

RESOLUTION 2015-96

**RESOLUTION WAIVING BPC POLICY 110, II (B)
TO AUTHORIZE AMENDMENT NO. 2 TO
AGREEMENT WITH VICKERMAN AND
ASSOCIATES, LLC FOR DEVELOPMENT OF A
MARITIME MARKETING AND REDEVELOPMENT
PLAN FOR NATIONAL CITY MARINE TERMINAL,
TO INCREASE THE AGREEMENT AMOUNT BY
\$31,400, AND INCREASE THE AGGREGATE
TOTAL OF THE AGREEMENT FROM \$88,600 TO
\$120,000**

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, the Board of Port Commissioners (BPC) Policy No. 110 Section II (B) regarding service and consulting agreements for expenditures in excess of \$90,000 but do not exceed \$175,000 require solicitation of written proposals prior to entering into an agreement; and

WHEREAS, staff entered into an Agreement with Vickerman and Associates, LLC (V&A) FOR \$88,600 on January 1, 2015 for the Development of a Maritime Marketing and Redevelopment Plan for National City Marine Terminal (NCMT), also referred to as the NCMT Maritime Optimization Study; and

WHEREAS, pursuant to this Agreement, V&A has gathered and analyzed regional data, conducted site visits, met with stakeholders and developed a maritime optimization plan for NCMT; and

WHEREAS, to clarify compensation and invoicing, staff entered into Amendment No. 1 to the Agreement with V&A on June 1, 2015; and

WHEREAS, as a result of BPC meetings in June and July 2015, there have been unanticipated additional expenses related to stakeholder meetings and outreach and staff is preparing for a Workshop scheduled for September 2015; and

WHEREAS, V&A will need to prepare and participate in the Workshop, resulting in additional unanticipated work and travel; and

WHEREAS, Amendment No. 2 allows for additional stakeholder meetings and outreach as well as for V&A to present and participate in the Workshop,

including preparing material and meeting with other interested stakeholders prior to the Workshop for an additional sum of \$31,400; and

WHEREAS, pursuant to BPC Policy No. 110, service and consulting agreements in excess of \$90,000, but below \$175,000, require solicitation of written proposals prior to entering into an agreement; and

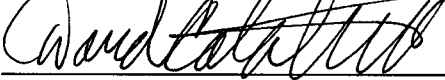
WHEREAS, staff directly negotiated the agreement with V&A and therefore may not amend the agreement to add funding without receiving BPC authorization; and

WHEREAS, staff recommends waiving BPC Policy No. 110, II (B) and authorizing a second amendment to the agreement with Vickerman & Associates, for the completion of the NCMT Study including participation in the Workshop, in a not-to-exceed amount of \$120,000.

NOW, THEREFORE, BE IT RESOLVED that the Board of Port Commissioners of the San Diego Unified Port District, hereby waives BPC Policy No. 110, Section II (B); and the Executive Director or her designated representative is hereby authorized on behalf of the San Diego Unified Port District to enter into Amendment No. 2 to the agreement with Vickerman and Associates, LLC for Development of a Maritime Marketing and Redevelopment Plan for National City Marine Terminal to increase the agreement amount by \$31,400 and increase the aggregate total of the agreement from \$88,600 to \$120,000.

APPROVED AS TO FORM AND LEGALITY:

GENERAL COUNSEL



By: Assistant/Deputy

2015-96

PASSED AND ADOPTED by the Board of Port Commissioners of the San Diego Unified Port District, this 11th day of August, 2015, by the following vote:

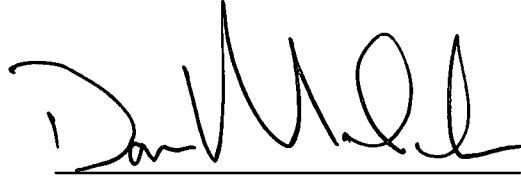
AYES: Castellanos, Malcolm, Merrifield, Nelson, and Valderrama.

NAYS: None.

EXCUSED: Bonelli and Moore.

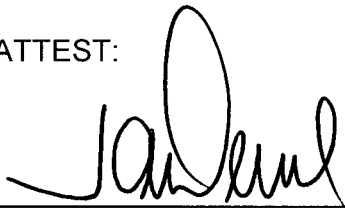
ABSENT: None.

ABSTAIN: None.



Dan Malcolm, Chairman
Board of Port Commissioners

ATTEST:



Timothy A. Deuel
District Clerk



(Seal)