

**RESOLUTION 2020-002**

**RESOLUTION AUTHORIZING AMENDMENT NO. 1 TO AGREEMENT 285-2017MA WITH RICK ENGINEERING, AMENDMENT NO. 1 TO AGREEMENT 287-2017MA WITH FMF PANDION, AND AMENDMENT NO. 1 TO AGREEMENT 286-2017MA WITH TETRA-TECH, INC. FOR AS-NEEDED STORMWATER MANAGEMENT SERVICES INCREASING THE MAXIMUM EXPENDITURE BY \$750,000 FOR A NEW AGGREGATE AMOUNT NOT TO EXCEED \$1,500,000, EXTENDING THE AGREEMENT UNTIL JUNE 30, 2022, AND ESCALATING THE FULLY BURDENED HOURLY BILLING RATES BY 3% PER YEAR, EFFECTIVE JULY 1, 2020 THROUGH JUNE 30, 2022 FOR RICK ENGINEERING AND FMF PANDION. FUNDING FOR FISCAL YEAR 2020 IS BUDGETED AND FUNDS REQUIRED FOR FUTURE FISCAL YEARS WILL BE BUDGETED, SUBJECT TO BOARD APPROVAL**

**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**, 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 District supports clean water in San Diego Bay through a number of initiatives, studies, and its jurisdictional runoff management program (JRMP); and

**WHEREAS**, the goal is to reduce, remove or eliminate pollutants in runoff from tidelands; and

**WHEREAS**, several National Pollutant Discharge Elimination System (NPDES) stormwater permits are implemented through the District's JRMP; and

**WHEREAS**, the permits include requirements and actions that must be taken to reduce or minimize the impacts from urban runoff generated from existing developments, construction and development projects, and other activities; and

**WHEREAS**, the District utilizes consultant services to assist with these requirements and to provide technical expertise in support of the District's water quality goals; and

**WHEREAS**, on January 9, 2018, the BPC authorized agreements, 285-2017MA, 286-2017MA, and 287-2017MA in the amount of \$750,000, with Glenn A. Rick Engineering & Development Corporation dba Rick Engineering (Rick Engineering), Tetra Tech, Incorporated and FMF Pandion for as-needed stormwater management services for an aggregate amount not to exceed \$750,000 for a period of 3 years; and

**WHEREAS**, due to an unanticipated uptick in construction activities, ongoing marine terminal initiatives, and other strategic water quality initiatives and operational activities requiring stormwater oversight, most of the funds allocated to the as-needed stormwater services agreements have been exhausted or encumbered ahead of schedule, resulting in the need for an amendment to the agreements; and

**WHEREAS**, the three firms under these agreements have provided exemplary services to date and continuation of services from the existing firms is needed to complete existing projects efficiently and effectively; and

**WHEREAS**, the proposed amendment to Agreements 285-20127MA, 286-2017MA, and 287-2017MA in the amount of \$750,000 with Rick Engineering, FMF Pandion, and Tetra-Tech, Inc., increases the total contract amount from \$750,000 to \$1,500,000 and extends the end date from June 30, 2021 to June 30, 2022; and

**WHEREAS**, funding for Fiscal Year 2020 is budgeted and funds required for future fiscal years will be budgeted, subject to BPC approval.

**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 on behalf of the San Diego Unified Port District to enter into Amendment No. 1 to Agreement No. 285-2017MA with Glenn A. Rick Engineering & Development Corporation dba Rick Engineering, Amendment No. 1 to Agreement No. 287-2017MA with FMF Pandion, and Amendment No. 1 to Agreement No. 286-2017MA with Tetra-Tech, Inc. for as-needed stormwater management services increasing the maximum expenditure by \$750,000 for a new aggregate amount not to exceed \$1,500,000, extending the agreements until June 30, 2022, and escalating the fully burdened hourly billing rates by 3% per year, effective July 1, 2020 through June 30, 2022 for Rick Engineering and FMF Pandion.

APPROVED AS TO FORM AND LEGALITY:  
GENERAL COUNSEL


  
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By: ~~Assistant/Deputy~~

PASSED AND ADOPTED by the Board of Port Commissioners of the San Diego Unified Port District, this 9<sup>th</sup> day of January 2020, by the following vote:

AYES: Castellanos, Malcolm, Merrifield, Moore, Valderrama, and Zucchet  
NAYS: None.  
EXCUSED: Bonelli  
ABSENT: None.  
ABSTAIN: None.

  
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Ann Y. Moore, Chair  
Board of Port Commissioners

ATTEST:

  
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Donna Morales  
District Clerk

(Seal)