

**DRAFT**

**RESOLUTION 20xx-xxx**

**RESOLUTION SELECTING AND AUTHORIZING AN AGREEMENT WITH AMEC FOSTER WHEELER ENVIRONMENT AND INFRASTRUCTURE, INC. FOR AN AMOUNT NOT TO EXCEED \$1,525,000 FOR A PERIOD OF FIVE (5) YEARS, FROM JULY 1, 2017 THROUGH JUNE 30, 2022, TO IMPLEMENT THE REGIONAL HARBOR MONITORING PROGRAM AND EVALUATE THE STATUS AND TRENDS OF WATER, SEDIMENTS, AND AQUATIC LIFE IN THE REGION'S HARBORS PURSUANT TO § 13225 OF THE CALIFORNIA WATER CODE**

**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 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**, in 2003, under § 13225 of the California Water Code, the San Diego Regional Water Quality Control Board issued a requirement to the District, Cities of San Diego and Oceanside (Cities), and the County of Orange (County) to coordinate and develop a Regional Harbor Monitoring Program (RHMP) to assess conditions and trends in the quality of water, sediments, and aquatic life in San Diego Bay, Mission Bay, Oceanside Harbor, and Dana Point Harbor; and

**WHEREAS**, in 2005, upon the BPC's approval, the District entered into a Memorandum of Understanding (MOU) with the Cities and County to perform a pilot project, and again in both 2008 and 2013 to create and continue a cost effective and consistent monitoring program with the District acting as the lead agency, the current MOU is valid through June 30, 2018; and

**WHEREAS**, to date, the RHMP has provided valuable data to evaluate the status and trends in water and sediments in each harbor via measurements in chemistry, toxicity, benthic community analyses and biodiversity; and

**WHEREAS**, technical services are needed to effectively plan and implement the RHMP moving forward; and

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**WHEREAS**, the District, Cities and County are seeking a consultant to conduct monitoring, analyses, reporting and provide scientific counsel, year one (1) of the five (5) year consultant agreement will be focused on planning the study design and the subsequent years will include implementation, reporting, and additional special studies, for a maximum amount of \$1,525,000; and

**WHEREAS**, approximately \$125,000 of this expenditure will occur in FY 17/18 (Phase 1), which will include planning meetings, developing the study design, and producing planning documents, funds for the first year of this expenditure are budgeted for in the proposed FY 17/18 Planning and Green Port Professional Services Account (#620100) and years two (2) – five (5) (Phase 2) will be under a new MOU that will be brought back to the Board before June 30, 2018, and that no additional work will commence until approved and funds required for future fiscal year(s) will be budgeted for in the appropriate fiscal year and cost account subject to Board approval upon adoption of each fiscal year's budget; and

**WHEREAS**, 44 percent of the cost of \$1,525,000 will be reimbursed to the District by the Cities and the County, with the District portion not exceeding \$854,802; and

**WHEREAS**, the District shall be paid an additional 5% administrative cost by the Cities and the County in the amount of \$76,250, over the term of five (5) years; and

**WHEREAS**, pursuant to BPC Policy 110, in March 2017, District staff issued a Request for Proposals (RFP) seeking qualified firms to provide RHMP services; and

**WHEREAS**, two firms submitted proposals: Amec Foster Wheeler Environment & Infrastructure, Inc. (Amec Foster Wheeler) and Weston Solutions, Inc.; and

**WHEREAS**, a decision analysis conducted by a selection panel comprised of District staff and representatives from each of the Cities and County reviewed the proposals and interviews were conducted on May 2, 2017; and

**WHEREAS**, the decision was based on the information gathered through interviews and written proposals using the criteria stated in the RFP, staff evaluated and ranked each firm's experience of proposed staff, approach to the project, capability to perform, cost/pricing, and firm's relevant experience, as well as their information related to the Equal Opportunity Program Requirements section of the RFP; and

**WHEREAS**, staff is recommending the Board select Amec Foster Wheeler; and

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**WHEREAS**, upon Board approval, Agreement #106-2017SN between the District and Amec Foster Wheeler would be executed for a period of five (5) years, from July 1, 2017 through June 30, 2022, in an amount not to exceed \$1,525,000.

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

The Executive Director or her designated representative is hereby authorized and directed on behalf of the San Diego Unified Port District to enter into Agreement No. 106-2017SN with Amec Foster Wheeler Environment and Infrastructure, Inc., in an amount not to exceed \$1,525,000, for a period of five (5) years, from July 1, 2017 through June 30, 2022, to implement the Regional Harbor Monitoring Program and evaluate the status and trends of water, sediments, and aquatic life in the region's harbors pursuant to § 13225 of the California Water Code.

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 20<sup>th</sup> day of June 2017, by the following vote: