



Legislation Text

File #: 2022-0233, Version: 1

DATE: September 13, 2022

SUBJECT:

RESOLUTION SELECTING AND AUTHORIZING AN AGREEMENT WITH URETHANE PRODUCTS CORPORATION FOR AS NEEDED MARINE FENDER REPAIR SERVICES IN AN AMOUNT NOT TO EXCEED \$400,000 AND A DURATION OF FIVE (5) YEARS. FISCAL YEAR 2023 FUNDS ARE BUDGETED. FUNDS REQUIRED FOR FUTURE FISCAL YEARS WILL BE BUDGETED IN THE APPROPRIATE FISCAL YEAR, SUBJECT TO BOARD APPROVAL UPON ADOPTION OF EACH FISCAL YEAR'S BUDGET.

EXECUTIVE SUMMARY:

This action will authorize an as needed agreement for professional services to provide marine fender repair services. These services are expected to extend the life of existing marine fenders, reduce waste and decreasing the need for new fenders at Cruise Ship Terminal (CST), National City Marine Terminal (NCMT) and Tenth Avenue Marine Terminal (TAMT), and result in cost savings for the District.

Marine fenders provide protection for ships, docks, piers, and wharves, by absorbing the energy of the moving ship during arrival, tidal fluctuations, and sailing. The cost of a new fender is approximately \$ 22,000, with a minimum three (3) months of manufacturing time, and a life span of ten (10) years. A fender repair has a cost estimate of approximately \$12,500, with a minimum two (2) week repair time, and approximately another ten (10) years of life. The fender repair eliminates the cost of break down, disposal, and the impact to local landfills.

This agreement allows for flexible management of marine fenders across the district's berths and piers. Leading to optimal berth readiness and response times for fender replacement.

Pursuant to BPC Policy No. 110, the District issued RFB 22-12MA on June 2, 2022. The District received one (1) responsive bid. Based upon the bid received, staff determined Urethan Products Corporation to be able to perform the services solicited. Upon board approval, an agreement (Attachment A) with this firm is recommended as follows:

RECOMMENDATION:

Adopt a Resolution selecting and authorizing an agreement with Urethane Products Corporation for as-needed marine fender repair services for an amount not to exceed \$400,000 and a duration of five (5) years.

FISCAL IMPACT:

Funds for the FY 2023 expenditures are budgeted in the Equipment Outlay and Other Capital Outlay budget. Funds required for future fiscal years will be budgeted for in the appropriate year subject to Board approval upon adoption of each fiscal year's budget.

COMPASS STRATEGIC GOALS:

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

- A thriving and modern maritime seaport.
- A Port with a healthy and sustainable bay and its environment.
- A Port that is a safe place to visit, work and play.

DISCUSSION:

The RFB for As-Needed Marine Fender Repair services was issued on June 2, 2022. During the advertisement period, 696 vendors were notified and 29 registered as prospective respondents for the opportunity. The following categories were notified:

Notified Categories
Boats, Motor and Marine Equipment
Hardware, Fittings, Parts and Supplies, Boat (Except Spark Plugs)
Marine Construction and Related Services; Marine Equipment Maintenance and Repair
Construction Services, General (Marine)
Boats, Motors, And Marine And Wildlife Equipment and Supplies Rental or Lease
Boats And Marine Equipment, Sale of Surplus and Obsolete Items

A site visit for RFB 22-12MA with 7 attendees, was held on Wednesday, June 15th and bids were due on July 14, 2022, with one (1) bid received.

Urethane Products Corporation (UPC) has a thorough approach to fender and camel repair with a robust pre and post inspection process to identify reusable material and must replace items to increase product life cycle. Additionally, their customer service and pricing strategy align with our marine fender repair needs.

Marine fenders provide protection for ships, docks, piers, and wharves, by absorbing the energy of the moving ship during arrival, tidal fluctuations, and sailing. The cost of a new fender is approximately \$ 22,000, with a minimum three (3) months of manufacturing time, and a life span of ten (10) years. A fender repair has a cost estimate of approximately \$12,500, with a minimum two (2) week repair time, and approximately another ten (10) years of life. The fender repair eliminates the cost of break down, disposal, and the impact to local landfills.

This agreement allows for flexible management of marine fenders across the district's berths and piers. Leading to optimal berth readiness and response times for fender replacement.

Based upon the bid review, staff recommends the Board Adopt a Resolution selecting and authorizing an agreement with Urethane Products Corporation for as-needed marine fender repair services for an amount not to exceed \$400,000 and a duration of five (5) years.

General Counsel's Comments:

The Office of the General Counsel has reviewed this agenda as presented to it and approves the same as to form and legality.

Environmental Review:

The proposed Board action, including without limitation, a resolution selecting and authorizing an agreement with Urethane Products Corporation for as needed marine fender repair services in an amount not to exceed \$400,000 and a duration of five (5) years, does not constitute a project under the definition set forth in California Environmental Quality Act (CEQA) Guidelines Sections 15352 and 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 the proposed Board action requiring the District or the Board's discretionary approval resulting in a physical change to the environment would 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 exercise of this discretion is in no way limited by this proposed Board action. Therefore, no further CEQA review is required.

The proposed Board action complies with Sections 21 and 35 of the Port Act, which allows the Board to pass resolutions; and to do all acts necessary and convenient for the exercise of its powers. 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 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 Coastal Development Permit (CDP) Regulations because there will not be, 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 would remain subject to its own independent review pursuant to the District's certified CDP Regulations, Port Master Plan (PMP), and Chapters 3 and 8 of the Coastal Act. The exercise of the District's discretion under the District's CDP Regulations is in no way limited by the proposed Board action.

Diversity, Equity, and Inclusion Program:

Due to limited known sub opportunities, no SBE goal was established for this Agreement. The one responsive bid received is from an SBE. The SBE participation is 100%.

Responsive Bidder	SBE Certs	Subs	Sub Certs	DEI Bonus Categories		DEI Policy	Total Workforce			Executives		
				DVBE or Disabled Staff	Veteran Status or Staff		Total	Women	BIPOC	Total	Women	BIPOC
Urethane Products Corporation	Yes	None	N/A	No	No	Yes	13	3	11	2	1	1

PREPARED BY:

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Director, Maritime

Attachment(s):
Attachment A: Agreement 84-2022MA