

RESOLUTION 2016-178

RESOLUTION AUTHORIZING AN AGREEMENT WITH GREAT ECOLOGY IN THE AMOUNT OF \$640,220 TO PREPARE 60% DESIGN DOCUMENTS AND SUBMIT MITIGATION BANKING PROSPECTUS DOCUMENTS TO THE ARMY CORPS OF ENGINEERS FOR A WETLANDS MITIGATION BANK

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 I, (Port Act); and

WHEREAS, the Board of Port Commissioners (BPC) adopted BPC Policy No. 110 establishing a procedure for the administration of contracts and the purchasing of supplies, materials, and equipment and establishing a policy governing the processing and administration of contracts; and

WHEREAS, Pond 20 is a 95.13 acre undeveloped parcel of land located at the south end of San Diego Bay and it is within the City of San Diego's (San Diego) Otay Mesa-Nestor Community; and

WHEREAS, in July 2015, the BPC directed staff to develop a Request for Proposals (RFP) for a mitigation bank and to continue to analyze the development of a mitigation bank on approximately 80 acres of Pond 20; and

WHEREAS, the RFP was bifurcated into two categories: 1) consultants who would assist the District in developing and maintaining a mitigation bank and 2) third-party developers who would build their own mitigation bank; and

WHEREAS, a decision analysis ranked Great Ecology as the top consultant proposal; and

WHEREAS, on December 8, 2015, no decision was made on the RFP, but the BPC directed staff to conduct due diligence, which included review of long-term maintenance and protection of the mitigation bank and related agency approvals, market analysis of current demand for mitigation credits, refined cost estimates including the use of excess soil generated from the mitigation bank for use on other District projects and alternatives analysis including a smaller, district-built, pilot project; and

WHEREAS, at the May 10, 2016 regular BPC meeting staff presented the findings of the limited due diligence including the current demand for mitigation

credits, long term maintenance requirements, construction estimates, placement of excess soil, legal protections and regulatory permitting; and


WHEREAS, on June 15, 2016, the Mitigation Ad-hoc committee was formed to continue the due diligence efforts to validate assumptions that a mitigation bank could be successful at this site and evaluating the strengths, risks, and uncertainties associated with creating a mitigation bank on Pond 20; and

WHEREAS, based on the RFP submissions and due diligence efforts, staff recommends selecting and entering into a consultant agreement with Great Ecology Environment and Design for \$640,220 to prepare 60% design drawings and submit mitigation banking prospectus documents to the Army Corps of Engineers.

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 to enter into an agreement on behalf of the San Diego Unified Port District, with Great Ecology, in the amount of \$640,220 to prepare 60% design documents and submit mitigation banking prospectus documents to the Army Corps of Engineers for a wetlands mitigation bank.

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.

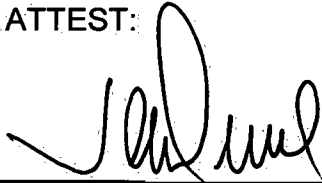
ABSENT: None.

ABSTAIN: None.



Marshall Merrifield, Chairman
Board of Port Commissioners.

ATTEST:



Timothy A. Deuel
District Clerk

(Seal)