

**RESOLUTION 2013-58**

**RESOLUTION ADOPTING PLANS AND SPECIFICATIONS AND AWARDED CONTRACT NO. 2011-49 TO NEWEST CONSTRUCTION COMPANY, INC. FOR THE TENTH AVENUE MARINE TERMINAL COLD IRONING (SHORE POWER) PROJECT, SAN DIEGO, IN THE AMOUNT OF \$2,943,460**

**WHEREAS**, the San Diego Unified Port District (District) is a public corporation created by the legislature in 1962 pursuant to Harbors and Navigation Code Appendix 1, (Port Act); and

**WHEREAS**, Section 37 of the Port Act requires that the California Public Contract Code (CPCC) apply to public projects of the District; and

**WHEREAS**, the District adopted the Uniform Public Construction Cost Accounting Act (Accounting Act) procedures of the CPCC to apply to public projects of the District; and

**WHEREAS**, the Board of Port Commissioners (BPC) adopted BPC Policy No. 110 incorporating the provisions of the Accounting Act to govern the processing and administration of public projects; and

**WHEREAS**, in December, 2007 the California Air Resources Board (CARB) adopted the Shore Side Power Rule to reduce emissions from refrigerated container ships while at berth which requires that shore power be utilized by at least 50% of refrigerated container ship calls by January 1, 2014 with the percentage incrementally increasing through 2020 until 80% of refrigerated container ships are connected to a shore power system while at berth; and

**WHEREAS**, Dole Fresh Fruit Company (Dole) uses refrigerated container ships and is directly affected by the Shore Side Power Rule and currently is the only shipping line at the Tenth Avenue Marine Terminal (TAMT) affected by the regulation necessitating a need for Dole to use the proposed shore power facility at TAMT; and

**WHEREAS**, Dole currently operates three cargo ships that rotate berthing at TAMT with one ship received each week with a visit lasting approximately 62 hours and Dole has indicated that two of their refrigerated cargo ships will be retrofitted to use shore power by January, 2014; and

**WHEREAS**, on September 7, 2010, the Board authorized an agreement with Moffatt & Nichol Blaylock for professional engineering services for the design of the TAMT Shore Power Project; and

**WHEREAS**, the project was designed in accordance with the International Standards for Cold Ironing High Voltage Shore Connection Systems which establishes voltage, phase, power, connection configuration and will accommodate any vessel which is equipped to receive shore power per the standards; and

**WHEREAS**, Dole and local utility provider SDG&E were also consulted during the design phase of the shore power system; and

**WHEREAS**, the proposed shore power system includes installation of a new 7.5 Mega Volt Amps (MVA) substation, duct bank system, and two shore-to-ship fixed power receptacles in vaults at TAMT berth 10-2 and 10-3 to provide shore power to refrigerated container ships one ship at a time and will also extend underground conduit to berth 10-4 to accommodate future needs; and

**WHEREAS**, the construction bid documents for the project were advertised on January 31, 2013; and

**WHEREAS**, on March 5, 2013, five (5) bids were received ranging from \$2,943,460 to \$4,506,441.05; and

**WHEREAS**, the low bid, submitted by NEWest Construction Company, Inc., a California corporation in the amount of \$2,943,460 is considered responsive and responsible, and award to this bidder is recommended.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Port Commissioners of the San Diego Unified Port District, hereby adopts and awards Plans and Specifications for Contract No. 2011-49 to NEWest Construction Company, Inc., for the Tenth Avenue Marine Terminal Shore Power Project in the amount of \$2,943,460, and the Executive Director or his designated representative is hereby authorized to enter into Contract No. 2011-49 on behalf of the San Diego Unified Port District with NEWest Construction Company, Inc., a California corporation for the Tenth Avenue Marine Terminal Shore Power Project in the amount of \$2,943,460.

2013-58

PASSED AND ADOPTED by the Board of Port Commissioners of the San Diego Unified Port District, this 9th day of April, 2013, by the following vote:

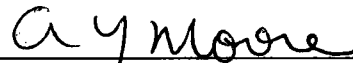
AYES: Malcolm, Moore, Nelson, Smith, Valderrama

NAYS: None.

EXCUSED: None.

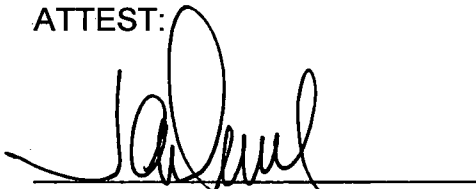
ABSENT: None.

ABSTAIN: None.



Ann Y. Moore, Chair  
Board of Port Commissioners

ATTEST:



Timothy A. Deuel  
District Clerk

(Seal)