

RESOLUTION 2017-064

RESOLUTION BY A FOUR-FIFTHS VOTE AUTHORIZING CONTINUED ACTION FOR EMERGENCY STORM RELATED REPAIRS TO DISTRICT ASSETS

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 Board of Port Commissioners (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 to damaged District buildings; and

WHEREAS, on March 14, 2017, the Board 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, the contractors are diligently proceeding with the work but need more time to complete the repairs; 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 five emergency contracts which are set out below:

- (1) Emergency Roof and Downspout Improvements at Port Administration Building; Emergency Contract No. 2017-18 with Premier Roofing CA, Inc. (Premier);

- (2) Emergency Roof Repairs at Various Locations; Emergency Contract No.2017-21 with Premier Roofing CA, Inc. (Premier);
- (3) Emergency Window and Door Replacement at Port Administration Building; Emergency Contract No. 2017-20 with Apex Contracting and Restoration (Apex);
- (4) Emergency General Repairs at Various Locations; Emergency Contract No. 2017-20 with Apex Contracting and Restoration (Apex);
- (5) Emergency Erosion BMP Repairs at Pond 20; Emergency Contract No. 2017-22 with Anton's Services, Inc. (Anton's); and

WHEREAS, the damaged roof to the Chesapeake Fish Company building was completed on March 31, 2017; and

WHEREAS, the Pond 20 BMP erosion repairs were completed on April 24, 2017; and

WHEREAS, the tentative goal is to complete all emergency repairs by the middle of June 2017.

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.

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 16th day of May, 2017, by the following vote:

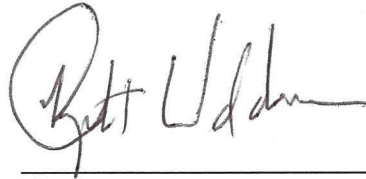
AYES: Bonelli, Castellanos, Malcolm, Merrifield, Moore, and Nelson

NAYS: None.

EXCUSED: Valderrama

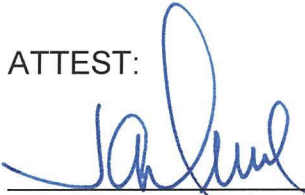
ABSENT: None.

ABSTAIN: None.



Robert Valderrama, Chair
Board of Port Commissioners

ATTEST:



Timothy A. Deuel
District Clerk

(Seal)