

DRAFT

RESOLUTION 20xx-xxx

RESOLUTION AUTHORIZING A SERVICE AGREEMENT WITH STUDIO FINK LTD, FOR ARTISTIC DESIGN AND CONSULTING SERVICES FOR AN AMOUNT NOT TO EXCEED \$230,000; AND AUTHORIZING A COOPERATIVE AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS) TO DEFINE THE RESPECTIVE OBLIGATIONS AND RESPONSIBILITIES OF THE SAN DIEGO UNIFIED PORT DISTRICT AND CALTRANS DURING PHASE 2 OF THE SAN DIEGO-CORONADO BAY BRIDGE LIGHTING PROJECT, AND FOR REIMBURSEMENT TO CALTRANS FOR SERVICES RELATED TO THE PROJECT, IN AN AMOUNT NOT TO EXCEED \$251,717

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, on February 12, 2008, the Board adopted Resolution No. 2008-25, authorizing District staff to begin a process to illuminate the San Diego-Coronado Bridge, subject to the condition, among others, that the District partner with Caltrans for the development and implementation of an artistic bridge lighting design, with the District acting as lead agency for the project (Project); and

WHEREAS, over a two-year period, a selection panel, comprised of experts in art, architecture, lighting, and renewable energy, conducted an international competition to find the best-qualified team to artistically illuminate the bridge; and

WHEREAS, on September 7, 2010, the Board adopted Resolution No. 2010-136 accepting the selection panel's recommendation of the Peter Fink Team as the artist-led design team for the Project; and

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WHEREAS, on June 14, 2011, the Board adopted Resolution No. 2011-85, approving a Memorandum of Understanding (MOU) between the District and Caltrans to facilitate the implementation of the Project; and

WHEREAS, the MOU serves as a guide to the intentions, policies, and respective roles and responsibilities of each agency regarding the Project; and

WHEREAS, the MOU affirms the agencies' mutual commitment to cooperate on the project, their commitment to sustainable energy development, and their resolve to fund the remaining three phases of the Project with funds obtained from outside sources through donations and grants; and

WHEREAS, on August 9, 2016, staff presented the Board with an updated work plan for the Project; and

WHEREAS, the work plan provided an overview of the general scope of the project and a summary of the tasks and responsibilities involved in resuming work and completing the Project; and

WHEREAS, the general scenario of the work plan, including respective organizational roles and sequencing, is consistent with the MOU between the District and Caltrans, with which the District is partnering to implement the Project; and

WHEREAS, in accordance with the MOU, the project is structured into four phases, the first of which, selecting the artist-led design team, was completed in 2010; and

WHEREAS, as a result of an ongoing fundraising campaign being conducted on behalf of the Project, sufficient funds are available to cover the costs of two service agreements that are essential for launching Phase 2 of the Project; and

WHEREAS, Phase 2, the Project Approval and Environmental Document phase, sometimes referred to as the "Feasibility Study," is the next step in the Project; and

WHEREAS, during Phase 2 the design team will conduct further concept development and draft a detailed description of the proposed Project, its proposed methods of implementation on the bridge, and alternatives (Project Report); and

WHEREAS, the Project Report will then be subject to an engineering review and approval by Caltrans; and

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WHEREAS, the Project description and related technical data developed for the Project Report will also serve as the basis for the environmental review and environmental document in accordance with the California Environmental Quality Act (CEQA); and

WHEREAS, the District, as CEQA lead agency, will manage the environmental review and preparation of the environmental document; and

WHEREAS, when successfully completed, Phase 2 will have achieved certification of the environmental document and issuance of a Coastal Development Permit (CDP) from the Port, issuance of a CDP from the California Coastal Commission (CCC) and the City of San Diego (unless consolidated with the CCC CDP), and Project approval from Caltrans; and

WHEREAS, District staff recommends authorizing an agreement with Studio Fink LTD, for artistic design and consulting services required for successfully completing Phase 2 of the Project for an amount not to exceed \$230,000; and

WHEREAS, in addition to the agreement with Studio Fink LTD, District staff recommends authorizing a cooperative agreement with Caltrans for the purpose of defining the respective obligations and responsibilities of the District and Caltrans during Phase 2 of the Project, and for reimbursement to Caltrans for services and costs incurred by Caltrans related to the Project in an amount not to exceed \$251,717.

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

That the Executive Director or her designated representative is hereby authorized and directed on behalf of the San Diego Unified Port District to:

- A. Enter into an agreement with Studio Fink LTD, for artistic design and consulting services required for completing the PA&ED phase of the San Diego-Coronado Bay Bridge artistic lighting Project for an amount not to exceed \$230,000; and
- B. Enter into a cooperative agreement with the California Department of Transportation for the purpose of defining the respective obligations and responsibilities of the District and Caltrans during the PA&ED phase of the San Diego-Coronado Bay Bridge lighting Project and for reimbursement to Caltrans for services related to the Project, in an amount not to exceed \$251,717.

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 8th day of August, 2017, by the following vote: