

DRAFT**RESOLUTION 20xx-xxx**

RESOLUTION AUTHORIZING AMENDMENT NO. 4 TO THE AGREEMENT WITH KTU+A AND AMENDMENT NO. 3 TO THE AGREEMENT WITH SCHMIDT DESIGN GROUP, INC. FOR AS-NEEDED LANDSCAPE ARCHITECTURAL SERVICES, INCREASING THE AGGREGATE AGREEMENT AMOUNT BY \$500,000 FROM \$800,000 TO A NEW NOT-TO-EXCEED AGGREGATE AMOUNT OF \$1,300,000 AND, FURTHER, AMENDMENT NO. 3 TO SCHMIDT DESIGN GROUP ALSO EXTENDS THAT CONTRACT THROUGH JUNE 30, 2024. FUNDS REQUIRED FOR THE CURRENT FISCAL YEAR ARE INCLUDED IN THE APPROVED FY 2022 BUDGET. ALL FUNDS REQUIRED FOR FUTURE FISCAL YEARS WILL BE BUDGETED IN THE APPROPRIATE FISCAL YEAR, SUBJECT TO BOARD APPROVAL UPON ADOPTION OF EACH FISCAL YEAR'S BUDGET

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, on May 17, 2016, a Request for Quotation (RFQ) was issued for As-Needed Landscape Architecture Services and staff recommended authorizing agreements with the two highest-ranked firms, KTU+A and Schmidt Design Group, Inc.; and

WHEREAS, on December 13, 2016, the BPC authorized a two-year agreement with KTU+A and Schmidt Design Group, Inc., for as-needed Landscape Architecture Services, up to a combined base amount of \$200,000, necessary for implementation of the District's program budgets, with three (3) one-year extensions of \$100,000 each were granted resulting in an aggregate not-to-exceed total of \$500,000; and

WHEREAS, on November 6, 2018, the BPC authorized an increase to the aggregate amount of the As-Needed Landscape Architecture Services agreement with KTU+A and Schmidt Design Group, Inc., increasing the aggregate total amount

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by \$300,000 from \$500,000 to the current aggregate not-to-exceed total of \$800,000 with no increase required under the FY 2019 budget; and

WHEREAS, these amendments provided design services for an Urban Greening Grant project for Chula Vista Bayfront, Comfort Station and Street End at Beach Avenue project, and North Harbor Drive Landscape Renovation near Spanish Landing; and

WHEREAS, staff recommends that the BPC adopt a resolution authorizing Amendment No. 4 to the Agreement with KTU+A and Amendment No. 3 to the Agreement with Schmidt Design Group, Inc. for As-Needed Landscape Architectural Services increasing the aggregate agreement capacity by \$500,000 from \$800,000 to a new not-to-exceed aggregate amount of \$1,300,000, and, further, Amendment No. 3 to Schmidt Design Group also extends the Agreement through June 30, 2024; and

WHEREAS, the District is on track to expend or obligate \$300,000 over its current capacity of \$800,000 by December 31, 2022; and

WHEREAS, an additional \$500,000 capacity for Landscape Architecture services is needed to support the preparation of construction documents for the National City Preliminary Design & Pepper Park Improvements project, and may also provide the capacity to continue to support the execution of Capital Improvement Projects (CIP), Major Maintenance Projects (MM), and Equipment Outlay (EO) and Other Capital Projects (OC) throughout Tidelands; and

WHEREAS, a new request for qualifications for as-needed landscape services is being prepared by staff for advertisement this year, but due to the aggressive project schedules within the ERP program, there is a need to keep the projects moving forward while staff pursues solicitations for the next round of as-needed agreements; and

WHEREAS, the proposed action will increase the current aggregate amount of \$800,000 by \$500,000, resulting in a new aggregate not-to-exceed total of \$1,300,000 for the As-Needed Landscape Architecture Services with KTU+A and Schmidt Design Group, Inc.; and

WHEREAS, the agreement capacity increase will support the execution of the recent influx of stimulus projects from the Economic Recovery Program Appropriation (ERP), while continuing to support the execution of Capital Improvement Projects (CIP), Major Maintenance Projects (MM), and Equipment Outlay (EO) and Other Capital Projects (OC) throughout Tidelands.

WHEREAS, funds for the current fiscal year are included in the FY 2022 Economic Recovery Program Appropriation (ERP), FY 2019-2023 Capital Improvement Projects (CIP), FY 2022 Major Maintenance Projects (MM), and Other

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Capital Projects (OC) budgets and there will be no increase to the District's budgets as a result of this resolution; and

WHEREAS, funds required for future fiscal years will be budgeted for in the appropriate fiscal year and will be submitted for BPC approval; and

WHEREAS, costs incurred under these agreements are funded under approved project budgets, therefore, there is no fiscal impact associated with the proposed action.

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

That the Executive Director and/or his designated representative is hereby authorized on behalf of the District to enter into Amendment No. 4 to the agreement with KTU+A, and Amendment No. 3 with Schmidt Design Group for As-Needed Landscape Architecture Services, increasing the current aggregate amount of \$800,000 by \$500,000, resulting in a new aggregate not-to-exceed total of \$1,300,000, and, further, Amendment No. 3 to Schmidt Design Group also extends the Agreement through June 30, 2024.

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 14th day of June 2022, by the following vote: