

RESOLUTION 2020-01

**RESOLUTION DELEGATING CERTAIN FUNCTIONS OF THE BOARD OF
PILOT COMMISSIONERS TO THE EXECUTIVE DIRECTOR
May 28, 2020**

WHEREAS, subdivisions (a) and (d) of section 1156 of the Harbors and Navigation Code provide that the Board may delegate certain powers to its Executive Director; and

WHEREAS, the Board wishes to streamline its contracting process by delegating to its Executive Director the authority to contract on the Board's behalf, subject to limitations concerning contract amount and term; and

WHEREAS, the Board wishes to delegate to its Executive Director the authority to hire and appoint civil service personnel and to contract for and employ commission investigators; and

WHEREAS, the Executive Director has in the past acted on the Board's behalf concerning the foregoing matters, and the Board wishes to endorse and ratify those past actions by the Executive Director,

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Board of Pilot Commissioners for the Bays of San Francisco, San Pablo, and Suisun as follows:

1. The Executive Director of the Board is authorized to procure, award and execute contracts for goods and services on the Board's behalf in accordance with state laws, regulations, policies and procedures, including without limitation standard agreements, interagency agreements, commission investigator contracts, trainee contracts, purchase orders, and service orders, subject to the following conditions:
 - a. Contracts shall not exceed \$600,000 in amount, and shall be for a term of no more than five years.
 - b. The cumulative total amount of contracts under the foregoing contracting authority shall not exceed \$4,500,000 during a fiscal year.
 - c. In exercising this contracting authority, the Executive Director, or the Executive Director's designee, is authorized, in accordance with state law, regulations, policies and procedures, to solicit proposals, negotiate fair and reasonable terms, and to do all things necessary and convenient to execute and implement such contracts and any amendments to contracts originally entered into by the Executive Director or the Executive Director's designee, including making any necessary certifications to other state agencies.

d. The Executive Director may choose to consult with the Board concerning any proposed contract or contract amendment within the scope of this delegation prior to entering into the contract or contract amendment.

e. The Executive Director, or the Executive Director's designee, shall report to the Board at a public meeting concerning all contracts and contract amendments entered into on the Board's behalf.

f. The Executive Director, or the Executive Director's designee, shall be the duly authorized representative of the Board for the purpose of making a final determination of any dispute arising under or relating to the performance of any contracts to which the Board is a party.

g. This delegation of contracting authority applies to all fiscal years and shall remain in effect until it is altered or terminated by the Board.

2. The Executive Director of the Board is authorized to hire and appoint civil service personnel and to contract for and employ commission investigators.

3. The Board endorses and ratifies any and all past actions by the Executive Director within the scope of the foregoing delegation of authority.

4. The Board shall annually review this delegation of authority.

CERTIFICATION

As Executive Director of the Board of Pilot Commissioners for the Bays of San Francisco, San Pablo, and Suisun, I certify that the foregoing is a true and correct copy of a resolution duly and regularly adopted by the Board of Pilot Commissioners at its meeting of May 28, 2020.

Allen Garfinkle
Executive Director