

**DRAFT**

**RESOLUTION 20xx-xxx**

**RESOLUTION SELECTING AND AUTHORIZING AN AGREEMENT WITH APEX COMPANIES, LLC FOR AS-NEEDED INSPECTION AND MAINTENANCE SERVICES OF STRUCTURAL POLLUTANT CONTROL BEST MANAGEMENT PRACTICES FROM AUGUST 1, 2018, THROUGH JULY 31, 2021, FOR AN AMOUNT NOT TO EXCEED \$1,068,000. FUNDS FOR FISCAL YEAR 2019 HAVE BEEN BUDGETED. 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 1; 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 BPC adopted BPC Policy No. 110, Section II (E) that requires agreements in excess of \$175,000 to be approved by the BPC; and

**WHEREAS**, the District has installed structural pollutant control best management practices (BMPs) around tidelands as part of Major Maintenance and Capital Improvement projects in accordance with the requirements of the Municipal Stormwater Permit; and

**WHEREAS**, the BMPs are designed to remove pollutants in stormwater runoff prior to discharging to the San Diego Bay and require maintenance to work effectively; and

**WHEREAS**, on March 14, 2018, staff issued the Request for Proposals (RFP 18-06MA) (RFP) through Planetbids, seeking qualified firms to provide as-needed inspection and maintenance services of structural pollutant control BMPs owned by the District; and

**WHEREAS**, on April 18, 2018, the District received three proposals that were all deemed responsive; and

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**WHEREAS**, pursuant to the selection process, the District's selection review panel identified Apex Companies, LLC as the highest qualified service provider based upon the experience of its proposed staff, firm's relevant experience, its approach to the project, capability to perform, and its fair and reasonable cost; and

**WHEREAS**, based on the interviews, the written proposals, and a decision analysis process, using the criteria stated in the RFP, staff is recommending the BPC select and authorize an agreement with Apex Companies, LLC for as-needed inspection and maintenance services of structural pollutant control BMP at various District facilities from August 1, 2018, through July 31, 2021, for an amount not to exceed \$1,068,000; and

**WHEREAS**, funds for FY 2019 expenditures are budgeted for in the General Services Department budget; funds required for future fiscal years will be budgeted for in the appropriate fiscal years and cost account, subject to Board approval upon adoption of each fiscal year's budget.

**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 to execute an agreement with Apex Companies, LLC for as-needed inspection and maintenance services of structural pollutant control best management practices at various District facilities beginning August 1, 2018, through July 31, 2021, in an amount not to exceed \$1,068,000.

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 17<sup>th</sup> day of July 2018, by the following vote: