



## Legislation Details (With Text)

**File #:** 2019-0343    **Version:** 1    **Name:**  
**Type:** Action Item    **Status:** Passed  
**File created:** 8/29/2019    **In control:** Board of Port Commissioners  
**On agenda:** 10/8/2019    **Final action:** 10/8/2019  
**Title:** RESOLUTION AUTHORIZING AN INCREASE TO THE PURCHASE ORDER WITH GRAINGER, INC. FOR GENERAL MAINTENANCE SUPPLIES, INCREASING THE MAXIMUM AMOUNT PAYABLE UNDER THE PURCHASE ORDER BY \$400,000 FOR A NEW MAXIMUM AMOUNT OF \$980,000 AND EXTENDING THE TERMINATION DATE THROUGH DECEMBER 31, 2024. FUNDS REQUIRED FOR THE CURRENT FISCAL YEAR ARE INCLUDED IN THE APPROVED FY 2020 BUDGET. 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.

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. 7. 2019-0343 Attachment A, 2. 7. 2019-0343 Attachment B, 3. 7. 2019-0343 Attachment C, 4. 7. 2019-0343 Attachment D, 5. 7. 2019-0343 Draft Resolution

Date	Ver.	Action By	Action	Result
10/8/2019	1	Board of Port Commissioners	adopted	

**DATE:** October 8, 2019

### SUBJECT:

**RESOLUTION AUTHORIZING AN INCREASE TO THE PURCHASE ORDER WITH GRAINGER, INC. FOR GENERAL MAINTENANCE SUPPLIES, INCREASING THE MAXIMUM AMOUNT PAYABLE UNDER THE PURCHASE ORDER BY \$400,000 FOR A NEW MAXIMUM AMOUNT OF \$980,000 AND EXTENDING THE TERMINATION DATE THROUGH DECEMBER 31, 2024. FUNDS REQUIRED FOR THE CURRENT FISCAL YEAR ARE INCLUDED IN THE APPROVED FY 2020 BUDGET. 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.**

### EXECUTIVE SUMMARY:

The San Diego Unified Port District (District) has a purchase order with Grainger, Inc. for the purchase of general maintenance supplies through a cooperative contract with the City of Tucson, Arizona, a lead agency with OMINA Partners. The District acquires general maintenance supplies through this cooperative contract to support maintenance activities performed by staff throughout the district. The District is requesting to increase the Grainger Inc. purchase order for the acquisition of general maintenance supplies in the amount of \$400,000 for a new maximum amount of \$980,000 and extending the termination date through December 31, 2024.

### RECOMMENDATION:

Adopt a Resolution authorizing an increase to purchase order No. 50000555 with Grainger Inc. for the acquisition of general maintenance supplies in the amount of \$400,000 for a new maximum amount of \$980,000 and extending the termination date through December 31, 2024.

### **FISCAL IMPACT:**

Funds required for current year expenditures are included in the approved FY 2020 budget within the General Services Department Maintenance Supplies account. Funds required for future fiscal years expenditures will be budgeted in the appropriate fiscal year, subject to Board approval upon adoption of each fiscal year's budget.

### **COMPASS STRATEGIC GOALS:**

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

- A vibrant waterfront destination where residents and visitors converge.
- A Port with a healthy and sustainable bay and its environment.
- A Port that is a safe place to visit, work and play.

### **DISCUSSION:**

The General Services Department uses general maintenance supplies and tools acquired through the purchase order with Grainger Inc. to support maintenance and repair to District facilities and infrastructures. Supplies acquired include but are not limited to the following: electrical supplies, lighting supplies, measuring tools & test instruments, fasteners, adhesives, lubricants, sealants, HVAC supplies, pumps and plumbing supplies. Supplies are acquired by District personnel on an infrequent basis throughout the year, as dictated by work assignments.

The purchase order with Grainger Inc. is through a cooperative contract with City of Tucson (City), Arizona, a lead agency with OMINA Partners. The contract was competitively solicited, evaluated and awarded by the City acting as the lead agency in partnership with the OMINA Partners. The current contract between Grainger and the City / OMINA Partners is valid through December 31, 2022 with the option to renew for two (2) additional one year periods through December 31, 2024.

District Purchase Order No. 50000555 was originally issued to Grainger Inc. in 2013 with a maximum purchase amount of \$65,000 through the National Intergovernmental Purchasing Alliance cooperative contract with the City. National Intergovernmental Purchasing Alliance changed its name to OMINA Partners in 2017.

- The maximum purchase amount was amended to \$175,000 on February 15, 2017; Board of Port Commissioners (Board) action was not required.
- On March 14, 2017, the Board approved Amendment No. 2 increasing the purchase order with Grainger, Inc. (Agenda File # 2017-0006) to a new maximum purchase amount of \$350,000.
- On May 8, 2018, the Board approved Amendment No. 3 increasing the purchase order with

Grainger Inc. (Agenda File # 2018-0059) to a maximum purchase amount of \$580,000.

Staff is requesting Board approval and recommends the Board authorize an increase to the purchase order with Grainger, Inc. for general maintenance supplies, increasing the maximum amount payable under the purchase order by \$400,000, for a new maximum amount of \$980,000 and extending the termination date through December 31, 2024.

**General Counsel's Comments:**

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

**Environmental Review:**

The proposed Board direction or action, including without limitation, a resolution authorizing amendment for an existing contract for general maintenance supplies, does not constitute a "project" under the definition set forth in California Environmental Quality Act (CEQA) Guidelines Section 15378 because it will not have a potential to result in a direct or indirect physical change in the environment and is, therefore, not subject to CEQA. No further action under CEQA is required.

In addition, the proposed Board action complies with sections 21 and 35 of the Port Act, allow the Board to pass resolutions and to do all acts necessary and convenient for the exercise of its powers. 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 direction or action does not allow for "development," as defined in Section 30106 of the California Coastal Act, or "new development," pursuant to Section 1.a. of the District's Coastal Development Permit Regulations. Therefore, issuance of a Coastal Development Permit or exclusion is not required.

**Equal Opportunity Program:**

Not applicable.

**PREPARED BY:**

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**Attachment(s):**

Attachment A:	City of Tucson and Grainger Inc. Cooperative Agreement
Attachment B:	Grainger Purchase Order PO# 50000555
Attachment C:	Amendment No. 1 & 2 to PO# 50000555
Attachment D:	Amendment No. 3 to PO# 50000555