

DRAFT**RESOLUTION 20xx-xxx****RESOLUTION BY A 4/5 VOTE RATIFYING THE
EMERGENCY ACTION APPROVED BY THE
EXECUTIVE DIRECTOR AND AUTHORIZING
CONTINUED ACTION FOR REPAIR OF 6-INCH FIRE
LINE AND RELATED DAMAGES AT THE GENERAL
SERVICES ADMINISTRATION BUILDING IN
NATIONAL CITY**

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 (Act); and

WHEREAS, on Sunday morning, August 22, 2021, General Services staff noticed a substantial water leak coming from underneath the pavement in front of the General Services Building entrance to the north maintenance bay; and

WHEREAS, the leak was determined to be from a 6-inch fire service water line and was quickly shut off; and

WHEREAS, a sink hole formed several hours later above the damaged 6-inch fire line and was observed to be approximately 10-feet in diameter and 4-feet deep, and within a foot of the building's northern edge (Attachment A to corresponding Agenda sheet on file with the Office of the District Clerk); and

WHEREAS, it is not known how long the leak ran before being shut off; and

WHEREAS, the current condition threatens the health and safety of employees and others, the structural integrity of the pavement and potentially undermines the south building column and footing at the north maintenance bay, and would negatively affect firefighting capabilities if there were to be a fire (see Attachment B to corresponding Agenda sheet on file with the Office of the District Clerk for photos); and

WHEREAS, because the sinkhole is in an area of the parking lot that is highly utilized by the General Services staff and is located at the entrance to the north maintenance bay, urgent investigations and repairs to the site were required to prevent further damage to District property; and

WHEREAS, staff evaluated the conventional procurement methods to repair the damage and restore the site and determined such would take too much time to effectuate a repair to remedy the emergency situation; and

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WHEREAS, the scope of work necessary to excavate, investigate, and repair the damage is currently projected to exceed the capacity of General Services and staff's direct negotiating limits of \$60,000 pursuant to California Public Contracting Code; and

WHEREAS, the Executive Director authorized the use of emergency action as necessary to execute the exigent repair work; and

WHEREAS, pursuant to Public Contracting Code Sections 22035 and 22050, Section 58 of the Port Act, and Board Resolution 2000-03, the Executive Director authorized staff to pursue emergency contracting on Tuesday, August 31, 2021; and

WHEREAS, staff have entered into an emergency contract (Attachment D to corresponding Agenda sheet on file with the Office of the District Clerk) with Salzano Engineering, Inc., a local Disadvantaged Business Enterprise (DBE) contractor to move forward with immediate repair of the fire line, sink hole, and damaged pavement; and

WHEREAS, the authorization of emergency contracting waives the necessity of formal bidding procedures as required by the State of California Public Contract Code; and

WHEREAS, the Board is requested to review emergency contracts entered into under these procedures not later than 7 days after from execution of such a contract or at its next regularly scheduled meeting if that meeting will occur not later than 14 days from execution of such a contract; and

WHEREAS, pursuant to Board Resolution 2000-03 (Attachment C to corresponding Agenda sheet on file with the Office of the District Clerk), emergency actions reviewed by the Board require a four-fifths (4/5) affirmative vote to continue action.

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

The emergency action approved by the Executive Director is hereby ratified and continued action for repair of 6-inch fire line and related damages at the General Services Administration Building in National City is hereby authorized. Furthermore, the emergency does not permit a delay resulting from a competitive selection for bids, and the emergency action is necessary to respond to the emergency.

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 14th day of September 2021, by the following vote: