

**DRAFT****RESOLUTION 20xx-xxx****RESOLUTION APPROVING THE TRANSFER OF FUNDS WITHIN THE DISTRICT FY 2023 BUDGET, TRANSFERRING \$1,200,000 FROM THE CAPITAL IMPROVEMENT PROGRAM APPROPRIATED ITEM (FROM COLD IRONING PHASE 2 AT B STREET AND BROADWAY PIERS PROJECT) TO THE EQUIPMENT OUTLAY AND OTHER CAPITAL PROJECTS APPROPRIATED ITEM FOR THE ELECTRICAL IMPROVEMENTS PHASE 3 AT TENTH AVENUE MARINE TERMINAL PROJECT PURSUANT TO BPC POLICIES NO. 90 AND NO. 120**

**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, (Port Act); and

**WHEREAS**, pursuant to Board of Port Commissioners (BPC) Policy No. 90, a budget transfer of an amount between appropriated items requires BPC approval; and

**WHEREAS**, the Economic Recovery Program (ERP) Project involves upgrades to the existing electrical grid system and provides the infrastructure required to power two “first of its kind” electric mobile cranes; and

**WHEREAS**, staff is proposing that the Project construction contract be awarded to Leed Electric, Inc. in the amount of \$8,857,208 for the construction of Electrical Improvements Phase 3 at Tenth Avenue Marine Terminal (TAMT) Project; and

**WHEREAS**, the plans and specifications defining the contract work includes, but is not limited to the following:

- Base Bid Schedule A for the construction of new underground concrete encased electrical duct banks, conduit, medium voltage electrical cables, wires, and conductors, installing new concrete equipment pads, electrical manholes, and a crane substation. Electrical equipment in this base bid schedule also includes transformers, switchgears, surge protectors, grounding, and power vaults and (6) six crane power outlets along with testing and commissioning of the new electrical system.
- Additive Bid Schedule B for the construction of (3) three new crane power outlets, underground concrete encased electrical duct banks, electrical

20xx-xxx

cables, wiring, conduit, and bollards.

**WHEREAS**, the construction contract was advertised on July 29, 2022 and (2) two bidders responded with bids ranging from \$8,857,208 to \$8,964,300; and

**WHEREAS**, to fund this construction contract and contingency, additional funds are needed to cover the additional scope necessary to service two new electric mobile cranes, which was added after the initial budget for this project was established; and

**WHEREAS**, the additional funds are recommended to come from 1) a grant from the Air Pollution Control District in the amount of \$2,723,000 and 2) proceeds from the sale of Low Carbon Fuel Standards (LCFS) credits in the amount of \$3,084,208 and 3) cost savings from Cold Ironing Phase 2 B Street and Broadway Piers project in the amount of \$1,200,000; and

**WHEREAS**, the projecting funding sources are summarized as follows:

Source	Amount
Economic Recovery Program (ERP)	\$3,085,000
Air Pollution Control District (APCD)	\$2,723,000
Low Carbon Fuel Standards (LCFS)	\$3,084,208
Cold Ironing Phase 2 B Street Savings (\$500k are LCFS credits)	1,200,000
<b>Total:</b>	<b>\$10,092,208</b>

**WHEREAS**, approval of this agenda item will authorize the expenditure of construction bid, soft costs, capital labor, and allow a 10% construction contingency pursuant of BPC Policy No. 110 for a revised recommended budget of \$9,932,930 as summarized as follows:

Budget Items	Amount
Construction Bid	\$8,857,208
Contingency - 10%	\$885,722
Soft Costs	\$60,000
Capital Labor (FY 2023)	\$130,000
<b>Total Recommended Budget</b>	<b>\$9,932,930</b>

**WHEREAS**, staff is requesting and recommending the BPC to approve the transfer of funds within the District FY 2023 Budget, transferring \$1,200,000 from the Capital Improvement Program appropriated item (from Cold Ironing Phase 2 at B Street and Broadway Piers project) to the Equipment Outlay and Other Capital

appropriated item for the Electrical Improvements Phase 3 at Tenth Avenue Marine Terminal Project pursuant to BPC Policies No. 90 and No. 120.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Port Commissioners (BPC) of the San Diego Unified Port District that the BPC approves the transfer of funds within the District FY 2023 Budget, transferring \$1,200,000 from the Capital Improvement Program appropriated item (from Cold Ironing Phase 2 at B Street and Broadway Piers project) to the Equipment Outlay and Other Capital appropriated item for the Electrical Improvements Phase 3 at Tenth Avenue Marine Terminal Project pursuant to BPC Policies No. 90 and No. 120.

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 13<sup>th</sup> day of September, 2022, by the following vote: