

**DRAFT****RESOLUTION 20xx-xxx****RESOLUTION AUTHORIZING REVISIONS TO  
CLARIFY THE SCOPE OF BID SPECIFICATION NO.  
2017-03 DEMOLITION AND SITE IMPROVEMENTS  
OF TRANSIT SHED 1 AT TENTH AVENUE MARINE  
TERMINAL SAN DIEGO, CALIFORNIA AND RE-  
ADVERTISE THE PROJECT**

**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, (Port Act); and

**WHEREAS**, Section 37 of the Port Act requires that the California Public Contract Code (PCC) apply to public projects of the District; and

**WHEREAS**, the District adopted the Uniform Public Construction Cost Accounting Act (Construction Act) procedures of the PCC to apply to public projects of the District by Resolution 98-249; and

**WHEREAS**, the Board of Port Commissioners (BPC) adopted BPC Policy No. 110 incorporating the provisions of the Construction Act to govern the processing and administration of public projects; and

**WHEREAS**, PCC Section 22038 provides that in its discretion a public agency may reject any bids presented, if written notice is provided to the bidders of the agency's intention to reject all bids; and

**WHEREAS**, the District's Bid Specification Section 4.0 – Instructions to Bidder; Article 4.2.2 AWARD OR REJECTION OF BIDS provides that the District reserves the right to reject any or all bids; and

**WHEREAS**, the District's Bid Specification No. 2017-03 Demolition and Site Improvements of Transit Shed 1 at Tenth Avenue Marine Terminal San Diego, California is the first of three (3) contract packages that are under the overall Tenth Avenue Marine Terminal Transit Shed Demolition & Initial Rail Component - TIGER Grant Project; and

**WHEREAS**, the scope of the Demolition and Site Improvements of Transit Shed 1 at Tenth Avenue Marine Terminal San Diego, California consists of the demolition of an obsolete and underutilized transit shed and grading and compaction to support a finished pavement; and

**WHEREAS**, two protests were submitted by bidders pointing out irregularities in the bids received; and

**WHEREAS**, the District recommends re-advertising the project with a revised scope that better clarifies the pavement system within the Transit Shed 1 Footprint; and

**WHEREAS**, the revised scope will include one pavement system type in Bays 'A' & 'B' instead of two pavement systems options of asphalt or concrete as optional bid alternates; and

**WHEREAS**, the revised bid documents will eliminate the bid alternates and require AC Pavement and Portland Concrete Cement in the clearly identified areas of the Bays 'A' & 'B' footprint; and

**WHEREAS**, this change will ensure accuracy of bids and resolve any ambiguity in bids for pavement system types.

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

Revisions to the scope and readvertisement of Bid Specification No. 2017-03 Demolition and Site Improvements of Transit Shed 1 at Tenth Avenue Marine Terminal San Diego are hereby authorized.

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 8<sup>th</sup> day of August 2017, by the following vote: