

RESOLUTION 2014-47

RESOLUTION AUTHORIZING REALLOCATION OF FUNDS WITHIN THE FY 2014-2018 CAPITAL IMPROVEMENT PROGRAM IN THE AMOUNT OF \$211,956.44 FROM THE CIP CONTINGENCY TO THE H STREET EXTENSION PROJECT

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 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 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; and

WHEREAS, the current change order contingency is \$287,663.30 and to restore adequate funding to complete the H Street Extension project, staff recommends that the change order amount of \$211,956.44 be transferred from the FY 2014-2018 Capital Improvement Program (CIP) Contingency to the H Street Extension project, reducing the CIP Contingency from \$721,700 to \$509,743.56.

NOW, THEREFORE, BE IT RESOLVED that 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 and directed to reallocate funds within the FY 2014-2018 Capital Improvement Program in the amount of \$211,956.44 from the CIP Contingency to the H Street Extension project.

APPROVED AS TO FORM AND LEGALITY:
PORT ATTORNEY


By: ~~Assistant~~/Deputy

2014-47

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.

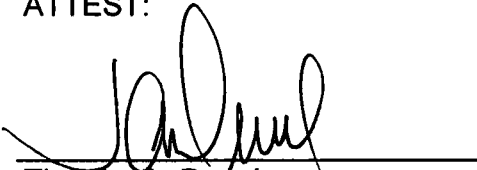
ABSENT: None.

ABSTAIN: None.



Robert E. Nelson, Chairman
Board of Port Commissioners

ATTEST:



Timothy A. Deuel
District Clerk

(Seal)