

DRAFT

RESOLUTION 20xx-xxx

RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AWARDING CONTRACT NO. 2017-03R DEMOLITION AND SITE IMPROVEMENTS OF TRANSIT SHED 1 AT TENTH AVENUE MARINE TERMINAL SAN DIEGO, CALIFORNIA TO DICK MILLER, INC. IN THE AMOUNT OF \$12,345,678.90 AS AUTHORIZED BY THE BOARD IN THE FY 2014-2018 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, (Port Act); and

WHEREAS, Section 37 of the Port Act requires that the California Public Contract Code (PCC) apply to public projects of the District; and

WHEREAS, the District adopted the Uniform Public Construction Cost Accounting Act (Construction Act) procedures of the PCC to apply to public projects of the District by Resolution 98-249; and

WHEREAS, the Board of Port Commissioners (BPC) adopted BPC Policy No. 110 incorporating the provisions of the Construction Act to govern the processing and administration of public projects; and

WHEREAS, the scope of the Demolition and Site Improvements of Transit Shed 1 at Tenth Avenue Marine Terminal (TAMT) consists of the demolition of an obsolete and underutilized transit shed located adjacent to three of the terminal's eight primary vessel berths, disposal and salvage of the transit shed building and components, the excavation, grading and compaction of the areas under the demolished buildings to support new pavement, site utility improvements, and stormwater best management practice improvements; and

WHEREAS, on June 28, 2017, the original advertisement of construction contract 2017-03 received bids that were inconsistent with the bid documents, which prompted bid protests; and

WHEREAS, at the August 08, 2017 BPC Meeting, the Board adopted a resolution rejecting all bids, and authorized staff to revise the contract documents to clarify the scope of improvements and re-advertise for new bids; and

WHEREAS, the contract documents were re-advertised on August 10, 2017; and

20xx-xxx

WHEREAS, on September 06, 2017, seven (7) bids were received ranging in cost from \$12,345,678.90 to \$14,314,400.00; and

WHEREAS, the Engineer's Estimate for this contract was \$13M; and

WHEREAS, the apparent lowest responsive and responsible bid was submitted by Dick Miller, Inc. in the amount of \$12,345,678.90; and

WHEREAS, staff recommends the BPC adopt a resolution approving plans and specifications and awarding Contract No. 2017-03R for the Demolition and Site Improvements of Transit Shed 1 at TAMT to Dick Miller, Inc. in the amount of \$12,345,678.90.

NOW THEREFORE, BE IT RESOLVED by the Board of Port Commissioners (BPC) of the San Diego Unified Port District, as follows:

1. That the Plans and Specifications for Contract No. 2017-03R for the Demolition and Site Improvements of Transit Shed 1 at Tenth Avenue Marine Terminal (TAMT) in the amount of \$12,345,678.90 are hereby approved and awarded to Dick Miller, Inc.

2. That the Executive Director or her designated representative is hereby authorized to execute Contract No. 2017-03R on behalf of the San Diego Unified Port District with Dick Miller, Inc. for the Demolition and Site Improvements of Transit Shed 1 at TAMT, as authorized by the Board of Port Commissioners in the Fiscal Year 2014-2018 Capital Improvement Program.

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 10th day of October 2017, by the following vote: