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Title: FENDER SYSTEM UPGRADE AT NORTH BERTH OF B STREET PIER PROJECT:
A) RESOLUTION AUTHORIZING ISSUANCE OF A NON-APPEALABLE COASTAL DEVELOPMENT PERMIT FOR THE FENDER SYSTEM UPGRADE AT NORTH BERTH OF B STREET PIER PROJECT
B) RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AWARDED CONTRACT NO. 2018-04 TO R. E. STAITE ENGINEERING, INC. IN THE AMOUNT OF \$3,219,360 FOR THE FENDER SYSTEM UPGRADE AT NORTH BERTH OF B STREET PIER PROJECT AS AUTHORIZED BY THE BOARD IN THE FY2018/19 MAJOR MAINTENANCE BUDGET

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Date	Ver.	Action By	Action	Result
1/16/2019	3	Board of Port Commissioners	adopted	

DATE: January 16, 2019

SUBJECT:

FENDER SYSTEM UPGRADE AT NORTH BERTH OF B STREET PIER PROJECT:
A) RESOLUTION AUTHORIZING ISSUANCE OF A NON-APPEALABLE COASTAL DEVELOPMENT PERMIT FOR THE FENDER SYSTEM UPGRADE AT NORTH BERTH OF B STREET PIER PROJECT
B) RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AWARDED CONTRACT NO. 2018-04 TO R. E. STAITE ENGINEERING, INC. IN THE AMOUNT OF \$3,219,360 FOR THE FENDER SYSTEM UPGRADE AT NORTH BERTH OF B STREET PIER PROJECT AS AUTHORIZED BY THE BOARD IN THE FY2018/19 MAJOR MAINTENANCE BUDGET

EXECUTIVE SUMMARY:

The project applicant and proponent, the San Diego Unified Port District (District) proposes the replacement and upgrade of an existing fender system (Project) located on the north berth of District-owned B Street Pier in San Diego, California. This action will authorize issuance of a Non-Appealable Coastal Development Permit (CDP) and adopt the plans and specifications and authorize the award of a major maintenance construction contract to upgrade the existing fender system at the north berth of the B Street Pier.

The Project includes the removal and replacement of the existing deteriorated fender system with a new primary fender system designed for cruise ships, and a secondary fender system designed for

smaller vessels and barges. The new fender system would result in a net decrease in bay fill and over-water coverage due to its design and will provide a more reliable energy absorbing system with increased protection against damage to both vessels and the pier. The construction work will be coordinated with cruise ship terminal operations to minimize disruption to cruise ship activities.

The Project is Categorically Exempt pursuant to the California Environmental Quality Act (CEQA). Additionally, pursuant to the District's CDP Regulations, it is recommended that a Non-Appealable CDP be issued for the Project to ensure no net increase of water coverage and fill. As conditioned, the Project is consistent with the certified Port Master Plan (PMP) and Chapters 3 and 8 of the California Coastal Act (Coastal Act).

The plans and specifications define the contract work, including removal of the existing deteriorated fender system and installation of a new fender system to serve cruise ships and smaller vessels at the north berth.

The contract documents were advertised on August 21, 2018. On October 9, 2018, five bids were received ranging from \$3,219,360 to \$5,633,318. The responsive bids are listed in Attachment A. The lowest bid was submitted by R. E. Staite Engineering, Inc. in the amount of \$3,219,360, and is considered responsive and responsible. Staff recommends that the Board award the Contract to this bidder.

RECOMMENDATION:

Fender System Upgrade at North Berth of B Street Pier Project:

- A) Adopt resolution authorizing issuance of a Non-Appealable Coastal Development Permit for the Fender System Upgrade at North Berth of B Street Pier Project
- B) Adopt resolution approving plans and specifications and awarding contract No. 2018-04 To R. E. Staite Engineering, Inc. in the amount of \$3,219,360 for the Fender System Upgrade at North Berth of B Street Pier Project as authorized by the Board in the FY2018/19 Major Maintenance Budget

FISCAL IMPACT:

This multi-year project was initially approved by the Board in April 2016. Due to cruise ship operations, it was necessary to budget the Project over multiple years to take advantage of the cruise ship off season. Funds in the amount of \$2,275,000 were budgeted in FY18/19 Major Maintenance. Approval of this agenda item will authorize the construction contract expenditure of \$3,219,360. The remaining expenditures will be budgeted in the FY19/20 Major Maintenance Program budget to complete construction. If the additional funds are not budgeted in FY 19/20 to complete the Project, the contract would have to be terminated by the District.

COMPASS STRATEGIC GOALS:

The Project would enable replacement of an aging fender system with a new system that utilizes environmentally friendly materials and is designed to satisfy Maritime operational requirements. The project also supports the following goals:

- A thriving and modern maritime seaport.

- A Port with a healthy and sustainable bay and its environment.
- A Port that is a safe place to visit, work and play.
- A financially sustainable Port that drives job creation and regional economic vitality.

DISCUSSION:

Background

The Project involves replacement of the existing deteriorated fender system serving the northern side of B Street Pier at 1140 N. Harbor Drive, in the city of San Diego, California. The existing fender system at the B Street Pier has deteriorated and does not provide a reliable and safe accommodation for vessels. Additionally, many of the timber piles are in poor condition and have rotted below the low water line. The Project would upgrade the fender system on the north side of the pier and would provide a more reliable energy absorbing system with increased protection against damage to both vessels and the pier.

The north side of the pier is the preferred berth for cruise ships due to ease-of-access for ships coming alongside and getting underway. The existing fender system was constructed in 1965 and has been maintained incrementally since. The fender system serves as an energy absorption structure placed along the edge of the pier and is intended to protect vessels and the pier from damage. The existing fender system is comprised of preservative-treated timber pilings and horizontal elements. In the 1980s, additional pile clusters and foam-filled large diameter fenders were added to address berthing needs to accommodate the increasing size of cruise ships. An inspection and assessment of the fender system in 2015 identified severe deterioration of the fender piles and recommended the system be replaced. A replacement fender system is needed to safely accommodate the modern fleet of cruise ships and other vessels.

The new fender system will provide a reliable and safe berthing environment for cruise ships and a range of smaller vessels that may utilize the north berth over time. It has been designed to provide a more reliable energy absorbing system with increased protection against damage to both vessels and the pier. The new piles will be made of pre-stressed concrete instead of the preservative-treated timber system. The new primary fender system will be comprised of clustered pre-stressed concrete piles and foam-filled fenders designed for cruise ships. The secondary fender system will be comprised of concrete piles and marine camels designed for smaller vessels and barges. The new fender system is anticipated to have a design service life of 25 years and includes connections that could be utilized for future pile extension in consideration of sea level rise and will be compatible with a potential future modernization of the pier.

Project Description

Work to complete the Project includes removal and disposal of existing timber and plastic fender piles, timber wales and chocks, hanging piles, steel hardware and all miscellaneous wood members. The Project proposes the installation of new pre-stressed concrete fender piles, foam-filled marine fenders, timber wales and chocks, steel wales and hardware, elastomeric fender elements, floating camels, safety ladders, and other incidental items of work. The Project will reconfigure the existing cluster pile system for the foam-filled fenders by including a one-foot space between each pile to allow for improved flow of water. Additionally, the project proposes the reorientation of existing riprap at the base of the mole pier, which would result in a net decrease in the amount of fill from what is

currently existing.

As a result of the design, the replacement would result in a net decrease of fill and over-water coverage compared to the existing fender system.

Table 1, below, compares the existing and proposed Project components relating to over-water coverage.

Table 1: Project Features Over-Water Coverage Comparison			
Project Component	Existing	Proposed	Change
Wale	980 sf	1,005 sf	+25 sf
Chocks	708 sf	442 sf	-266 sf
Piles	314 sf (225 piles)	363 sf (131 piles)	+49 sf
Total Water Coverage	2,002 sf	1,810 sf	-192 sf

Table 1, below, compares the existing and proposed Project components relating to fill.

Table 2: Project Features Fill Comparison			
Project Component	Existing	Proposed	Change
Piles	219.8 sf (157 piles)	363 sf (131 piles)	+143.2 sf (-26 piles)
Riprap	412.5 sf	0 sf	-412.5 sf
Total Fill	632.3 sf	363 sf	-269.3 sf

It is anticipated that construction of the Project will commence in late January 2019 and be completed in November 2019, for total construction duration of approximately ten months.

Coastal Development Permit

The Project is located within the jurisdiction of the District and in the California Coastal Zone. The project constitutes development pursuant to Coastal Act Section 30106 and the District’s CDP Regulations, as it would result in a placement or erection of solid material or structure and involves replacement of the existing deteriorated fender system, among other items. Accordingly, a Coastal Act entitlement is required for the Project to be implemented.

The Project site is located in the Civic Zone Subarea of Planning District 3, Centre City Embarcadero, which is delineated on Precise Plan Map Figure 11 of the certified PMP. The land and water use designations within the limits of the Project site are Marine Terminal and Terminal Berthing. Fender systems, which are ancillary or accessory to a marine terminal, are allowed uses in the Marine Terminal and Terminal Berthing designations because they allow for the safe berthing of vessels. Therefore, the use would be consistent with the certified land and water use designations and the certified PMP.

The Project has been determined to be a “non-appealable” development under Section 7.d.(3) of the

District's CDP Regulations (Regulations). While an exclusion may have been issued for the Project, (see Section 7.d.(1) of the District's CDP Regulations and explanation below) staff is recommending a Non-Appealable CDP due to Coastal Commission staff's inquires as to the amount of fill and overwater coverage. Additionally, pursuant to Coastal Act Section 30715 and Sections 7.d.(4) of the Regulations, fender systems for a marine terminal are not listed as appealable developments requiring an appealable CDP. Additionally, while the need for the replacement and upgrade of the existing deteriorated fender system is urgent, it does not constitute an "emergency" development under Section 7.d(2) of the Regulations. Moreover, the Project results in a net decrease in fill through the reorientation of existing riprap at the base of the mole pier. Nevertheless, the Project is conditioned to ensure that reorientation of riprap does not allow riprap to extend past the existing pier footprint and therefore not considered "excluded" under the Existing Facilities exclusion, Sections 8.a. of the Regulations.

As such, the District has determined that a Non-Appealable CDP for the Project should be issued. A copy of the draft Non-Appealable CDP is provided as Attachment B to this Agenda Sheet. Conditions are incorporated into the draft CDP to ensure conformance with related District requirements.

In addition, the Project site is identified as an estuary on the 1975 Coastal Plan and, consistent with Public Resource Code Section 30700, the Project must comply with Chapters 3 and 8 policies of the Coastal Act. As designed and conditioned, the Project results in a net decrease in 269.28 square feet of fill and 192 square feet of over-water coverage, resulting in a Project where there is no feasible less environmentally damaging alternative for a development that involves new or expanded port facilities, consistent with Public Resource Code Section 30233(a)(1). The Project is fully consistent with applicable land and water uses identified in the certified PMP and Chapters 3 and 8 of the Coastal Act (see Cal. Public Resources Code Section 30700, et seq.). Based on this finding and the entire record, a Non-Appealable CDP may be issued.

A copy of the draft Non-Appealable CDP is provided as Attachment B to this Agenda Sheet. Conditions are incorporated into the draft CDP to ensure conformance with related District requirements.

Bid Process

Construction bid documents, including plans and specifications for Contract No. 2018-04 (Drawing No. EM-2018-01, Project No. MC-0036-01) were advertised on August 21, 2018. Five bids were received on the bid opening date - October 9, 2018. The five bid amounts ranged from \$3,219,360 to \$5,633,3178, as shown in the table below.

Company	Total Bid	Location
R. E. Staite Engineering, Inc	\$3,219,360.00	San Diego, CA
Spectrum Construction Group, Inc.	\$4,001,357.82	Irvine, CA
Marathon Construction	\$4,259,777.00	Lakeside, CA
John S. Meek Company, Inc.	\$4,972,835.00	Gardena, CA
TechCom International, Corp	\$5,633,317.55	Irvine, CA

The lowest responsive and responsible bid was received from R. E. Staite Engineering, Inc. in the total bid amount of \$3,219,360. The engineers' construction cost estimate was \$3,339,550.

Upon Board authorization, construction is expected to commence in late January 2019 and will be completed by November 2019, for a total construction duration of approximately ten months.

Staff recommends that the Board approves the plans and specifications and awards Contract No. 2018-04, Fender System Upgrade at North Berth of B Street Pier, San Diego, California to R. E. Staite Engineering, Inc. in the amount of \$3,219,360.

General Counsel's Comments:

The Office of the General Counsel has reviewed the agenda sheet and attachments as presented to it, as well as the contract documents and bids received and approves them as to form and legality.

Environmental Review:

The proposed Board direction or action, including without limitation, authorizing issuance of a Non-Appealable CDP and approving plans and specifications and awarding a contract for replacement and upgrade of the north berth of B Street Pier, is Categorically Exempt pursuant to CEQA Guidelines Sections 15301 (Existing Facilities), 15302 (Replacement or Reconstruction), 15304 (Minor Alterations to Land) and/or Sections 3.a. (1) (Existing Facilities), 3.b. (1) (Replacement or Reconstruction), and 3.d. (6) and (7) (Minor Alterations to Land) of the District's Guidelines for Compliance with CEQA because the project in question would involve no expansion of use beyond that previously existing, would be located on the same site and have substantially the same purpose and capacity as the structure being replaced, would not involve the removal of mature, scenic trees, and would have no permanent effects on the environment. The District has determined none of the six exceptions to the use of a categorical exemption apply to this project (CEQA Guidelines Section 15300.2).

The proposed Board direction or action complies with Section 87 of the Port Act, which allows for the establishment, improvement, and conduct of a harbor, and for the construction, reconstruction, repair, maintenance, and operations of wharves, docks, piers, slips, quays, and all other works, buildings, facilities, utilities, structures, and appliances incidental, necessary, or convenient, for the promotion and accommodation of commerce and navigation. The Port Act was enacted by the California Legislature and is consistent with the Public Trust Doctrine. Consequently, the proposed Board direction or action is consistent with the Public Trust Doctrine.

Equal Opportunity Program:

Due to limited known sub opportunities, no SBE goal was established.

PREPARED BY:

Juliette Orozco
Associate Planner, Development Services

Joan Siao
Capital Project Manager I, Engineering-Construction

Attachment(s):

Attachment A: Tabulation of Bids

Attachment B: Draft Coastal Development Permit