

DRAFT

RESOLUTION 20xx-xxx

RESOLUTION AUTHORIZING THE GENERAL COUNSEL TO EXECUTE AN AGREEMENT FOR EXPERT CONSULTANT SERVICES WITH KLEINFELDER, INC. FOR A MAXIMUM AMOUNT PAYABLE OF \$290,000; AN AGREEMENT FOR EXPERT CONSULTANT SERVICES WITH WINDWARD ENVIRONMENTAL, LLC FOR A MAXIMUM AMOUNT PAYABLE OF \$250,000; AND AN AGREEMENT FOR EXPERT CONSULTANT SERVICES WITH NEWFIELDS COMPANIES, LLC FOR A MAXIMUM AMOUNT PAYABLE OF \$218,000; FY 2019 EXPENDITURES ARE BUDGETED

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 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 proceedings, 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 outside expert consultants to assist in its representation of the District in legal matters; and

WHEREAS, the Office of the General Counsel recommends the Board authorize the General Counsel to execute three expert consultant agreements, and the details regarding the specific matters for which these agreements are proposed are protected by the attorney/client and work product privileges.

NOW, THEREFORE, BE IT RESOLVED by the Board of Port Commissioners of the San Diego Unified Port District, that the General Counsel is authorized to execute an Agreement for Expert Consultant Services with Kleinfelder, Inc. for a maximum amount payable of \$290,000; an Agreement for Expert Consultant Services with Windward Environmental, LLC for a maximum amount payable of \$250,000; and an Agreement for Expert Consultant Services with Newfields Companies, LLC for a maximum amount payable of \$218,000.

20xx-xxx

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 17th day of July 2018, by the following vote: