

RESOLUTION 2014-120

**RESOLUTION WAIVING BPC POLICY NO. 110,
PART 1.G.3, TO INCREASE THE EXECUTIVE
DIRECTOR'S CHANGE ORDER EXECUTION
AUTHORITY FROM 6% TO 14% OF THE
ORIGINAL CONTRACT AMOUNT FOR
CONTRACT NO. 2012-10**

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 I (Port Act); and

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

WHEREAS, the District adopted the Uniform Public Construction Cost Accounting Act (Accounting Act) procedures of the CPC 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, Part 1.G.3 of BPC Policy No. 110 authorizes the Executive Director, or authorized designee, to negotiate and execute change orders for this contract up to an aggregate of 6% of the original contract amount; and

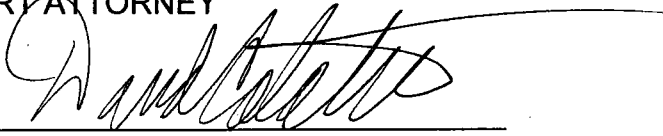
WHEREAS, Change Order No. 1 is almost 8% of the original contract amount; and

WHEREAS, staff recommends that the BPC increase the Executive Director's change order execution capacity for Contract No. 2012-10 from 6% to 14% of the original contract amount; and

WHEREAS, this will restore the Executive Director's original change order capacity for other potential change order costs.

NOW, THEREFORE, BE IT RESOLVED by the Board of Port Commissioners of the San Diego Unified Port District hereby waives BPC Policy No. 110, Part 1.G.3, to increase the Executive Director's change order execution authority from 6% to 14% of the original contract amount for Contract No. 2012-10 increasing the Executive Director change authority capacity from \$61,788 to \$145, 545.

APPROVED AS TO FORM AND LEGALITY:
PORT ATTORNEY



By: ~~Assistant~~/Deputy

PASSED AND ADOPTED by the Board of Port Commissioners of the San Diego Unified Port District, this 10TH day of June 2014, by the following vote:

AYES: Bonelli, Castellanos, Malcolm, Merrifield, and Nelson.

NAYS: None.

EXCUSED: Moore and Valderrama.

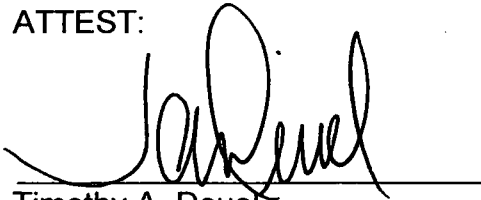
ABSENT: None.

ABSTAIN: None.



Robert E. Nelson, Chairman
Board of Port Commissioners

ATTEST:



Timothy A. Deuel
District Clerk

(Seal)