

August 30, 2021

To: All Recommended Firms

Subject: Request for Qualifications (RFQ) 21-12ND:
As-Needed Quality Control and Design Review Services

One of our strategic initiatives is to contract with businesses that share the Port District's commitment to inclusion, diversity, and equity. To that end, consistent with our initiative, we seek relevant information on your firm's commitment to these values.

Please provide information, if any, on your current programs and/or commitments related to the values identified above, with any supporting documentation. This may include policies, standard operating or administrative procedures, an outreach list, any required Subcontracting or Affirmative Action Plan, and any other materials you want to include.

Secondly, provide information, including any annual reports, if applicable, on how you measure your success in furtherance of these values and in light of any policies, procedures, programs, or plans your company may employ.

Lastly, the District has made a few revisions to the original agreements. Revised agreements will be forwarded for your signature via DocuSign following your email acknowledgement accepting the revised terms noted below:

a. **New Section Added:**

23. Equal Opportunity Employment

Service Provider represents that it is an equal opportunity employer and it shall not discriminate against any subconsultant, employee or applicant for employment because of race, religion, color, national origin, handicap, ancestry, sex, gender, gender expression, sexual orientation, or age. Such non-discrimination shall include, but not be limited to, all activities related to initial employment, upgrading, demotion, transfer, recruitment or recruitment advertising, layoff or termination.

Service Provider will, within forty-five (45) days of the effectiveness of this Agreement, provide a written statement of its commitment to diversity, equity and inclusion, which shall include a commitment and brief description of its plan to implement good faith efforts to recruit subconsultants and employees in a non-discriminatory manner. If Service Provider fails to provide such written statement

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as required, the District may terminate this Agreement, effective immediately, by providing written notice of such termination. Service Provider shall, not later than sixty (60) days prior to the expiration of each anniversary of the effective date of this Agreement, provide a written report describing Service Provider's actions and results in furtherance of its commitment to diversity, equity, and inclusion. Service Provider's report shall not identify individual subconsultants and employees by name. If Service Provider fails to provide such report as required, the District may terminate this Agreement, effective immediately, by providing written notice of such termination.

Your attention to this matter, submittal and acknowledgement of acceptance is requested by close of business on **Tuesday, September 7, 2021.**

As indicated in the Ranking and Selection letter sent to all recommended firms for the above-mentioned project, Port of San Diego staff recommended to award the Agreements at the September 14, 2021 Board of Port Commissioners (BPC) meeting but this item has been pushed to the **October 12, 2021 Board Meeting at 1:00 p.m.**

The BPC meeting is public; therefore, you have the option to attend. Prior to attendance, please visit our website www.portofsandiego.org to confirm location, method, date and time of the BPC meeting.

If you have any questions regarding this project, please contact the undersigned via email at jrodriguez@portofsandiego.org, or call (619) 686-6396.

Sincerely,

/s/

Jocelyne R. Rodriguez
Assistant Procurement Analyst
Procurement Services
By email

cc: Devon Beach