

RESOLUTION 2019-022

RESOLUTION AUTHORIZING A MEMORANDUM OF UNDERSTANDING BETWEEN THE SAN DIEGO UNIFIED PORT DISTRICT AND THE CITY OF IMPERIAL BEACH FOR THE CONSTRUCTION OF THE REGIONAL FIBER OPTIC INFRASTRUCTURE PHASE 4A PROJECT FOR A NOT TO EXCEED AMOUNT OF \$1,047,795 FUNDED BY HOMELAND SECURITY PORT SECURITY GRANT PROGRAM FY16

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; and

WHEREAS, the Board of Port Commissioners (Board) 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 13, 2016, the Board adopted Resolution 2016-158 authorizing acceptance of the Federal Emergency Management Administration Department of Homeland Security Port Security Grant Program for fiscal year 2016 (PSGP FY16); and

WHEREAS, included in the grant award was the District Project that continued the San Diego Fiber Optic Infrastructure around the San Diego Bay; and

WHEREAS, the District Project will construct fiber optic infrastructure on Imperial Beach Boulevard, in the City, and the City Project is for street and landscaping improvements for Imperial Beach Boulevard; and

WHEREAS, constructing the District Project prior to or after the City Project would not have been practical and disruptive; and

WHEREAS, a cost savings for the District was realized by not requiring road repairs since the City is overlaying the street and by sharing mobilization/demobilization cost along with some street demolition; and

WHEREAS, the City and District negotiated to include the District Project in the City Project, which will benefit both agencies and share project costs; and

WHEREAS, the District will provide construction management and inspection for the District Project and will reimburse the City for payments made to the City's contractor for the construction of the District Project; and

WHEREAS, on December 20, 2018, the City of Imperial Beach Bid held a bid opening and on February 6, 2019, awarded a construction contract to Palm Engineering Construction, Inc.; and

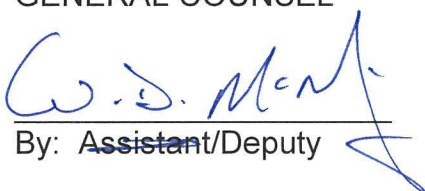
WHEREAS, the cost for the District Project is \$997,900 for the bid items in the Base Bid for items associated with the District Project and Additive Bid Schedule, including the District Project's share of 10% of the bid amounts for Mobilization and Traffic Control; and

WHEREAS, a 5% contingency in the amount of \$48,895 is set aside for any change orders related to the District Project for a total construction budget of \$1,047,795; and

WHEREAS, the City of Imperial Beach approved the Memorandum of Understanding for the District Project on February 6, 2019.

NOW THEREFORE, BE IT RESOLVED by the Board of Port Commissioners of the San Diego Unified Port District, that the Executive Director or her authorized designee is hereby authorized and directed to enter into a Memorandum of Understanding between the San Diego Unified Port District and the City of Imperial Beach for the construction of the regional fiber optic infrastructure phase 4a project for a not to exceed amount of \$1,047,795 funded by homeland security port security grant program FY16.

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 March 2019, by the following vote:

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

NAYS: None.

EXCUSED: None.

ABSENT: None.

ABSTAIN: None.



Garry J. Bonelli, Chairman
Board of Port Commissioners

ATTEST:



Donna Morales
District Clerk

(Seal)