

RESOLUTION 2017-125

RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AWARDING CONTRACT NO. 2016-08 TO CONAN CONSTRUCTION INC. IN THE AMOUNT OF \$432,652.00 (BID SCHEDULE A) FOR THE CRUISE SHIP TERMINAL SECURITY ENHANCEMENTS PROJECT, AS AUTHORIZED BY THE BOARD IN THE FY17/18 MAJOR MAINTENANCE PROGRAM AND FUNDED BY PORT SECURITY GRANT PROGRAM FY 2015 THROUGH 2018

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, Section 87(a) of the Port Act grants authority to the District to construct, reconstruct, repair, maintain, and operate wharves, docks, piers, slips, quays, and all other works, buildings, facilities, utilities, structures, and appliances incidental, necessary, or convenient, for the promotion and accommodation of commerce and navigation; and

WHEREAS, Section 37 of the Port Act requires that the California Public Contract Code (CPCC) apply to public projects of the District; and

WHEREAS, the District adopted the Uniform Public Construction Cost Accounting Act (Accounting Act) procedures of the CPCC to apply to public projects of the District; 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, the B Street Pier Cruise Ship Terminal was identified as a high vulnerability/risk area by the 2010 Regional (United States Coast Guard and Department of Homeland Security approved) Strategic Risk Management/Mitigation and Trade Resumption/Resiliency Plan (SRMMP/TRP), United States Coast Guard Maritime Security Risk Analysis Model (MSRAM) and the 2008 California National Guard Unified Port of San Diego Vulnerability Assessment; and

WHEREAS, in response, this action will approve plans and specifications and authorize the award of a Major Maintenance construction contract for the Cruise Ship Terminal Security Enhancements project which includes installation

of pedestrian swing gates, vehicle bi-fold electric speed gate, unclimbable fence and anti-ram stone planters at the east entrance of north apron, B Street Pier; and

WHEREAS, contract documents were advertised on July 5, 2017, and, on August 7, 2017, three (3) bids were received; and

WHEREAS, Staff recommends approval of the plans and specifications for Bid Schedule A, and award to the apparent low bidder, Conan Construction Inc. for Bid Schedule A in the amount of \$432,652.00.

NOW, THEREFORE, BE IT RESOLVED that the Board of Port Commissioners of the San Diego Unified Port District, pursuant to the authority and criteria contained in the California Environmental Quality Act (CEQA) and its implementing CEQA Guidelines, has exercised its independent judgment and analyzed the proposed action or project as described above, and, based on the entire record, the Board finds that the proposed project is exempt from the provisions of CEQA and a CEQA Exemption was previously issued for this project on October 6, 2015, and the Board further determines that none of the six exceptions to the use of a categorical exemption applies to this project (CEQA Guidelines Section 15300.2). The Board also hereby finds that the proposed action or project complies with Section 87(a) of the Port Act. Section 87(a) of the Port Act expressly allows for construction, reconstruction, repair, maintenance, and operation of wharves, docks, piers, slips, quays, and all other works, buildings, facilities, utilities, structures, and appliances incidental, necessary, or convenient, for the promotion and accommodation of commerce and navigation. The Port Act was enacted by the California Legislature and is consistent with the Public Trust Doctrine. Accordingly, the Board also finds the proposed action or project is consistent with the Public Trust doctrine.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Board of Port Commissioners of the San Diego Unified Port District, hereby approves the plans and specifications and awards Contract No. 2016-08 to Conan Construction Inc. in the amount of \$432,652.00 (Bid Schedule A) for the Cruise Ship Terminal Security Enhancements project, as authorized by the Board in the FY17/18 Major Maintenance program.

The Executive Director or her designated representative is hereby authorized and directed on behalf of the San Diego Unified Port District to enter into Contract No. 2016-08 with Conan Construction Inc. in the amount of \$432,652.00 (Bid Schedule A) for the Cruise Ship Terminal Security Enhancements project, as authorized by the Board in the FY17/18 Major Maintenance program.

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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 12th day of September, 2017, by the following vote:

AYES: Bonelli, Castellanos, Malcolm, Merrifield, Valderrama, and Zucchet

NAYS: None.

EXCUSED: Moore

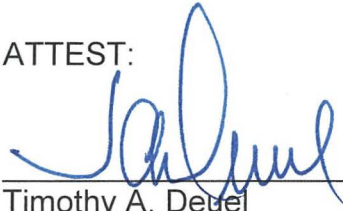
ABSENT: None.

ABSTAIN: None.



Robert Valderrama, Chair
Board of Port Commissioners

ATTEST:



Timothy A. Deuel
District Clerk



(Seal)