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San Diego Unified Port District
Document No. **69086**
Filed **NOV 21 2018**
Office of the District Clerk

**AMENDMENT NO. 1 TO AGREEMENT BETWEEN
SAN DIEGO UNIFIED PORT DISTRICT
and
KTU&A
for
AS-NEEDED LANDSCAPE ARCHITECTURE
AGREEMENT NO. 195-2016AC**

The parties to this Amendment No. 1 to Agreement are the SAN DIEGO UNIFIED PORT DISTRICT, a public corporation (District) and KTU&A, a California Corporation (Design Professional).

Recitals:

District and Design Professional are parties to an Agreement for As-Needed Landscape Architecture. The agreement is on file in the Office of the District Clerk as Document No. 66006 dated January 11, 2017. It is now proposed to increase the aggregate amount of Agreement with Design Professional and Agreement with Schmidt Design Group, Inc., District Clerk No. 66005, by \$300,000.00 from a total of \$200,000.00 to \$500,000.00 (not including option years).

The Parties Agree:

1. Section 3.a, MAXIMUM EXPENDITURE, is hereby replaced with the following:

- a. **Maximum Expenditure.** The aggregate amount under this Agreement with Design Professional and agreement with Schmidt Design Group Inc., District Clerk Document No. 66005, shall not exceed \$500,000. Three option years may be granted at the District's sole discretion. Option Year One, if granted, shall not exceed \$100,000. Option Year Two, if granted, shall not exceed \$100,000. Option Year Three, if granted, shall not exceed \$100,000. The maximum aggregate amount expenditure under this agreement with all three option years is \$800,000. Said expenditure shall include without limitation all sums, charges, reimbursements, costs and expenses provided for herein.

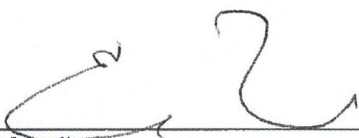
ORIGINAL

Design Professional shall not be required to perform further services after compensation has been expended. In the event that the Design Professional anticipates the need for services in excess of the maximum Agreement amount, the District shall be notified in writing immediately. District must approve an amendment to this Agreement before additional fees and costs are incurred.

2. All other terms, covenants, and conditions in the original Agreement shall remain in full force and effect and shall be applicable to this Amendment.


SAN DIEGO UNIFIED PORT DISTRICT

KTU&A


 Ernesto Medina
 Chief Engineer, Engineering-Construction


 Micheal Singleton
 President

Approved as to form and legality:
 GENERAL COUNSEL


 By: Assistant/Deputy

A manually signed copy of this Amendment transmitted by email or any other means of electronic transmission shall be deemed to have the same legal effect as delivery of an original signed copy of this Amendment.

(3)

Reference Copy
69086**RESOLUTION 2018-168****RESOLUTION AUTHORIZING AMENDMENT NO. 1
TO INCREASE THE COMBINED BASE AMOUNT OF
THE AS-NEEDED AGREEMENTS BY \$300,000 WITH
KTU+A AND SCHMIDT DESIGN GROUP, INC. FOR
LANDSCAPE ARCHITECTURE SERVICES,
INCREASING THE AGGREGATE TOTAL AMOUNT
BY \$300,000 FROM \$500,000 TO \$800,000 WITH NO
INCREASE REQUIRED TO THE FY2019**

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; 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, on May 17, 2016 a Request for Quote was issued for as-needed landscape architecture services; and

WHEREAS, the District staff interviewed, selected and recommended authorizing agreements with the two highest-ranked firms, KTU+A and Schmidt Design Group, Inc.; and

WHEREAS, on December 13, 2016, the BPC authorized two-year agreements with KTU+A and Schmidt Design Group, Inc., for as-needed services for landscape architecture; and

WHEREAS, the current combined base amount capacity with KTU+A and Schmidt Design Group, Inc., is a not-to-exceed amount of \$200,000 over a period of two years (due to expire in December 2018), with the potential of three (3) one-year extensions of \$100,000 each, resulting in an aggregate agreement total of \$500,000; and

WHEREAS, the District will expend or obligate over \$100,000 on its current combined capacity by December 30, 2018; and

2018-168

WHEREAS, the reason for additional landscape architecture support services is due to the recent plan to use these services on projects such as the Urban Greening Grant for Chula Vista Bayfront project, Comfort Station and Street End Improvements at Beach Avenue and the future phased plan to replace landscaping and irrigation system with drought tolerant system along North Harbor Drive, between north end of Spanish Landing park and West Ash Street; and

WHEREAS, an increase of \$300,000 to the combined base amount is needed at this time to support implementation of the District's approved and budgeted projects; and

WHEREAS, BPC authorization of this agenda will increase the Agreement capacity by \$300,000 for a new, not-to-exceed total of \$800,000 for landscape architecture services.

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 to execute Amendment No. 1 to the as-needed agreements with KTU+A and Schmidt Design Group, Inc. for landscape architecture services, increasing the aggregate total of the agreements by \$300,000 from \$500,000 to \$800,000.

APPROVED AS TO FORM AND LEGALITY:
GENERAL COUNSEL



By: Assistant/Deputy

2018-168

PASSED AND ADOPTED by the Board of Port Commissioners of the San Diego Unified Port District, this 6th day of November 2018, by the following vote:

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


NAYS: None.

EXCUSED: None.

ABSENT: None.


ABSTAIN: None.

RECUSED: Castellanos



Rafael Castellanos, Chairman
Board of Port Commissioners

ATTEST:



Donna Morales
District Clerk

(Seal)



69086



San Diego Unified Port District

3165 Pacific Hwy.
San Diego, CA 92101

Item No. 9B

File #: 2018-0482

DATE: November 6, 2018

SUBJECT:

- A) RESOLUTION AUTHORIZING AMENDMENT NO.1 TO THE AS-NEEDED AGREEMENTS WITH TUCKER SADLER ARCHITECTS, INC. AND SILLMAN WRIGHT ARCHITECTS FOR ARCHITECTURAL AND ADA CODE COMPLIANCE REVIEW SERVICES, INCREASING THE AGGREGATE TOTAL BY \$250,000 FROM \$500,000 TO \$750,000 WITH NO INCREASE REQUIRED TO THE FY2019 BUDGET.
- B) RESOLUTION AUTHORIZING AMENDMENT NO.1 TO INCREASE THE COMBINED BASE AMOUNT OF THE AS-NEEDED AGREEMENTS BY \$300,000 WITH KTU+A AND SCHMIDT DESIGN GROUP, INC. FOR LANDSCAPE ARCHITECTURE SERVICES, INCREASING THE AGGREGATE TOTAL AMOUNT BY \$300,000 FROM \$500,000 TO \$800,000 WITH NO INCREASE REQUIRED TO THE FY2019 BUDGET.

EXECUTIVE SUMMARY:

On July 21, 2014, staff issued a Request for Qualifications (RFQ) for as-needed architectural and ADA code compliance services. Through the interview selection process, staff recommended authorizing agreements with the two highest-ranked firms, Tucker Sadler Architects, Inc. and Sillman Wright Architects.

On September 9, 2014, the Board authorized agreements with Tucker Sadler Architects, Inc. and Sillman Wright Architects for as-needed services for architectural and ADA code compliance review to support implementation of the District's program budgets.

The proposed action will increase the aggregate agreement capacity by \$250,000. Since costs incurred under these agreements are funded under approved project budgets, there is no fiscal impact associated with the proposed action.

On May 17, 2016, a RFQ was issued for as-needed Landscape Architecture services and staff recommended authorizing agreements with the two highest-ranked firms, KTU+A and Schmidt Design Group, Inc.

On December 13, 2016, the Board authorized two-year agreements with KTU+A and Schmidt Design Group, Inc., for as-needed Landscape Architecture Services, up to a combined base amount of \$200,000, necessary for implementation of the District's program budgets. These 2-year agreements also have the potential of three (3) one- year extensions of \$100,000 each, resulting in an aggregate not-to-exceed total of \$500,000

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The proposed action will increase the combined base amount of \$200,000 by \$300,000 to \$500,000, resulting in a new aggregate not-to-exceed total of \$800,000 for Landscape Architecture Services. Since costs incurred under these agreements are funded under approved project budgets, there is no fiscal impact associated with the proposed action.

The agreement capacity increases will support the implementation of approved CIP and MM projects. Since costs incurred under these agreements are funded under approved project budgets within the CIP and MM Programs, there is no fiscal impact associated with the proposed action. Work performed under these agreements is administered in accordance with District policies and procedures.

Authorization of the proposed resolutions is recommended.

RECOMMENDATION:

Adopt a Resolution authorizing Amendment No.1 the as-needed agreements with Tucker Sadler Architects, Inc. and Sillman Wright Architects for architectural and ADA code compliance review services, increasing the aggregate total of the agreements by \$250,000 from \$500,000 to \$750,000.

Adopt a Resolution authorizing Amendment No.1 to increase the aggregate capacity of the as-needed agreements with KTU+A and Schmidt Design Group, Inc., for landscape architecture services, increasing the aggregate total of the agreements by \$300,000 from \$500,000 to \$800,000.

FISCAL IMPACT:

Funds for the current fiscal year are included in the FY2019-2023 Capital Improvement Program, the FY 18/19 Major Maintenance Program, and Equipment Outlay and Other Capital Projects budgets. There will be no increase to the District's budgets as a result of this resolution. Funds required for future fiscal years will be budgeted for in the appropriate fiscal year and will be submitted for Board approval.

COMPASS STRATEGIC GOALS:

Consultants under the as-needed agreements will support the execution of Major Maintenance Projects, Capital Improvement Projects, and Equipment Outlay and other Capital Projects throughout Tidelands.

This agenda item supports the following Strategic Goal(s).

- A thriving and modern maritime seaport.
- A financially sustainable Port that drives job creation and regional economic vitality.

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DISCUSSION:

On July 21, 2014, staff issued a RFQ for architectural services. Seventeen firms responded to the solicitation. Five firms were shortlisted based on their Statements of Qualifications submitted and interviewed by a District staff evaluation review panel on September 17 and 18, 2014.

On September 9, 2014, Staff recommended and the Board authorized agreements with Tucker Sadler Architects, Inc. and Sillman Wright Architects for as-needed services for architectural and ADA code compliance review.

The aggregate capacity of the two agreements is a not-to-exceed amount of \$500,000 over a period of five years; they are due to expire in December 2019. The District has expended or obligated approximately \$499,000 on its current aggregate capacity of \$500,000 as of September 5, 2018. The necessity for additional architectural and ADA code compliance review services is due to the recent demand for the use of these services on projects such as the Comfort Station and Street End Improvements at Beach Avenue, Roof Replacement at TAMT Warehouse B, and Design of Storage Modifications at Harbor Police Headquarters Annex. An increase of \$250,000 to the aggregate agreement capacity is needed at this time to support implementation of the District's approved and budgeted projects.

Board authorization of this agenda will increase the Agreement capacity by \$250,000 for a new, not-to-exceed total of \$750,000 for architectural and ADA code compliance review services.

Staff recommends that the Board adopt a resolution authorizing Amendment No. 1 to increase the combined amount of the as-needed agreements by \$250,000 with Tucker Sadler Architects, Inc. and Sillman Wright Architects for architectural and ADA code compliance review services, increasing the aggregate total of the agreements from \$500,000 to \$750,000.

On May 17, 2016 an RFQ was issued for As-Needed Landscape Architecture services. During the advertisement period, the District received responsive proposals from twelve firms. Qualifications were reviewed by a cross-departmental panel of District staff. Four firms were shortlisted based on their Statements of Qualifications submitted. The District staff interviewed, selected and recommended authorizing agreements with the two highest-ranked firms, KTU+A and Schmidt Design Group, Inc.

On December 13, 2016, the Board authorized two-year agreements with KTU+A and Schmidt Design Group, Inc., for as-needed services for Landscape Architecture, up to a combined base amount of \$200,000, with the potential of three (3) one-year extensions of \$100,000 each, resulting in an aggregate agreement total of \$500,000, necessary for implementation of the District's Major Maintenance (MM) and Capital Improvement Program (CIP) projects.

The current combined base amount capacity with KTU+A and Schmidt Design Group, Inc., is a not-to-exceed amount of \$200,000 over a period of two years (due to expire in December 2018), with the potential of three (3) one-year extensions of \$100,000 each, resulting in an aggregate agreement total of \$500,000. The District will expend or obligate over \$100,000 on its current combined capacity by December 30, 2018. The reason for additional Landscape Architecture support services is due to

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the recent plan to use these services on projects such as the Urban Greening Grant for Chula Vista Bayfront project, Comfort Station and Street End Improvements at Beach Avenue and the future phased plan to replace landscaping and irrigation system with drought tolerant system along North Harbor Drive, between north end of Spanish Landing park and West Ash Street. An increase of \$300,000 to the combined base amount is needed at this time to support implementation of the District's approved and budgeted projects.

Board authorization of this agenda will increase the combined base amount of \$200,000 by \$300,000 to \$500,000, resulting in a new aggregate not-to-exceed total of \$800,000 for Landscape Architecture Services.

Staff recommends that the Board adopt a resolution authorizing Amendment No. 1 to increase the combined base amount of the as-needed agreements by \$300,000 with KTU+A and Schmidt Design Group, Inc., for landscape architecture services, increasing the aggregate total of the agreements from \$500,000 to \$800,000.

General Counsel's Comments:

The Office of the General Counsel has reviewed the amendments to the agreements with Tucker Sadler Architects, Inc., Sillman Wright Architects, KTU+A and Schmidt Design Group, Inc. and approves as to form and legality.

Environmental Review:

The proposed Board direction or action, including without limitation, authorizing amendments to as-needed agreements for architectural, landscape architectural, and ADA code compliance review, does not constitute a "project" under the definition set forth in California Environmental Quality Act (CEQA) Guidelines Section 15378 because no direct or indirect changes to the physical environment would occur. CEQA requires that the District adequately assess the environmental impacts of projects and reasonably foreseeable activities that may result from projects prior to the approval of the same. Any project developed as a result of Board's action or direction that requires the District or the Board's discretionary approval resulting in a physical change to the environment will be analyzed in accordance with CEQA prior to such approval. CEQA review may result in the District, in its sole and absolute discretion, requiring implementation of mitigation measures, adopting an alternative, including without limitation, a "no project alternative" or adopting a Statement of Overriding Consideration, if required. The current Board direction in no way limits the exercise of this discretion. Therefore, no further CEQA review is required.

In addition, the proposed Board action complies with Sections 21, 35, and 81 of the Port Act, which allow for the Board to pass ordinances and resolutions, to do all acts necessary and convenient for the exercise of its powers, and to use District funds for expenses of conducting the District. The Port Act was enacted by the California Legislature and is consistent with the Public Trust Doctrine. Consequently, the proposed Board action is consistent with the Public Trust Doctrine.

The proposed Board direction or action does not allow for "development," as defined in Section 30106 of the California Coastal Act, or "new development," pursuant to Section 1.a. of the District's

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Coastal Development Permit (CDP) Regulations because they will not result in, without limitation, a physical change, change in use or increase the intensity of uses. Therefore, issuance of a Coastal Development Permit or exclusion is not required. However, development within the District requires processing under the District's CDP Regulations. Future development, as defined in Section 30106 of the Coastal Act, will remain subject to its own independent review pursuant to the District's certified CDP Regulations, PMP, and Chapters 3 and 8 of the Coastal Act. The Board's direction or action in no way limits the exercise of the District's discretion under the District's CDP Regulations. Therefore, issuance of a CDP or exclusion is not required at this time.

Equal Opportunity Program:

Due to limited known sub opportunities, no SBE goal was established for these agreements. Both amendments include SBE participation either as a prime or with sub consultants.

PREPARED BY:

Yeshitla Mulugeta
Capital Project Manager II, Engineering-Construction

Attachments:

Attachment A: Amendment No. 1 to Tucker Sadler Architects, Inc.
Attachment B: Amendment No. 1 to Sillman Wright Architects
Attachment C: Amendment No. 1 to KTU+A.
Attachment D: Amendment No. 1 to Schmidt Design Group, Inc.

**AMENDMENT NO. 1 TO AGREEMENT BETWEEN
SAN DIEGO UNIFIED PORT DISTRICT
and
TUCKER SADLER ARCHITECTS, INC.
for
AS NEEDED ARCHITECTURAL AND
ADA CODE COMPLIANCE REVIEW SERVICES
AGREEMENT NO. 167-2014**

The parties to this Amendment No. 1 to Agreement are the SAN DIEGO UNIFIED PORT DISTRICT, a public corporation (District) and TUCKER SADLER ARCHITECTS, INC., a California Corporation (Design Professional).

Recitals:

District and Design Professional are parties to an Agreement for As Needed Architectural and ADA Code Compliance Review Services. The agreement is on file in the Office of the District Clerk as Document No. 62685 dated December 17, 2014. It is now proposed to increase the aggregate amount of Agreement with Design Professional and Agreement with Sillman Wright Architects, District Clerk No. 62686 by \$250,000.00 from a total of \$500,000.00 to \$750,000.00.

The Parties Agree:

1. Section 3.a, MAXIMUM EXPENDITURE, is hereby increased from \$500,000.00 by \$250,000.00 to a new aggregate total not to exceed \$750,000.00.

*****END OF PAGE*****

2. All other terms, covenants, and conditions in the original Agreement shall remain in full force and effect and shall be applicable to this Amendment.

SAN DIEGO UNIFIED PORT DISTRICT

**TUCKER SADLER ARCHITECTS,
INC.**

Ernesto Medina
Chief Engineer, Engineering-Construction


Arturo M. Castro
President & Chief Operating Officer

Approved as to form and legality:
GENERAL COUNSEL

By: Assistant/Deputy

A manually signed copy of this Amendment transmitted by email or any other means of electronic transmission shall be deemed to have the same legal effect as delivery of an original signed copy of this Amendment.

**AMENDMENT NO. 1 TO AGREEMENT BETWEEN
SAN DIEGO UNIFIED PORT DISTRICT
and
SILLMAN WRIGHT ARCHITECTS
for
AS NEEDED ARCHITECTURAL AND
ADA CODE COMPLIANCE REVIEW SERVICES
AGREEMENT NO. 168-2014**

The parties to this Amendment No. 1 to Agreement are the SAN DIEGO UNIFIED PORT DISTRICT, a public corporation (District) and SILLMAN WRIGHT ARCHITECTS, a California Corporation (Design Professional).

Recitals:

District and Design Professional are parties to an Agreement for As Needed Architectural and ADA Code Compliance Review Services. The agreement is on file in the Office of the District Clerk as Document No. 62686 dated December 17, 2014. It is now proposed to increase the aggregate amount of Agreement with Design Professional and Agreement with Tucker Sadler Architects, Inc., District Clerk No. 62685 by \$250,000.00 from a total of \$500,000.00 to \$750,000.00.

The Parties Agree:

1. Section 3.a, MAXIMUM EXPENDITURE, is hereby increased from \$500,000.00 by \$250,000.00 to a new aggregate total not to exceed \$750,000.00.

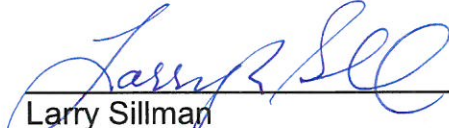
*****END OF PAGE*****

2. All other terms, covenants, and conditions in the original Agreement shall remain in full force and effect and shall be applicable to this Amendment.

SAN DIEGO UNIFIED PORT DISTRICT

SILLMAN WRIGHT ARCHITECTS

Ernesto Medina
Chief Engineer, Engineering-Construction



Larry Sillman
AIA, Principal

Approved as to form and legality:
GENERAL COUNSEL

By: Assistant/Deputy

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**AMENDMENT NO. 1 TO AGREEMENT BETWEEN
SAN DIEGO UNIFIED PORT DISTRICT
and
KTU&A
for
AS-NEEDED LANDSCAPE ARCHITECTURE
AGREEMENT NO. 195-2016AC**

The parties to this Amendment No. 1 to Agreement are the SAN DIEGO UNIFIED PORT DISTRICT, a public corporation (District) and KTU&A, a California Corporation (Design Professional).

Recitals:

District and Design Professional are parties to an Agreement for As-Needed Landscape Architecture. The agreement is on file in the Office of the District Clerk as Document No. 66006 dated January 11, 2017. It is now proposed to increase the aggregate amount of Agreement with Design Professional and Agreement with Schmidt Design Group, Inc., District Clerk No. 66005, by \$300,000.00 from a total of \$200,000.00 to \$500,000.00 (not including option years).

The Parties Agree:

1. Section 3.a, MAXIMUM EXPENDITURE, is hereby replaced with the following:

- a. **Maximum Expenditure.** The aggregate amount under this Agreement with Design Professional and agreement with Schmidt Design Group Inc., District Clerk Document No. 66005, shall not exceed \$500,000. Three option years may be granted at the District's sole discretion. Option Year One, if granted, shall not exceed \$100,000. Option Year Two, if granted, shall not exceed \$100,000. Option Year Three, if granted, shall not exceed \$100,000. The maximum aggregate amount expenditure under this agreement with all three option years is \$800,000. Said expenditure shall include without limitation all sums, charges, reimbursements, costs and expenses provided for herein.

Design Professional shall not be required to perform further services after compensation has been expended. In the event that the Design Professional anticipates the need for services in excess of the maximum Agreement amount, the District shall be notified in writing immediately. District must approve an amendment to this Agreement before additional fees and costs are incurred.

2. All other terms, covenants, and conditions in the original Agreement shall remain in full force and effect and shall be applicable to this Amendment.

SAN DIEGO UNIFIED PORT DISTRICT

KTU&A

Ernesto Medina
Chief Engineer, Engineering-Construction



Micheal Singleton
President

Approved as to form and legality:
GENERAL COUNSEL

By: Assistant/Deputy

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**AMENDMENT NO. 1 TO AGREEMENT BETWEEN
SAN DIEGO UNIFIED PORT DISTRICT
and
SCHMIDT DESIGN GROUP, INC.
for
AS NEEDED LANDSCAPE ARCHITECTURE
AGREEMENT NO. 194-2016AC**

The parties to this Amendment No. 1 to Agreement are the SAN DIEGO UNIFIED PORT DISTRICT, a public corporation (District) and SCHMIDT DESIGN GROUP, INC., a California Corporation (Design Professional).

Recitals:

District and Design Professional are parties to an Agreement for As Needed Landscape Architecture. The agreement is on file in the Office of the District Clerk as Document No. 66005 dated January 11, 2017. It is now proposed to increase the aggregate amount of Agreement with Design Professional and Agreement with KTU&A, District Clerk No. 66006 by \$300,000.00 from a total of \$200,000.00 to \$500,000.00 (not including option years).

The Parties Agree:

1. Section 3.a, MAXIMUM EXPENDITURE, is hereby replaced with the following:

a. Maximum Expenditure. The aggregate amount under this Agreement with Design Professional and agreement with KTU&A, District Clerk Document No. 66006, shall not exceed \$500,000. Three option years may be granted at the District's sole discretion. Option Year One, if granted, shall not exceed \$100,000. Option Year Two, if granted, shall not exceed \$100,000. Option Year Three, if granted, shall not exceed \$100,000. The maximum aggregate amount expenditure under this agreement with all three option years is \$800,000. Said expenditure shall include without limitation all sums, charges, reimbursements, costs and expenses provided for herein. Design

Professional shall not be required to perform further services after compensation has been expended. In the event that the Design Professional anticipates the need for services in excess of the maximum Agreement amount, the District shall be notified in writing immediately. District must approve an amendment to this Agreement before additional fees and costs are incurred.

2. All other terms, covenants, and conditions in the original Agreement shall remain in full force and effect and shall be applicable to this Amendment.

SAN DIEGO UNIFIED PORT DISTRICT

SCHMIDT DESIGN GROUP, INC.

Ernesto Medina
Chief Engineer, Engineering-Construction



Jeffrey Barr
Principal

Approved as to form and legality:
GENERAL COUNSEL

By: Assistant/Deputy

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DRAFT

RESOLUTION 20xx-xxx

RESOLUTION AUTHORIZING AMENDMENT NO. 1 TO THE AS-NEEDED AGREEMENTS WITH TUCKER SADLER ARCHITECTS, INC. AND SILLMAN WRIGHT ARCHITECTS FOR ARCHITECTURAL AND ADA CODE COMPLIANCE REVIEW SERVICES, INCREASING THE AGGREGATE TOTAL BY \$250,000 FROM \$500,000 TO \$750,000 WITH NO INCREASE REQUIRED TO THE FY2019 BUDGET

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; 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, on September 9, 2014, staff recommended and the BPC authorized agreements with Tucker Sadler Architects, Inc. and Sillman Wright Architects for as-needed services for architectural and ADA code compliance review; and

WHEREAS, the aggregate capacity of the two agreements is a not-to-exceed amount of \$500,000 over a period of five years; they are due to expire in December 2019; and

WHEREAS, the District has expended or obligated approximately \$499,000 on its current aggregate capacity of \$500,000 as of September 5, 2018; and

WHEREAS, the necessity for additional architectural and ADA code compliance review services is due to the recent demand for the use of these services on projects such as the Comfort Station and Street End Improvements at Beach Avenue, Roof Replacement at TAMT Warehouse B, and Design of Storage Modifications at Harbor Police Headquarters Annex; and

WHEREAS, an increase of \$250,000 to the aggregate agreement capacity is needed at this time to support implementation of the District's approved and budgeted projects; and

20xx-xxx

WHEREAS, BPC authorization of this agenda will increase the Agreement capacity by \$250,000 for a new, not-to-exceed total of \$750,000 for architectural and ADA code compliance review services.

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 to execute Amendment No. 1 to the as-needed agreements with Tucker Sadler Architects, Inc. and Sillman Wright Architects for architectural and ADA code compliance review services, increasing the aggregate total of the agreements by \$250,000 from \$500,000 to \$750,000.

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 6th day of November 2018, by the following vote:

DRAFT**RESOLUTION 20xx-xxx**

**RESOLUTION AUTHORIZING AMENDMENT NO. 1
TO INCREASE THE COMBINED BASE AMOUNT OF
THE AS-NEEDED AGREEMENTS BY \$300,000 WITH
KTU+A AND SCHMIDT DESIGN GROUP, INC. FOR
LANDSCAPE ARCHITECTURE SERVICES,
INCREASING THE AGGREGATE TOTAL AMOUNT
BY \$300,000 FROM \$500,000 TO \$800,000 WITH NO
INCREASE REQUIRED TO THE FY2019**

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; 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, on May 17, 2016 a Request for Quote was issued for as-needed landscape architecture services; and

WHEREAS, the District staff interviewed, selected and recommended authorizing agreements with the two highest-ranked firms, KTU+A and Schmidt Design Group, Inc.; and

WHEREAS, on December 13, 2016, the BPC authorized two-year agreements with KTU+A and Schmidt Design Group, Inc., for as-needed services for landscape architecture; and

WHEREAS, the current combined base amount capacity with KTU+A and Schmidt Design Group, Inc., is a not-to-exceed amount of \$200,000 over a period of two years (due to expire in December 2018), with the potential of three (3) one-year extensions of \$100,000 each, resulting in an aggregate agreement total of \$500,000; and

WHEREAS, the District will expend or obligate over \$100,000 on its current combined capacity by December 30, 2018; and

WHEREAS, the reason for additional landscape architecture support services is due to the recent plan to use these services on projects such as the

20xx-xxx

Urban Greening Grant for Chula Vista Bayfront project, Comfort Station and Street End Improvements at Beach Avenue and the future phased plan to replace landscaping and irrigation system with drought tolerant system along North Harbor Drive, between north end of Spanish Landing park and West Ash Street; and

WHEREAS, an increase of \$300,000 to the combined base amount is needed at this time to support implementation of the District's approved and budgeted projects; and

WHEREAS, BPC authorization of this agenda will increase the Agreement capacity by \$300,000 for a new, not-to-exceed total of \$800,000 for landscape architecture services.

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 to execute Amendment No. 1 to the as-needed agreements with KTU+A and Schmidt Design Group, Inc. for landscape architecture services, increasing the aggregate total of the agreements by \$300,000 from \$500,000 to \$800,000.

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 6th day of November 2018, by the following vote: