

RESOLUTION 2014-121

RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 TO CONTRACT NO. 2012-10 WITH FORDYCE CONSTRUCTION INC. FOR A LUMP SUM AMOUNT OF \$83,757 TO PROVIDE PRECAST CONCRETE SECURITY BARRIERS UTILIZING AVAILABLE GRANT FUNDS PROVIDED BY THE U.S. DEPARTMENT OF HOMELAND SECURITY, INCREASING THE AGGREGATE CONTRACT AMOUNT FROM \$1,029,800 TO \$1,113,557

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, pursuant to Resolution 2014-10 adopted by the BPC on January 14, 2014 the District entered into Contract No. 2012-10 with Fordyce Construction, Inc., in the amount of \$1,029,800 for the Broadway Pier Surface Enhancements and Security Fence and Gate System Project; and

WHEREAS, the Broadway Pier Surface Enhancements and Security Fence and Gate System project combines two projects into one construction contract; and

WHEREAS, the Surface Enhancements portion of the contract is being performed to satisfy conditions of the Coastal Development Permit (CDP) for the North Embarcadero Visionary Plan (NEVP) Phase 1 project, and is being funded through a \$1,000,000 contribution from the Centre City Development Permit (CDCC), now Civic San Diego, and \$179,409 from the District's FY 2014-2018 Capital improvement Program. The Security Fence and Gate System portion of the contract is being performed to satisfy facility security measures that are

enforced and approved by the U.S. Coast Guard and is being funded through a \$200,000 grant from the U.S. Department of Homeland Security (DHS); and

WHEREAS, Fordyce Construction, Inc.'s bid for the security fence and gate system came in at \$1,029,800; and

WHEREAS, in order to utilize these remaining funds for additional security features, staff met with project stakeholders and determined the most appropriate use of the remaining funds is to provide precast concrete security barriers (refer to the corresponding Agenda Sheet) to replace the existing plastic "Yodock" barriers (refer to the corresponding Agenda Sheet) at the Broadway Pier. The precast concrete security barriers will be more secure and will be consistent with the design of the surrounding surface enhancements, including the adjacent NEVP project improvements, and utilizing grant funds to purchase the barriers removes the need for the District to purchase the barriers in the future; and

WHEREAS, staff requested and received authorization from the DHS to utilize the grant funds to provide these precast security barriers; and

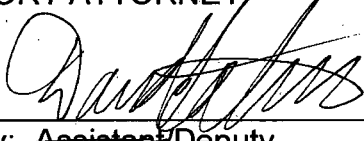
WHEREAS, upon approval from the DHS, staff issued a Request for Proposal (RFP) to the contractor to provide these barriers and the contractor replied with a proposal in the amount of \$83,757; and

WHEREAS, staff reviewed the proposal and determined it to be reasonable; therefore, staff recommends approval of Change Order No. 1 in the amount of \$83,757 to provide the proposed precast security barriers.

NOW, THEREFORE, BE IT RESOLVED by the Board of Port Commissioners of the San Diego Unified Port District, as follows:

That the Executive Director or his designated representative is hereby authorized on behalf of the San Diego Unified Port District to execute Change Order No. 1 to Contract No. 2012-10 with Fordyce Construction, Inc. for a lump sum amount of \$83,757 to provide precast concrete security barriers utilizing available grant funds provided by the U.S. Department of Homeland Security, increasing the aggregate contract amount from \$1,029,800 to \$1,113,557.

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.

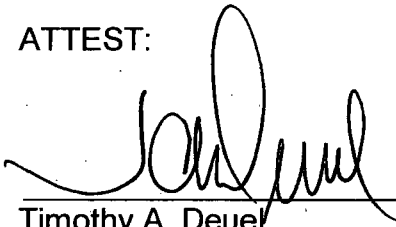
ABSENT: None.

ABSTAIN: None.



Robert E. Nelson, Chairman
Board of Port Commissioners

ATTEST:



Timothy A. Deuel
District Clerk

(Seal)