

File No. 110457

Committee Item No. 3
Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee CITY OPERATIONS AND
NEIGHBORHOOD SERVICES

Date 6/27/11

Board of Supervisors Meeting

Date _____

Cmte Board

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| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Resolution |
| <input type="checkbox"/> | <input type="checkbox"/> | Ordinance |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Introduction Form (for hearings) |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Subcontract Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Award Letter |
| <input type="checkbox"/> | <input type="checkbox"/> | Application |
| <input type="checkbox"/> | <input type="checkbox"/> | Public Correspondence |

OTHER

(Use back side if additional space is needed)

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| <input type="checkbox"/> | <input type="checkbox"/> |

Completed by: Gail Johnson
Completed by: _____

Date 6/23/11
Date _____

An asterisked item represents the cover sheet to a document that exceeds 25 pages.
The complete document is in the file.

[Accept and Expend Grant - Port Security - \$1,612,357]

Resolution authorizing the Port of San Francisco to accept and expend a grant in the amount of \$1,612,357 from the Department of Homeland Security, 2007 Supplemental Infrastructure Protection Port Security Grant Program for homeland security improvements on the Port's waterfront.

WHEREAS, On May 20, 2010, Secretary Napolitano announced nearly \$790 Million in critical infrastructure and preparedness grants including the Port Security Grant Program (PSGP), allocating \$288 Million to protect critical port infrastructure from terrorism; enhance maritime domain awareness and risk management capabilities to protect against improvised explosive devices and other non-conventional weapons; conduct training and exercises; and support implementation of the Transportation Worker Identification Credential (TWIC); and,

WHEREAS, on August 27, 2007 the Port of San Francisco submitted an application for grant funds under the PSGP; and,

WHEREAS, on November 18, 2010 the Port of San Francisco was awarded \$375,000 in grant funds for installation of high security fencing; and,

WHEREAS, on January 17, 2011 the Port of San Francisco was awarded \$1,237,357 in grant funds for installation of emergency backup electrical power at the Port's Pier 50 repair facility and enrollment of critical Port facilities in the Building Occupancy Resumption Program, for a total of \$1,612,357 in 2007 Supplemental PSGP funds; and,

WHEREAS, On May 10, 2011, through Resolution 11-27, the Port Commission authorized Port staff to accept and expend the Homeland Security, Port Security Grant Program funds; and,

1 WHEREAS, The 2008 California Port and Maritime Security Grant Program will provide
2 more than the \$540,589 (25% of total project costs) in required non-federal match monies;
3 and,

4 WHEREAS, This grant does not create any new positions, and will not require an
5 amendment to the Annual Salary Ordinance; and,

6 WHEREAS, All grant funding will go toward the development of a port-wide risk
7 management plan; and,

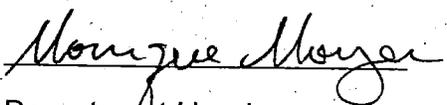
8 WHEREAS, The grant terms prohibit including indirect costs in the grant budget; and,
9 now, therefore, be it

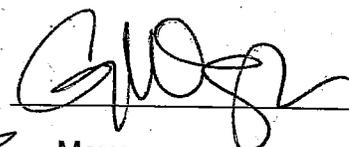
10 RESOLVED, That the Board of Supervisors hereby authorizes the San Francisco Port
11 Commission to accept and expend \$1,612,357 in grant funding from DHS for homeland
12 security improvements along the Port's waterfront; and be it

13 FURTHER RESOLVED, That the Board of Supervisors hereby waives inclusion of
14 indirect costs as a part of this grant; and be it

15 FURTHER RESOLVED, That the Board of Supervisors hereby authorizes the
16 Executive Director of the Port or her designee to execute any documents required to enter
17 into this grant, including any amendments, augmentations or extensions thereto and
18 indemnify the Marine Exchange of the San Francisco Bay Region for liability associated with
19 the activities funded through this grant to the extent approved by the City's Risk Manager, if
20 required by the granting agency.

21 Recommended:

22
23 
24 Department Head

Approved: 
Mayor

Approved: 
Controller

TO: Angela Calvillo, Clerk of the Board of Supervisors

FROM: Trisha Prashad, Port of San Francisco

DATE: May 19, 2011

SUBJECT: Accept and Expend Federal Grant Funds

GRANT TITLE: \$1,612,357 grant from the Department of Homeland Security (DHS), 2007 Supplemental Infrastructure Protection Port Security Grant Program for homeland security improvements on the Port's waterfront.

Attached please find the original and 4 copies of each of the following:

Proposed grant resolution; original signed by Department, Mayor, Controller

Grant information form, including disability checklist

Grant application

Award Letter

Other (Explain): Budget and Port Commission resolution

Special Timeline Requirements:

Departmental representative to receive a copy of the adopted resolution:

Name: Trisha Prashad

Phone: 415.274.0421

Interoffice Mail Address: Port of San Francisco, Pier 1

Certified copy required Yes

No

(Note: certified copies have the seal of the City/County affixed and are occasionally required by funding agencies. In most cases ordinary copies without the seal are sufficient).

File Number: _____
(Provided by Clerk of Board of Supervisors)

Grant Information Form
(Effective January 2000)

Purpose: Accompanies proposed Board of Supervisors resolutions authorizing a Department to accept and expend grant funds.

The following describes the grant referred to in the accompanying resolution:

1. Grant Title: **Department of Homeland Security, 2007 Supplemental Infrastructure Protection Port Security Grant Program**
2. Department: **Port of San Francisco**
3. Contact Person: **Trisha Prashad** Telephone: **415-274-0421**
4. Grant Approval Status (check one):
 Approved by funding agency Not yet approved
5. Amount of Grant Funding Approved or Applied for: **\$1,612,357**
- 6a. Matching Funds Required: **\$540,589 (25% of total project costs of \$2,162,357)**
b. Source(s) of matching funds (if applicable): **Port's 2008 California Port and Maritime Security Grant fund.**
- 7a. Grant Source Agency: **Department of Homeland Security**
b. Grant Pass-Through Agency (if applicable): **n/a**
8. Proposed Grant Project Summary:

The Port was awarded the following funding under the 2007 Supplemental Port Security Grant Program:

- **\$750,000 – Pier 50 – Post Disaster Emergency Backup Electrical Source** to install emergency generators and auxiliary equipment to provide a source of backup electrical power for the Pier 50 repair facility. Funding from the 2008 California Port and Maritime Security Grant Program will provide the \$250,000(25%) in required non-federal match monies.
- **\$375,000 – Phase 3 of the Port's High Security Fencing Plan** to continue installation of high security fencing and barricades at locations identified in the Port's High Security Fencing Plan. Funding from the 2008 California Port and Maritime Security Grant Program will provide the \$125,000 (25%) in required non-federal match monies.
- **\$487,357 – Building/Trade Resumption and Resiliency Program** – to enroll critical Port facilities in BORP (Building Occupancy Resumption Program). Funding from the 2008 California Port and Maritime Security Grant Program will provide \$175,000, an amount greater than the minimum required 25% non-federal match monies.

9. Grant Project Schedule, as allowed in approval documents, or as proposed:

Start-Date: **November 18, 2010** End-Date: **September 30, 2012**

10. Number of new positions created and funded: **None**
11. If new positions are created, explain the disposition of employees once the grant ends? **n/a**
- 12a. Amount budgeted for contractual services: **\$1,563,987**

b. Will contractual services be put out to bid? **Yes.**

c. If so, will contract services help to further the goals of the department's MBE/WBE requirements? **Yes.**

d. Is this likely to be a one-time or ongoing request for contracting out? **One time.**

13a. Does the budget include indirect costs? Yes No

b1. If yes, how much? \$

b2. How was the amount calculated?

c. If no, why are indirect costs not included?

Not allowed by granting agency

To maximize use of grant funds on direct services.

Other (please explain):

14. Any other significant grant requirements or comments:

****Disability Access Checklist****

15. This Grant is intended for activities at (check all that apply):

Existing Site(s)

Existing Structure(s)

Existing Program(s) or Service(s)

Rehabilitated Site(s)

Rehabilitated Structure(s)

New Program(s) or Service(s)

New Site(s)

New Structure(s)

16. The Departmental ADA Coordinator and/or the Mayor's Office on Disability have reviewed the proposal and concluded that the project as proposed will be in compliance with the Americans with Disabilities Act and all other Federal, State and local access laws and regulations and will allow the full inclusion of persons with disabilities, or will require unreasonable hardship exceptions, as described in the comments section:

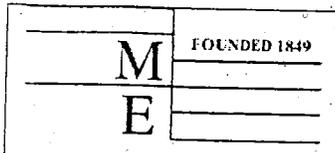
Comments: **The exhibits to the grant application consist of award letters for the various projects that are to be installed and created.**

Departmental or Mayor's Office of Disability Reviewer: Wendy Proctor
(Name)

Date Reviewed: 5/10/2011

Department Approval: Monique Moyer, Executive Director
(Name) (Title)

Monique Moyer
(Signature)



MARINE EXCHANGE OF THE SAN FRANCISCO BAY REGION
505 Beach Street, Suite 300 phone: (415) 441-6600 website: www.sfmex.org
San Francisco, CA 94133-1131 fax: (415) 441-1025 email: info@sfmx.org

November 18, 2010

Ms. Sidonie Sansom
Port of San Francisco
Pier 1, The Embarcadero
San Francisco CA 94111

RE: PSGP FY 2007 Supplemental Program – Grant Award #2007-GB-T7-K274
SF Bay Region IJ Project #2 – Port of San Francisco – High Security Fencing
(Federal Match Value: \$375,000.00 USD)

Dear Sidonie:

I am pleased to inform you that your project submitted under the FEMA Port Security Grant Program, FY 2007 Supplemental has received final approval and may begin immediately.

Enclosed please find two copies of the Sub-Grantee Agreement between the Marine Exchange of the San Francisco Bay Region acting as Fiduciary Agent and your organization. Please sign both documents and return one of the original documents to the Marine Exchange of the San Francisco Bay Region, 505 Beach Street, Suite 300, San Francisco, CA 94133. The Sub-Grantee agreement must be signed and returned to the Marine Exchange of the San Francisco Bay Region before any payments can be authorized.

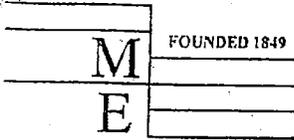
As you are aware, the performance timeline for the FY 2007 Supplemental Grant Program is extremely short. All projects must be completed and the grant closed out by September 30, 2012. This date is inflexible. If you have any concerns about your ability to execute the required Sub-Grantee Agreement or to complete your project before the final termination date, please contact me immediately.

Again, congratulations. If you have any questions or concerns, please contact me via email at grants@sfmx.org or by phone at 415.254.2213.

I look forward to working with you.

Sincerely,

Captain Lynn Korwatch
Executive Director
Marine Exchange of the San Francisco Bay Region



MARINE EXCHANGE OF THE SAN FRANCISCO BAY REGION
505 Beach Street, Suite 300 phone: (415) 441-6600 website: www.sfmex.org
San Francisco, CA 94133-1131 fax: (415) 441-1025 email: info@sfmx.org

January 17, 2011

Ms. Sidonie Sansom
Port of San Francisco
Pier 1, The Embarcadero
San Francisco CA 94111

RE: PS GP FY 2007 Supplemental Program – Grant Award #2007-GB-T7-K274
SF Bay Region IJ Project #5 – Port of San Francisco – Pier 50 Emergency Power Project
(Federal Match Value: \$750,000.00 USD)

Dear Sidonie:

I am pleased to inform you that your project submitted under the FEMA Port Security Grant Program, FY 2007 Supplemental has received final approval and may begin immediately.

Enclosed please find two copies of the Sub-Grantee Agreement between the Marine Exchange of the San Francisco Bay Region acting as Fiduciary Agent and your organization. Please sign both documents and return one of the original documents to the Marine Exchange of the San Francisco Bay Region, 505 Beach Street, Suite 300, San Francisco, CA 94133. The Sub-Grantee agreement must be signed and returned to the Marine Exchange of the San Francisco Bay Region before any payments can be authorized.

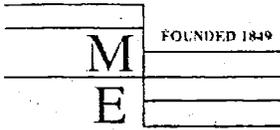
As you are aware, the performance timeline for the FY 2007 Supplemental Grant Program is extremely short. All projects must be completed and the grant closed out by September 30, 2012. This date is inflexible. If you have any concerns about your ability to execute the required Sub-Grantee Agreement or to complete your project before the final termination date, please contact me immediately.

Again, congratulations. If you have any questions or concerns, please contact me via email at grants@sfmx.org or by phone at 415.254.2213.

I look forward to working with you.

Sincerely,

Captain Lynn Korwatch
Executive Director
Marine Exchange of the San Francisco Bay Region



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505 Beach Street, Suite 300 phone: (415) 441-6600 website: www.sfmix.org
San Francisco, CA 94133-1131 fax: (415) 441-1025 email: info@sfmix.org

January 17, 2011

Ms. Sidonie Sansom
Port of San Francisco
Pier 1, The Embarcadero
San Francisco CA 94111

RE: PSGP FY 2007 Supplemental Program – Grant Award #2007-GB-T7-K274
SF Bay Region IJ Project #17 – Port of San Francisco – Building Occupancy Resumption
Project (BORP)
(Federal Match Value: \$487,357.00 USD)

Dear Sidonie:

I am pleased to inform you that your project submitted under the FEMA Port Security Grant Program, FY 2007 Supplemental has received final approval and may begin immediately.

Enclosed please find two copies of the Sub-Grantee Agreement between the Marine Exchange of the San Francisco Bay Region acting as Fiduciary Agent and your organization. Please sign both documents and return one of the original documents to the Marine Exchange of the San Francisco Bay Region, 505 Beach Street, Suite 300, San Francisco, CA 94133. The Sub-Grantee agreement must be signed and returned to the Marine Exchange of the San Francisco Bay Region before any payments can be authorized.

As you are aware, the performance timeline for the FY 2007 Supplemental Grant Program is extremely short. All projects must be completed and the grant closed out by September 30, 2012. This date is inflexible. If you have any concerns about your ability to execute the required Sub-Grantee Agreement or to complete your project before the final termination date, please contact me immediately.

Again, congratulations. If you have any questions or concerns, please contact me via email at grants@sfmix.org or by phone at 415.254.2213.

I look forward to working with you.

Sincerely,

Captain Lynn Korwatch
Executive Director
Marine Exchange of the San Francisco Bay Region



TO: Angela Calvillo, Clerk of the Board of Supervisors

FROM: Port of San Francisco

DATE: May 19, 2011

SUBJECT: Budget Breakdown - \$1,612,357 grant from the Department of Homeland Security (DHS), 2007 Supplemental Infrastructure Protection Port Security Grant.

The Port's Grant Application

The Port was awarded the following funding under the 2007 Supplemental Port Security Grant Program:

- **\$750,000 – Pier 50 – Post Disaster Emergency Backup Electrical Source** to install emergency generators and auxiliary equipment to provide a source of backup electrical power for the Pier 50 repair facility. Funding from the 2008 California Port and Maritime Security Grant Program will provide the \$125,000 (25%) in required non-federal match monies.
- **\$375,000 – Phase 3 of the Port's High Security Fencing Plan** to continue installation of high security fencing and barricades at locations identified in the Port's High Security Fencing Plan. Funding from the 2008 California Port and Maritime Security Grant Program will provide the \$125,000 (25%) in required non-federal match monies.
- **\$487,357 – Building/Trade Resumption and Resiliency Program** – to enroll critical Port facilities in BORP (Building Occupancy Resumption Program). Funding from the 2008 California Port and Maritime Security Grant Program will provide \$175,000, an amount greater than the minimum required 25% non-federal match monies.

\$750,000 – Pier 50 – Post Disaster Emergency Backup Electrical Source

BUDGET SUMMARY:

| BUDGET CATEGORY | FEDERAL AMOUNT | NON-FEDERAL AMOUNT |
|----------------------------|----------------|--------------------|
| A. Personnel | | \$0.00 |
| B. Fringe Benefits | | \$0.00 |
| C. Travel | | \$0.00 |
| D. Equipment | | \$0.00 |
| E. Supplies | | \$0.00 |
| F. Consultants/Contracts | 727,500 | 242,500 |
| G. Other (M&A) | 22,500 | 7,500 |
| Total Direct Costs | 750,000 | 250,000 |
| H. Indirect Costs | | \$0.00 |
| TOTAL PROJECT COSTS | 750,000 | 250,000 |



\$375,000 – Phase 3 of the Port’s High Security Fencing Plan

BUDGET SUMMARY:

| BUDGET CATEGORY | FEDERAL AMOUNT | NON-FEDERAL AMOUNT |
|----------------------------|----------------|--------------------|
| A. Personnel | | \$0.00 |
| B. Fringe Benefits | | \$0.00 |
| C. Travel | | \$0.00 |
| D. Equipment | | \$0.00 |
| E. Supplies | | \$0.00 |
| F. Consultants/Contracts | 363,750 | 121,250 |
| G. Other (M&A) | 11,250 | 3,750 |
| Total Direct Costs | 375,000 | 125,000 |
| H. Indirect Costs | | |
| TOTAL PROJECT COSTS | 375,000 | 125,000 |

\$487,357 – Building/Trade Resumption and Resiliency Program

BUDGET SUMMARY:

| BUDGET CATEGORY | FEDERAL AMOUNT | NON-FEDERAL AMOUNT |
|----------------------------|----------------|--------------------|
| A. Personnel | | \$0.00 |
| B. Fringe Benefits | | \$0.00 |
| C. Travel | | \$0.00 |
| D. Equipment | | \$0.00 |
| E. Supplies | | \$0.00 |
| F. Consultants/Contracts | 472,737 | 169,750 |
| G. Other (M&A) | 14,620 | 5,250 |
| Total Direct Costs | 487,357 | 175,000 |
| H. Indirect Costs | | |
| TOTAL PROJECT COSTS | 487,357 | 175,000 |



MEMORANDUM

May 5, 2011

TO: MEMBERS, PORT COMMISSION
Hon. Kimberly Brandon, President
Hon. Ann Lazarus, Vice President
Hon. Francis X. Crowley
Hon. Leslie Katz

FROM: Monique Moyer *M. Moyer*
Executive Director

SUBJECT: Request authorization to accept and expend \$1,612,357 in 2007 Supplemental Infrastructure Protection Program Port Security Grant Program funds from the Department of Homeland Security for security improvements at the Port of San Francisco

DIRECTOR'S RECOMMENDATION: Approve Attached Resolution

Funding Overview

On August 29, 2007, the Port of San Francisco, along with the Ports of Oakland, Richmond and Stockton - through their Fiduciary Agent - accepted a regional allocation from the Department of Homeland Security (DHS) for the 2007 Supplemental Infrastructure Protection Program Port Security Grant Program (PSGP). This was the second allocation of Port Security Grant funds in 2007. Consistent with the 2007 Port Security grant, the four major regional ports remained grouped together as a Tier I (highest risk) port area. In a change from past grant cycles, port stakeholders were asked by the Federal Emergency Management Agency (FEMA) to identify a single entity that would apply for and accept funding on behalf of the stakeholders, as well as act as the responsible Fiduciary Agent for the port area and ensure that all port partners were incorporated in the planning and grant allocation processes. The Executive Director of the Marine Exchange of the San Francisco Bay Region (Marine Exchange), a 501(c)(1) non-profit membership organization, was selected as the Fiduciary Agent (FA). In the 2007 Supplemental PSGP grant cycle DHS allocated \$6,126,549 to the San Francisco Bay Region, for which each eligible entity within the region could apply. Of that amount, DHS allocated up to 20% for development of a Port-Wide Risk Management/Mitigation and Business Continuity/Resumption of Trade Plan (Plan). The Plan was designed to create a more strategic port area-wide focus, and to increase

THIS PRINT COVERS CALENDAR ITEM NO. 8A

regional cooperation. For this round, DHS required a 25% cash match for all approved projects submitted by eligible entities. However, the matching requirement was waived for funds used to support development of the Plan.

Upon completion of the Plan in December 2008, eligible entities used its findings and recommendations to apply for projects to be funded from the balance of the remaining 2007 Supplemental PSGP funds. A committee made up of representatives from the four major ports and representatives from each port stakeholder community evaluated the applications. The Coast Guard Captain of the Port reviewed the committee's recommendations prior to the applications being sent to FEMA for review and approval. The region experienced multi-year delays in receiving approval for 2007 Supplemental PSGP applications, due to the reorganization of grant management responsibilities within DHS. FEMA approved these 2007 Supplemental PSGP applications in early 2011.

The grant performance period is a maximum of thirty-six months, plus twenty-four additional months of extensions - which are usually granted in six-month increments. The Fiduciary Agent has already applied for and received extensions to the initial thirty-six month period for the approved 2007 Supplemental PSGP projects. All 2007 Supplemental PSGP-funded projects must be completed by September 30, 2012.

Because the Marine Exchange is a 501(c)(1) non-profit entity, and their Executive Director is the port area's Fiduciary Agent, a hold harmless provision is required as part of the Marine Exchange's agreement with each sub-grantee in order for the Marine Exchange to disburse grant funds. In past grant rounds, recipients received funding directly from DHS or FEMA, which as federal entities do not require hold harmless provisions. Without the hold harmless provision in the Marine Exchange's sub-grantee agreement with the Port of San Francisco, the Port will not be able to access grant funds. There is no additional cost to the Port for this hold harmless provision. The City and County of San Francisco's Risk Manager supports the Port's decision to grant the hold harmless provision.

The Port's Grant Application

The Port was awarded the following funding under the 2007 Supplemental Port Security Grant Program:

- **\$750,000 – Pier 50 – Post Disaster Emergency Backup Electrical Source** to install emergency generators and auxiliary equipment to provide a source of backup electrical power for the Pier 50 repair facility. Funding from the 2008 California Port and Maritime Security Grant Program will provide the \$250,000 (25%) in required non-federal match monies.
- **\$375,000 – Phase 3 of the Port's High Security Fencing Plan** to continue installation of high security fencing and barricades at locations identified in the Port's High Security Fencing Plan. Funding from the 2008 California Port and Maritime Security Grant Program will provide the \$125,000 (25%) in required non-federal match monies.

- **\$487,357 – Building/Trade Resumption and Resiliency Program** – to enroll critical Port facilities in BORP (Building Occupancy Resumption Program). Funding from the 2008 California Port and Maritime Security Grant Program will provide \$175,000, an amount greater than the minimum required 25% non-federal match monies.

Port staff have completed plans for the Pier 50 Post Disaster Emergency Backup Electrical Source project and are awaiting availability of funding to commence work.

Port staff are also working on the Port's High Security Fencing Plan, with the project on track to go out to bid in the first quarter of fiscal year 2012. Additionally, Port staff are in the process of developing Requests for Proposals (RFP's) to select architectural engineering firms to complete the BORP enrollment process, and anticipate completing the project within twelve months.

Requested Port Commission Action

Port staff seek Port Commission authorization for the Executive Director to accept and expend \$1,612,357 in 2007 Supplemental Infrastructure Protection Program Port Security Grant Program funds from the Department of Homeland Security for security improvements at the Port of San Francisco. Port staff also seek Port Commission authorization for the Executive Director to indemnify the Fiduciary Agent.

Prepared by: Sidonie Sansom
Director of Homeland Security

**PORT COMMISSION
CITY AND COUNTY OF SAN FRANCISCO**

RESOLUTION NO. 11-27

- WHEREAS, the Department of Homeland Security Infrastructure Protection Program's Port Security Grant Program (PSGP) provides grant funding to port areas for the protection of critical port infrastructure from terrorism; and the PSGP funds are primarily intended to assist ports in enhancing risk management capabilities, increasing domain awareness and improving capabilities for prevention, detection, response and recovery from attacks involving improvised explosive devices and other nonconventional weapons; and
- WHEREAS, on August 27, 2007 the Port of San Francisco submitted an application for grant funds under the PSGP; and
- WHEREAS, on November 18, 2010 the Port of San Francisco was awarded \$375,000 in grant funds for installation of high security fencing; and
- WHEREAS, on January 17, 2011 the Port of San Francisco was awarded \$1,237,357 in grant funds for installation of emergency backup electrical power at the Port's Pier 50 repair facility and enrollment of critical Port facilities in the Building Occupancy Resumption Program, for a total of \$1,612,357 in 2007 Supplemental PSGP funds (the "grant"); and
- WHEREAS, the Federal Emergency Management Agency (FEMA), on behalf of the Department of Homeland Security, appointed the Marine Exchange of the San Francisco Bay Region (the "Marine Exchange"), a 501(c)(1) non-profit, to act as the fiduciary agent for the disbursement, administration and management of the grant; and
- WHEREAS, the Marine Exchange requires an agreement with the City, through the Port Commission, for the disbursement, management and administration of the grant; and
- WHEREAS, the Marine Exchange requires that in the agreement the Port Commission agree to indemnify, defend, and hold harmless the Marine Exchange against all liability, loss, cost or expense imposed upon the Marine Exchange, arising out of or related to the Port's performance under the agreement; now, therefore, be it
- RESOLVED, that the Port Commission hereby authorizes the Executive Director to seek the Board of Supervisors' approval to accept and expend the grant; and be it further

RESOLVED, that the Port Commission hereby urges the Board of Supervisors to approve the request for approval to accept and expend the grant; and be it further

RESOLVED, that, subject to the Board of Supervisors' approval, the Port Commission hereby authorizes the Executive Director or her designee to execute, on behalf of the City, an agreement with the Marine Exchange for the disbursement, administration and management of the grant, wherein the City agrees to indemnify, defend, and hold harmless the Marine Exchange against all liability, loss, cost or expense imposed upon the Marine Exchange, arising out of or related to the Port's performance under the agreement; subject to the approval of such indemnity and hold harmless provision by the City's Risk Manager; and be it further

RESOLVED, that the Port Commission, subject to the Board of Supervisors' approval, hereby authorizes the Executive Director or her designee to execute for and on behalf of the City and County of San Francisco, any additional documents necessary to enter into the grant agreement with the Marine Exchange, the Federal Emergency Management Agency or the Department of Homeland Security, including any extensions, augmentations or amendments thereof.

I hereby certify that the foregoing resolution was adopted by the Port Commission at its meeting of May 10, 2011.



Secretary

