

DRAFT

RESOLUTION 20xx-xxx

RESOLUTION SELECTING AND AUTHORIZING AN AGREEMENT WITH APEX COMPANIES LLC FOR AS-NEEDED CHULA VISTA BAYFRONT STORM WATER POLLUTION PREVENTION PLAN (SWPPP) SERVICES FOR AN AGGREGATE AMOUNT NOT TO EXCEED \$633,269 FOR A PERIOD OF THREE YEARS. FUNDS WILL BE SOURCED FROM THE SITE PREPARATION AT CHULA VISTA BAYFRONT PROJECT IN THE FY 2019-2023 CAPITAL IMPROVEMENT PROGRAM

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 (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 Chula Vista Bayfront (CVB) project seeks to transform approximately 535 acres of largely vacant and underutilized industrial landscape into a thriving recreational, residential, and resort destination along the Chula Vista waterfront; and

WHEREAS, the CVB Capital Improvement Program (CIP) project and site preparation at CVB is currently in the planning and design phases, and early site preparation grading at key parcels has begun and includes import and placement of pre-qualified soil embankment to accommodate sea level rise; and

WHEREAS, to date, approximately 225,000 cubic yards of fill soil have been transported to CVB as part of the site preparation for the Costa Vista RV Resort and the upcoming Gaylord hotel, and planned building pad and site improvements for these and other upcoming CVB projects will require continued import activities throughout the upcoming years; and

WHEREAS, District staff recommend entering into an agreement for Storm Water Pollution Prevention Plan (SWPPP) services for CVB to provide temporary water pollution control Best Management Practices (BMP) inspection, maintenance, and repair services at the CVB as part of the CIP project site preparation; and

20xx-xxx

WHEREAS, pursuant to BPC Policy No. 110, the District issued a Request for Proposals (RFP) on May 10, 2019;

WHEREAS, by June 11, 2019, the District received responsive proposals from four (4) firms; and

WHEREAS, three (3) firms were interviewed by staff on July 10, 2019, and staff ranked the firms in accordance with the selection criteria listed in the RFQ based on the firms' proposals and interviews; and

WHEREAS, based on this selection process, staff recommends that the BPC select and authorize an agreement with Apex Companies LLC for as-needed Chula Vista Bayfront Storm Water Pollution Prevention Plan in an amount not to exceed \$633,269 for a period of three (3) years; and

WHEREAS, selecting and authorizing this agreement would not commit the entire not-to-exceed agreement amount of \$633,269, instead, this action would provide staff the contractual capacity to address the SWPPP requirements as-needed, should they arise during the three (3) year agreement term, for future site development needs, weather conditions, and opportunities to import and place additional soil; and

WHEREAS, funds for this service, will be sourced from the Site Preparation at Chula Vista Bayfront project in the FY 2019-2023 CIP. Approval of this agenda will authorize the expenditure of up to \$633,269 from the Capital Improvement Program funding appropriation.

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 agreements for as-needed Storm Water Pollution Prevention Plan requirements as-needed, should they arise during the three (3) year agreement term, for future site development needs, weather conditions, and opportunities to import and place additional soil for an amount not to exceed \$633,269 for a period of three (3) years with Apex Companies LLC.

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 5th day of November 2019, by the following vote: