

**DRAFT**

**RESOLUTION 20xx-xxx**

**RESOLUTION AUTHORIZING THE GENERAL COUNSEL TO EXECUTE AMENDMENT NO. 3 TO THE AGREEMENT FOR EXPERT CONSULTANT SERVICES WITH KLEINFELDER, INC. INCREASING THE MAXIMUM AMOUNT PAYABLE BY \$159,950, FROM \$175,000 TO \$334,950; FY 2018 EXPENDITURES IF NEEDED, ARE BUDGETED**

**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 1, (Port Act); and

**WHEREAS**, the Board of Port Commissioners (BPC) adopted BPC Policy No. 110 establishing a procedure for the administration of contracts, solicitation of service provider agreements, and the purchasing of supplies, materials, and equipment; and

**WHEREAS**, in order to best represent the District, and in addition to in-house resources, the Office of the General Counsel sometimes utilizes the services of outside experts to provide expert analysis and opinion that the General Counsel's Office may utilize in its representation of the District; and

**WHEREAS**, the General Counsel's Office seeks amendment of its agreement with Kleinfelder, Inc., which would increase the maximum amount payable by \$159,950, from \$175,000 to \$334,950; and

**WHEREAS**, details regarding the work that would be conducted pursuant to this amendment are protected by the attorney/client and work product privileges and are discussed in a separate confidential attorney-client privileged memorandum to the BPC; and

**WHEREAS**, the General Counsel's Office recommends that the BPC authorize Amendment No. 3 to the Agreement for Expert Consultant Services with Kleinfelder, Inc.

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

That the General Counsel is authorized to execute Amendment No. 3 to the Agreement for Expert Consultant Services with Kleinfelder, Inc., increasing the maximum amount payable by \$159,950, from \$175,000 to \$334,950.

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 10<sup>th</sup> day of April, 2018, by the following vote: