

RESOLUTION 2015-130

RESOLUTION AUTHORIZING FIFTH AMENDMENT TO AGREEMENT WITH MERKEL & ASSOCIATES TO EXTEND THE AGREEMENT FOR ONE YEAR TO CONDUCT LONG TERM MONITORING AND MAINTENANCE OF THE RESTORATION AND ENHANCEMENT PROJECT AT THE CHULA VISTA WILDLIFE RESERVE IN THE AMOUNT OF \$28,647 FOR A NEW NOT-TO-EXCEED TOTAL OF \$257,224

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, in 2008, the District was awarded a \$1,000,000 grant from the U.S. Environmental Protection Agency (EPA) and a \$296,641 grant from the California Coastal Conservancy (CCC) for the Chula Vista Wildlife Reserve (CVWR) Restoration and Enhancement Project (CVWR project); and

WHEREAS, the CVWR project included excavating 65,000 cubic yards of fill to create tidal marsh and tidal channels to increase water circulation, removal of four acres of invasive plants and forty-nine (49) tons of debris, planting native plants and long-term monitoring to show the success of the restoration and enhancement project; and

WHEREAS, construction of the CVWR project began in September 2010, and was completed in March 2011 at a cost of \$2.3 million; and

WHEREAS, to assist with the CVWR project, including long-term monitoring of sediment accumulation, vegetation growth and abundance; comparing bay-wide fisheries, eelgrass and bird surveys; and conducting water quality monitoring; the Board of Port Commissioners (BPC) approved an agreement with Merkel and Associates, Inc. (Merkel) for design and construction services; and

WHEREAS, in 2013, 2014 and 2015, the EPA approved one year grant extensions with the final grant extension until June 30, 2016; and

WHEREAS, these grant extensions provided funding for three additional years of long-term monitoring of the CVWR project; and

WHEREAS, since the EPA granted the final extension, a fifth year of support services from Merkel is proposed until Fall 2016; and

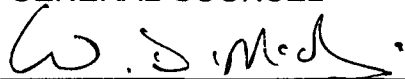
WHEREAS, to enable the fifth and final year of monitoring and implement management recommendations to improve the restoration site, an amendment to the Merkel Agreement for one year and funding in the amount of \$28,647 is needed; and

WHEREAS, no additional amendments are anticipated as the EPA grant will expire on June 30, 2016, the maximum time extension allowed by this grant.

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 her designated representative is hereby authorized on behalf of the San Diego Unified Port District to enter into the Fifth Amendment to the Agreement with Merkel & Associates, Inc. to extend the agreement for one year to conduct long-term monitoring and maintenance of the restoration and enhancement project at the Chula Vista Wildlife Reserve, increasing the maximum amount payable under the remaining term of the agreement by \$28,647 for a new not-to-exceed amount of \$257,224.

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 6th day of October, 2015, by the following vote:

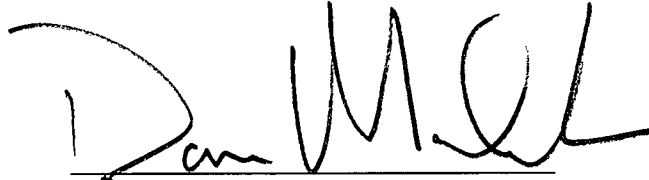
AYES: Bonelli, Castellanos, Malcolm, Merrifield, Moore, Nelson, and Valderrama.

NAYS: None.

EXCUSED: None.

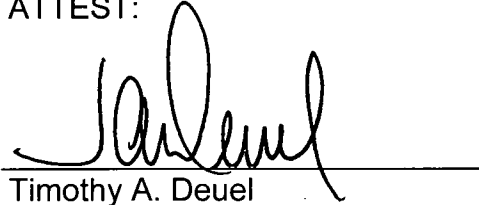
ABSENT: None.

ABSTAIN: None.



Dan Malcolm, Chairman
Board of Port Commissioners

ATTEST:



Timothy A. Deuel
District Clerk

