

RESOLUTION 2016-171

**RESOLUTION CONSENTING TO ASSIGNMENT
AND ASSUMPTION OF AN AGREEMENT FOR AS
NEEDED PROJECT MANAGEMENT SERVICES
FROM ACME BUSINESS CONSULTING, LLC TO
EXCELERATE LLC**

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) adopted BPC Policy No. 110 to establish a policy governing the processing and administration of public projects, consulting and service agreements, the purchasing of supplies, materials, and equipment, and grants; and

WHEREAS, on October 14, 2014 the Board of Port Commissioners adopted a resolution authorizing an agreement with ACME Business Consulting, LLC (ACME) for as-needed services to the Information Technology Project Management Office; and

WHEREAS, ACME was acquired by a firm that no longer does business in San Diego and has indicated that it cannot carry out the demands of the contract; and

WHEREAS, ACME has agreed to assign all of its San Diego business to Excelerate, LLC (Excelerate); and

WHEREAS, Excelerate is a company that was created by a former principal of ACME, who established a company which would continue to do business in San Diego; and

WHEREAS, District IT staff has done due diligence and determined Excelerate is proficient in all areas of expertise which ACME possessed and staff recommends this assignment to Excelerate.


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 consent to Assignment and Assumption of a Professional Services Agreement for as-needed Project Management Services from ACME Business Consulting, LLC to

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Excelerate, LLC.

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 8th day of November, 2016, by the following vote:

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

NAYS: None.

EXCUSED: Moore.

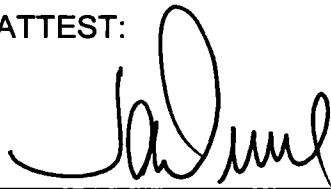
ABSENT: None.

ABSTAIN: None.



Marshall Merrifield, Chairman
Board of Port Commissioners

ATTEST:



Timothy A. Deuel
District Clerk

(Seal)