

**DRAFT**

**RESOLUTION 20xx-xxx**

**RESOLUTION APPROVING CHANGE ORDER NO. 3 FOR \$33,830 AND A CONTRACT TIME EXTENSION OF 170 DAYS FOR CONTRACT NO. 2018-27, SWEETWATER BICYCLE PATH AND PROMENADE PROJECT, TO ALIGN PROJECT COMPLETION WITH THE ADJACENT COSTA VISTA RV RESORT PROJECT, WITH NO INCREASE TO THE GRANT FUNDED BOARD APPROVED PROJECT BUDGET, PURSUANT TO BPC POLICY NO.110**

**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 (Act); and

**WHEREAS**, Board of Port Commissioners BPC Policy No. 110 establishes a policy governing the processing and administration of public projects, consulting and service agreements, the processing of supplies, materials, and equipment, and grants; and

**WHEREAS**, the Sweetwater Bicycle Path and Promenade project is part of the first phase of the CIP Site Preparation at Chula Vista Bayfront project; and

**WHEREAS**, this project is grant funded through the California Natural Resources Agency's Urban Greening Program (Urban Greening Grant) as authorized by the Board at the April 2018 BPC meeting to accept the grant, allocate matching funds, and to amend the District's Capital Improvement Program (CIP) budget to reflect the addition of this Urban Greening Grant project scope and budget; and

**WHEREAS**, in the July 2019 the Board approved the plans and specifications for Contract No. 2018-27, Sweetwater Bicycle Path and Promenade project, and authorized award of the project to 3-D Enterprises for construction of the project; and

**WHEREAS**, Port staff subsequently awarded the project and issued a Notice to Proceed to 3-D Enterprises to commence construction in August 2019 and complete by March 2020; and

**WHEREAS**, staff recently extended the completion date, via Change Orders No. 1 and 2, to July 5, 2020 equaling a total contract time extension of 120 days; and

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**WHEREAS**, portions of the bicycle path and promenade project are immediately adjacent to, and in some locations cross over new street work improvements provided by the separate Costa Vista RV Resort project, developed by Sun Communities; and

**WHEREAS**, the completion of the street work improvements is not scheduled until Fall 2020; and

**WHEREAS**, to better coincide with the street work improvements, staff recommends extending completion of the 3-D Enterprises contract to December 22, 2020; and

**WHEREAS**, this contract time extension requires Board authorization due to the BPC Policy No. 110 public works limit for time extension of 120 calendar days; and

**WHEREAS**, staff recommends authorization for Change Order No. 3 in the amount of \$33,830 and contract time extension of 170 days for Contract 2018-27 to allow for a contract completion date of December 22, 2020 with no increase to the CIP project budget.

**NOW THEREFORE, BE IT RESOLVED** that the Board of Port Commissioners of the San Diego Unified Port District, hereby authorizes and directs the Executive Director or her designee to enter into Change Order No. 3 in the amount of \$33,830 and contract time extension of 170 days for Contract 2018-27 to allow for a contract completion date of December 22, 2020 with no increase to the CIP project budget.

APPROVED AS TO FORM AND LEGALITY:  
GENERAL COUNSEL

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By: Assistant/Deputy

PASSED AND ADOPTED by the Board of Port Commissioners of the San Diego Unified Port District, this 18<sup>th</sup> day of August 2020, by the following vote: