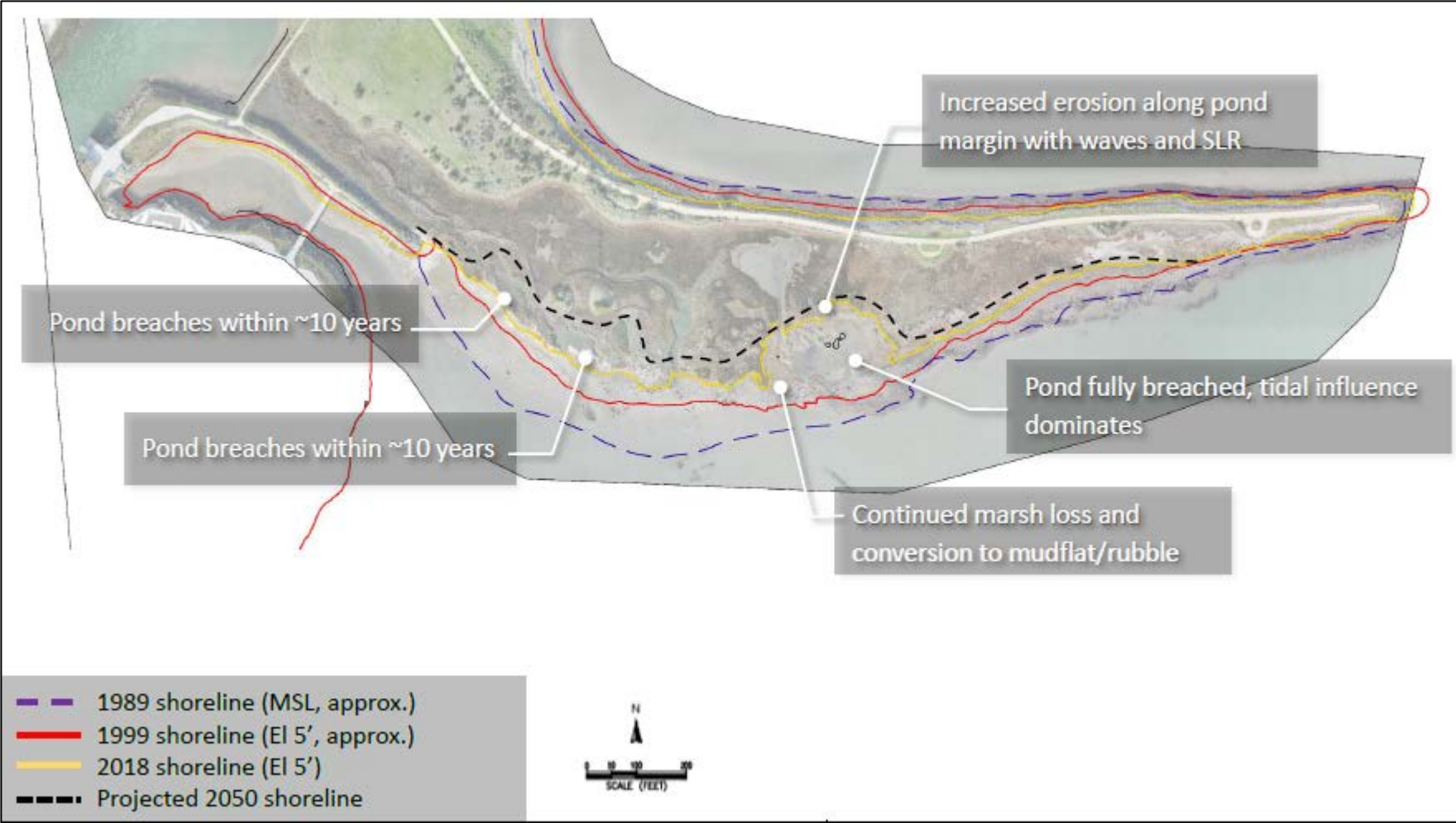


EXHIBIT C
CMD Memorandum



CONTRACT MONITORING DIVISION OFFICE OF THE CITY ADMINISTRATOR



London N. Breed, Mayor
Carmen Chu, City Administrator

Romulus Asenloo, Director

MEMORANDUM

Date: August 30, 2021
To: Erica Peterson, Port of San Francisco
From: Alysabeth Alexander-Tut, CMD
Subject: 2841 Heron's Head Shoreline Resilience

The Contract Monitoring Division ("CMD") has completed its review of the Engineer's Estimate for subcontracting opportunities on the above referenced project amendment. Based on this review and the Local Business Enterprise ("LBE") availability data, the LBE subcontracting participation requirement on the total dollar amount is **20.00%** for this project.

The LBE subcontracting participation requirement for this Contract is 20.00%.

Pursuant to Sec. 14B.9 of the Administrative Code, bidders are hereby advised that the availability of Minority Business Enterprises (MBE), Women Business Enterprises (WBE) and Other Business Enterprises (OBE) to perform subcontract work on this project is as follows:

8.0% MBE; 2.6% WBE; 9.4% OBE;

Bidders are further advised that they may not discriminate in the selection of subcontractors on the basis of race, gender, or any other basis prohibited by law, and that they shall undertake all required good faith outreach steps in such a manner as to ensure that neither MBEs nor WBEs nor OBEs are unfairly or arbitrarily excluded from the required outreach.

Should you have any questions, please feel free to contact Alysabeth Alexander-Tut at Alysabeth.alexander-tut@sfgov.org.

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