

## **RESOLUTION 2017-050**

### **RESOLUTION AUTHORIZING CONTINUED ACTION FOR EMERGENCY STORM RELATED REPAIRS TO DISTRICT ASSETS IN ACCORDANCE WITH PUBLIC CONTRACT CODE SECTION 22050 AND DISTRICT RESOLUTION 20000-03**

**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**, California Public Contract Code Sections 22035 and 22050(a)(1) provides that a public agency pursuant to a four-fifths (4/5) vote of its governing body, may repair or replace a public facility and take action directly related by an emergency without giving notice for bids to let contracts; and

**WHEREAS**, on January 11, 2000, the BPC adopted Resolution 2000-03, pursuant to California Public Contracting Code Sections 22035 and 22050, establishing contracting procedures in the event of an emergency or disaster allowing contracts without bids, and empowering the Executive Director of the District to waive normal bidding procedures, to enter into any necessary contract and commit District funds without first obtaining BPC approval; and

**WHEREAS**, on February 28, 2017 District Executive Director Randa Coniglio declared an emergency due to heavy rains which occurred on February 27, 2017 in order to start emergency repairs that damaged District buildings; and

**WHEREAS**, on March 14, 2017, the BPC approved a resolution ratifying the emergency action taken by the Executive Director and authorized continued action for emergency storm related repairs to District assets; and

**WHEREAS**, this Agenda allows the BPC to review the emergency action and determine that continued action is needed in accordance with Public Contract Code 22050 and District Resolution 2000-03; and

**WHEREAS**, the District has issued Emergency Contracts with Premier Roofing CA, Inc. (Premier), Apex Contracting and Restoration (Apex), Anton's Services, Inc. (Anton's); and

**WHEREAS**, Contract No. 2017-18 and 2017-21 are with Premier to replace/repair the Administration and Annex Building Roofs and to repair the Harbor Police and General Services roofs, respectively; and

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**WHEREAS**, Contract No. 2017-20 is with Apex to repair the damaged windows and doors at the Administration Building and the interior of Chesapeake Fish Company Building; and

**WHEREAS**, Contract No. 2017-22 is with Anton's to repair the eroded slope at Pond 20 Fence; and

**WHEREAS**, the contractors are diligently proceeding with the work but need more time to complete the repairs.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Port Commissioners of the San Diego Unified Port District, as follows:

Adopt a resolution by a four-fifths (4/5) vote authorizing continued action for emergency storm related repairs to District assets in accordance with Public Contract Code 22050 and District Resolution 2000-03.

PASSED AND ADOPTED by the Board of Port Commissioners of the San Diego Unified Port District, this 11th day of April, 2017, by the following vote:

APPROVED AS TO FORM AND LEGALITY:  
GENERAL COUNSEL



By: Deputy

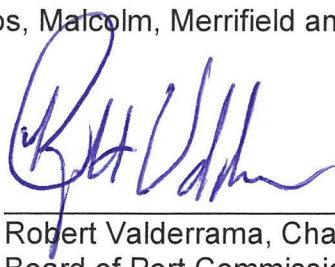
AYES: Moore, Nelson, Castellanos, Malcolm, Merrifield and Valderrama

NAYS: None.

EXCUSED: Bonelli

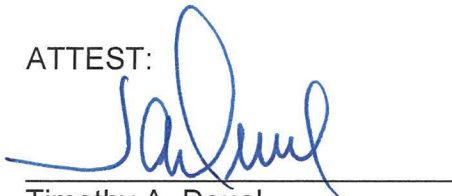
ABSENT: None.

ABSTAIN: None.



Robert Valderrama, Chair  
Board of Port Commissioners

ATTEST:



Timothy A. Deuel  
District Clerk

(Seal)