

DRAFT

RESOLUTION 20xx-xxx

**RESOLUTION WAIVING BPC POLICY NO. 110(B)
BIDDING REQUIREMENTS AND AUTHORIZING AN
AGREEMENT WITH TETRA TECH, INC. FOR
LITIGATION ENVIRONMENTAL SUPPORT IN THE
AREA FORMERLY KNOWN AS THE CHULA VISTA
SOUTH BAY POWER PLANT IN AN AMOUNT NOT
TO EXCEED \$390,000 THROUGH JUNE 30, 2018**

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, the Office of the General Counsel is responsible for providing legal advice and representation to the Board of Port Commissioners, the CEO and executive team, as well as all departments of the District, which includes defending the District in litigation and administrative procedures, as well as advising the District on transactions, policies and other matters; and

WHEREAS, in order to best advise and defend the District, in addition to the in-house attorneys, the Office of the General Counsel sometimes utilizes the services of expert witnesses and consultants to assist the District in legal matters; and

WHEREAS, expert services are needed for the Chula Vista Bayfront regarding environmental contamination in the area referred formerly known as the “South Bay Power Plant”; and

WHEREAS, the General Counsel seeks Board approval to enter into an agreement with environment expert, Tetra Tech, 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 or his designated representative is hereby authorized and directed on behalf of the San Diego Unified Port District to enter an agreement with Tetra Tech, Inc. for litigation environmental support, for a new maximum amount payable under the agreement of \$390,000, terminating on June 30, 2018.

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 20th day of June, 2017, by the following vote: