

**RESOLUTION 2014-219**

**RESOLUTION AUTHORIZING AMENDMENT NO. 1  
TO AGREEMENT WITH ICF JONES & STOKES,  
INC. FOR ENVIRONMENTAL REVIEW  
CONSULTING SERVICES FOR THE NATIONAL  
CITY MARINE TERMINAL TANK FARM  
REDEVELOPMENT AND STREET CLOSURES  
PROJECT, INCREASING THE AGREEMENT  
AMOUNT BY \$59,760 INCREASING THE  
AGGREGATE TOTAL OF THE AGREEMENT FROM  
\$138,640 TO \$198,400 AND EXTENDING ITS TERM  
TO DECEMBER 31, 2015**

**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**, the District's Board of Port Commissioners (BPC) has adopted BPC Policy No. 110 establishing a procedure for the administration of contracts and the purchasing of supplies, materials, and equipment, and establishing a policy governing the processing and administration of contracts; and

**WHEREAS**, the District's Environmental & Land Use Management (ELUM) department reviews District and tenant sponsored projects for compliance with the California Environmental Quality Act (CEQA), the National Environmental Policy Act (NEPA), the California Coastal Act (Coastal Act), the Port Master Plan (PMP), and related laws and regulations; and

**WHEREAS**, the District issued a Request for Proposals (RFP) 13-25 on July 24, 2013, seeking environmental review consulting services for the National City Marine Terminal Tank Farm Redevelopment and Street Closures Project & Port Master Plan Amendment (Project), for which Pasha Automotive Services (Pasha) is the Project Applicant; and

**WHEREAS**, District staff selected ICF Jones & Stokes, Inc. (ICF) to conduct the Project environmental review consulting services following the RFP process; and

**WHEREAS**, on March 26, 2014, the District, ICF, and Pasha entered into an Agreement whereby the District retained ICF to conduct the necessary environmental evaluation for the Project and whereby Pasha agreed to

compensate ICF for these services, which is on file in the Office of the District Clerk as Document No. 61431; and

**WHEREAS**, at the time of entry into the Agreement, it was anticipated that a Mitigated Negative Declaration (MND) would be the appropriate CEQA document for the proposed Project; and

**WHEREAS**, upon ICF's completion of the Initial Study portion of the MND, it was determined that the Project has the potential to result in some significant and unmitigable environmental impacts such that preparation of an Environmental Impact Report (EIR) is warranted; and

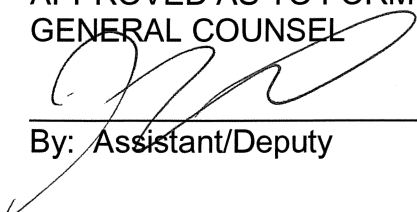
**WHEREAS**, preparation of a Project EIR is not covered by the Agreement; and

**WHEREAS**, staff recommends that the BPC authorize an amendment to the Agreement with ICF and Pasha to allow ICF to complete the Project EIR, which would require increasing the amount payable under the Agreement by \$59,760 and extending its term to December 31, 2015.

**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 authorized designee may execute the First Amendment to Agreement with ICF Jones & Stokes, Inc. and Pasha Automotive Services for environmental review consulting services for the National City Marine Terminal Tank Farm Redevelopment and Street Closures Project & Port Master Plan Amendment to increase the agreement amount by \$59,760 and extend its term to December 31, 2015, so long as such agreement is in substantial conformance to the agreement included as Attachment C to the corresponding agenda sheet on file with the District Clerk.

APPROVED AS TO FORM AND LEGALITY:  
GENERAL COUNSEL

  
\_\_\_\_\_  
By: Assistant/Deputy

PASSED AND ADOPTED by the Board of Port Commissioners of the San Diego Unified Port District, this 4<sup>th</sup> day of November, 2014, by the following vote:

AYES: Bonelli, Castellanos, Merrifield, Moore, and Valderrama.

NAYS: None.

EXCUSED: Malcolm and Nelson.

ABSENT: None.

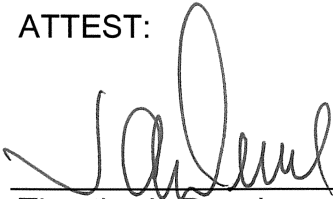
ABSTAIN: None.



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Robert E. Nelson, Chairman  
Board of Port Commissioners

ATTEST:



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Timothy A. Deuel  
District Clerk



(Seal)