



## Legislation Details (With Text)

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**Title:** A) RESOLUTION APPROVING A FY 2019 BUDGET TRANSFER OF \$145,400 FROM SAVINGS IN PERSONNEL EXPENSE APPROPRIATION TO THE EQUIPMENT OUTLAY AND OTHER CAPITAL PROJECTS APPROPRIATION PURSUANT TO BOARD OF PORT COMMISSIONERS POLICY NO. 90

B) RESOLUTION AWARDED AGREEMENT NO. 58-2019JR TO BELLINGHAM MARINE INDUSTRIES IN THE AMOUNT OF \$ 295,304 FOR THE STORAGE BARGES FOR COMMERCIAL FISHING EQUIPMENT AT G-STREET FISHING TERMINAL, AS AUTHORIZED BY THE BOARD IN THE FY 2019 EQUIPMENT OUTLAY AND OTHER CAPITAL PROJECTS APPROPRIATION

**Sponsors:**

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**Attachments:** 1. 8. 2019-0120 Attachment A, 2. 8. 2019-0120A Draft Resolution, 3. 8. 2019-0120B Draft Resolution

Date	Ver.	Action By	Action	Result
4/9/2019	1	Board of Port Commissioners	adopted	

**DATE:** April 09, 2019

**SUBJECT:**

**A) RESOLUTION APPROVING A FY 2019 BUDGET TRANSFER OF \$145,400 FROM SAVINGS IN PERSONNEL EXPENSE APPROPRIATION TO THE EQUIPMENT OUTLAY AND OTHER CAPITAL PROJECTS APPROPRIATION PURSUANT TO BOARD OF PORT COMMISSIONERS POLICY NO. 90**

**B) RESOLUTION AWARDED AGREEMENT NO. 58-2019JR TO BELLINGHAM MARINE INDUSTRIES IN THE AMOUNT OF \$ 295,304 FOR THE STORAGE BARGES FOR COMMERCIAL FISHING EQUIPMENT AT G-STREET FISHING TERMINAL, AS AUTHORIZED BY THE BOARD IN THE FY 2019 EQUIPMENT OUTLAY AND OTHER CAPITAL PROJECTS APPROPRIATION**

**EXECUTIVE SUMMARY:**

Pursuant to Board of Port Commissioners (BPC) Policy No. 90, a transfer of an amount between appropriated items requires Board approval. Staff is recommending the FY 2019 Equipment Outlay and Other Capital Projects Appropriation be increased by \$145,400 to fund increased costs associated with the request for proposal of The Storage Barges for Commercial Fishing Equipment at G-Street Fishing Terminal. The barges are necessary to accommodate heavy commercial fishing equipment that is currently a major contributing factor to the rapid deterioration of commercial fishing

infrastructure at the G-Street Fishing Terminal.

In September of 2017 Staff performed a cost analysis to procure the barges. The cost estimate at that time was \$41,900 per barge. Based on this amount, staff recommended, and the Board approved \$150,000 in the FY 2019 Equipment Outlay Budget to acquire three floating barges.

On January 31, 2019, the District received (3) proposals ranging from \$235,644 to \$305,304. The best value proposal was submitted by Bellingham Marine Industries in the amount of \$ 295,304. Based on the staff decision analysis award to this proposer is recommended.

The proposed Agreement for the Storage Barges for Commercial Fishing Equipment at G-Street Fishing Terminal defines the work including the manufacturing, installation, and delivery of required barges. Approval of the budget transfer will facilitate successful completion of the purchase as planned.

### **RECOMMENDATION:**

A. Adopt resolution approving a budget transfer increasing the FY 2019 Equipment Outlay and Other Capital Project Appropriation by \$145,400 by transferring \$145,400 from the FY 2019 Personnel Expense Appropriation, pursuant to BPC Policy No. 90.

B. Adopt a resolution awarding Agreement No. XX-2019XX to Bellingham Marine Industries in the amount of \$ 295,304 for the purchase of Storage barges for Commercial Fishing Equipment at G Street Fishing Terminal.

### **FISCAL IMPACT:**

Approval of this agenda authorizes a Transfer of funds for \$145,400 from the FY 2019 budget Personnel Expense Appropriation to the Equipment Outlay Appropriation, pursuant to BPC Policy No. 90.

The FY 2019 budget includes \$150,0000 in Equipment Outlay and Other Capital Projects - G Street Storage Barges Replacement for this project. Once the above transfer of funds is approved by the Board, the total project budget amount will increase to \$295,400.

### **COMPASS STRATEGIC GOALS:**

This agenda item supports the following Strategic Goal(s).

- A Port that the public understands and trusts.
- A thriving and modern maritime seaport.
- A Port with a healthy and sustainable bay and its environment.
- A Port with a comprehensive vision for Port land and water uses integrated to regional plans.
- 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:**

Tuna Harbor Basin is a commercial fishing facility managed and maintained by the Port District. The area includes 5.4 acres of land and 13.1 acres of water (as designated in the current Port Master Plan). In the past, there were up to 150 vessel usable berthing slips within the floating dock network; presently, there are only 103 available slips. Port staff has surveyed the existing infrastructure and has identified the following two items as the root cause for the failing infrastructure: 1) wake from passing vessels and 2) stress from heavy freezer and other equipment placed on the dock infrastructure.

As a result of these findings, the staff has taken steps to mitigate the damage to the floating docks. For Item 1, Port Engineering will be assessing boat wake-induced wave condition inside Tuna Harbor. The purpose is to study how the vessel wakes may be propagating into Tuna Harbor, the magnitude of the inner harbor waves that bay is occurring and explore potential solutions to help reduce the adverse conditions. For Item 2), The commercial fishermen store equipment on the floating docks adjacent to their vessels. These items include storage freezers that can weigh up to a 1,000 pounds each. The weight of the freezers causes unwanted stress and damages to the docks. Maritime Staff is proposing a storage barge system that would remove the freezers from the floating dock and store them on a barge that can within stand the weight.

In September of 2017 Staff performed a cost analysis to procure the barges. The cost estimate at that time was \$41,900 per barge. Based on this amount, staff recommended, and the Board approved \$150,000 in the FY 2019 Equipment Outlay Budget to acquire three floating barges.

On January 31, 2019, the District advertised a Request for Proposal for 35 days. Staff received three responses by the application due date. All the proposals exceeded the approved budgeted amount. On March 13, 2019, staff performed a Decision Analysis to evaluate the following criteria: quality and design, approach to the project, capability to perform, fair and reasonable cost, and firm's relevant experience. Upon completion of the analysis, Bellingham Marine Industries was selected as the favorable candidate based on their overall design, relevant experience, and capability to perform. Their best and final proposal exceeded the approved budgeted amount of \$150,000.

Staff is recommending a budget transfer of \$145,400 between appropriated items as directed BPC 90 to acquire, deliver and install the three floating barges.

### **General Counsel's Comments:**

The Office of the General Counsel has reviewed the issues set forth in this agenda and found no legal concerns as presented and has reviewed and approved the agreement as to form and legality.

### **Environmental Review:**

The proposed Board action, including without limitation, a resolution: (A) approving a budget transfer of \$145,400 from savings in personnel expense appropriation to the equipment outlay and other capital projects appropriation; and (B) awarding a contract in the amount of \$295,304 for the storage barges for commercial fishing equipment at G-Street Fishing Terminal, as authorized by the Board in the FY 2019 equipment outlay and other capital projects appropriation, item is Categorically Exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Sections 15301 (Existing Facilities), 15303 (New Construction or Conversion of Small Structures), and 15311 (Accessory Structures), because the project involves additions to existing structures and the placement of a

moveable minor structure appurtenant to existing commercial facilities and would not result in a serious or major disturbance to an environmental resource. 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). No further action under CEQA is required.

In addition, the proposed Board action complies with Section 78 of the Port Act, which allows for all commercial and industrial uses and purposes, and the construction, reconstruction, repair, and maintenance of commercial and industrial buildings, plants, and facilities. The Port Act was enacted by the California Legislature and is consistent with the Public Trust Doctrine. Consequently, the proposed Board action is consistent with the Public Trust Doctrine.

Finally, the proposed Board action is considered an “excluded development” pursuant to Section 8.a. (Existing Facilities) and 8.c. (New Construction or Conversion of Small Structures) of the District’s Coastal Development Permit (CDP) Regulations as the project involves the placement of a moveable storage barge for commercial fishing equipment; therefore, issuance of a CDP is not required.

### **Equal Opportunity Program:**

A 4% SBE goal was established for this agreement.

### **PREPARED BY:**

Dan Valentine  
Maritime Operations Manager

Attachment(s):

Attachment A: Agreement No. 58-2019JR