

RESOLUTION 2016-100

RESOLUTION WAIVING THE BIDDING REQUIREMENTS OF BPC POLICY 110, SECTION II, C, AND AUTHORIZING AMENDMENT NO. 1 TO AGREEMENT NO. 09-2016SN WITH ABM BUILDING SERVICES, LLC FOR HVAC MAINTENANCE SERVICES, INCREASING THE MAXIMUM AMOUNT PAYABLE UNDER THE AGREEMENT BY \$91,625.76 FOR A NEW MAXIMUM AMOUNT OF \$178,251.52, AND EXTENDING THE AGREEMENT TERMINATION DATE FROM JULY 31, 2016 TO JANUARY 31, 2017

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 (C) regarding service and consulting agreements for expenditures in excess of \$175,000 require solicitation of written responses and authorization by the BPC; and

WHEREAS, the San Diego Unified Port District (District) contracts for heating, ventilation and air-conditioning (HVAC) maintenance services for various District facilities; and

WHEREAS, on May 26, 2015, the District entered into a 3-year agreement with ACCO Engineering Systems, Inc. (ACCO); and

WHEREAS, on January 31, 2016 the District terminated this agreement with ACCO as a result of their inability to perform the work according to the agreement terms; and

WHEREAS, on February 28, 2016, an interim HVAC maintenance agreement until July 31, 2016 was issued to ABM Building Services, LLC (ABM) for \$86,625.76; and

WHEREAS, in order to provide staff time to develop a comprehensive scope of services, issue a Request for Proposals (RFP) and to complete the procurement process staff desires to add \$91,625.76 to the present agreement with ABM and extend the termination date until January 31, 2017; and

WHEREAS, staff is requesting the BPC waive bidding requirements of

BPC Policy No. 110, Section II (C) and authorize Amendment No. 1 to Agreement No. 09-2016SN with ABM Building Services, LLC for HVAC maintenance services, increasing the maximum amount payable under the agreement by \$91,625.76 for a new maximum amount of \$178,251.52, and extending the agreement termination date from July 31, 2016 to January 31, 2017.

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 (C); 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. 1 to Agreement No. 09-2016SN with ABM Building Services, LLC for HVAC maintenance services, increasing the maximum amount payable under the agreement by \$91,625.76 for a new maximum amount of \$178,251.52 and extending the agreement termination date from July 31, 2016 to January 31, 2017.

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 27th day of July, 2016, by the following vote:

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

NAYS: None.

EXCUSED: None.

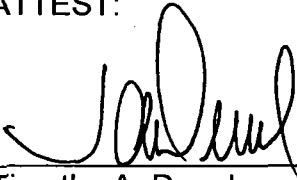
ABSENT: None.

ABSTAIN: None.



Marshall Merrifield, Chairman
Board of Port Commissioners

ATTEST:



Timothy A. Deuel
District Clerk

(Seal)