

RESOLUTION 2014-46

**RESOLUTION AUTHORIZING CHANGE ORDER
NO. 2 TO CONTRACT NO. 2010-06R WITH LB
CIVIL CONSTRUCTION, INC. FOR A LUMP SUM
AMOUNT OF \$211,956.44 INCREASING THE
AGGREGATE CONTRACT AMOUNT FROM
\$7,196,942.37 TO \$7,408,898.81 AND INCREASING
CONTRACT TIME BY SEVEN CALENDAR DAYS**

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 (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, in 1999, the District entered into a Relocation Agreement with Rohr, Inc. operating as BF Goodrich Aerostructures Group (BF Goodrich), the City of Chula Vista which committed the District to construct the H Street Extension project; and

WHEREAS, the District is currently constructing the H Street Extension project in Chula Vista; and

WHEREAS, in November 2013, BF Goodrich identified an area of roughly 100 feet by 150 feet within the H Street corridor that contains Polychlorinated Biphenyls (PCBs) exceeding human health and safety criteria; and

WHEREAS, the District and BF Goodrich, in coordination with the California Regional Water Quality Control Board have developed a plan to remove and properly dispose of the PCB contaminated soil in a manner that will minimize impacts to the schedule of the H Street construction; and

WHEREAS, change order No. 2 will allow the District's contractor, LB Civil, to address the PCB contaminated soil recently identified and related to the

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former BF Goodrich South Campus site and will allow construction of the H Street Extension to proceed without significant delay while environmental conditions in the H Street corridor are addressed in an appropriate and timely manner; and

WHEREAS, the proposed change order in the amount of \$211,956.44 will increase the contract amount to \$7,408,898.81 and increase the contract time by seven calendar days to 375 calendar days.

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

That Change Order No. 2 to Contract No. 2010-06R with LB Civil Construction, Inc. for a lump sum amount of \$211,956.44 increasing the aggregate contract amount from \$7,196,942.37 to \$7,408,898.81, and increasing the Contract time by seven calendar days, and the Executive Director or his designated representative is hereby authorized and directed to execute Change Order No. 2 on behalf of the San Diego Unified Port District with LB Civil Construction, Inc. for the H Street Extension Project, Chula Vista, California.

APPROVED AS TO FORM AND LEGALITY:


By: ~~Assistant~~/Deputy

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PASSED AND ADOPTED by the Board of Port Commissioners of the San Diego Unified Port District, this 4th day of March, 2014, by the following vote:

AYES: Bonelli, Castellanos, Malcolm, Merrifield, Moore, Nelson, and Valderrama

NAYS: None.

EXCUSED: None.

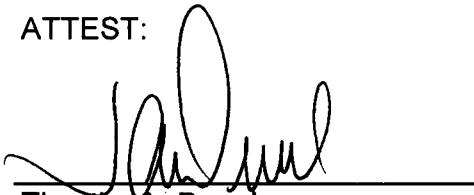
ABSENT: None.

ABSTAIN: None.



Robert E. Nelson, Chairman
Board of Port Commissioners

ATTEST:



Timothy A. Deuel
District Clerk

(Seal)