

File No. 130423

Committee Item No. 2

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Budget and Finance Committee

Date: 06/12/2013

Board of Supervisors Meeting

Date: _____

Cmte Board

- | | | |
|-------------------------------------|--------------------------|----------------------------------------------|
| <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 and Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Introduction Form |
| <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 checked="" type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Form 126 – Ethics Commission |
| <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)

<input type="checkbox"/>	<input type="checkbox"/>	_____
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Completed by: Victor Young Date June 7, 2013

Completed by: Victor Young Date _____

1 [Accept and Expend Grant - 2011 Port Security Grant Program Funds for Portwide CCTV
2 and Pier 80 Security Improvements - \$1,322,753]

3 **Resolution authorizing the Port to accept and expend \$1,322,753 in 2011 Port Security**
4 **Grant Program funds from the U.S. Department of Homeland Security's Infrastructure**
5 **Protection Program, including \$919,243 for Portwide CCTV and \$403,510 for Pier 80**
6 **security improvements, for the period of June 1, 2013, through June 30, 2013.**

7
8 WHEREAS, The U.S. Department of Homeland Security Infrastructure Protection
9 Program's Port Security Grant Program (PSGP) provides grant funding to port areas for the
10 protection of critical port infrastructure from terrorism; and the PSGP funds are primarily
11 intended to assist ports in enhancing risk management capabilities, increasing domain
12 awareness and improving capabilities for prevention, detection, response and recovery from
13 attacks involving improvised explosive devises and other nonconventional weapons; and

14 WHEREAS, On June 20, 2011, the Port of San Francisco submitted an application for
15 grant funds under the PSGP; and

16 WHEREAS, On January 23, 2013 the Port of San Francisco was notified that the
17 Federal Emergency Management Agency (FEMA) released \$300,000 of the \$919,243 grant
18 ("the grant") prior to completion of the Environmental and Historic Preservation review
19 process, in order for the Port to complete a 100% basis of design for the purposes of
20 developing a bid specification; and

21 WHEREAS, The Port anticipates FEMA approval of the entire \$919,243 grant request
22 later this year; and

23 WHEREAS, On February 4, 2013 the Port of San Francisco was awarded \$403,510
24 in grant funds for security enhancements at the Pier 80 intermodal cargo terminal ("the
25 grant"); and

1 WHEREAS, On February 26, 2013, through Resolution No. 13-03 and Resolution No.
2 13-04, the Port Commission authorized Port staff to accept and expend the U.S. Department
3 of Homeland Security Infrastructure Protection Program Port Security Grant Program funds;
4 and

5 WHEREAS, The Port Commission authorized the Executive Director to seek Board of
6 Supervisors' approval to accept and expend the grant; and

7 WHEREAS, FEMA, on behalf of the U.S. Department of Homeland Security,
8 appointed the Marine Exchange of the San Francisco Bay Region ("Marine Exchange"), a
9 501(c)(1) non-profit membership organization, to act as the fiduciary agent for the
10 disbursement, administration and management of the grant; and

11 WHEREAS, The Marine Exchange requires an agreement with the City, through the
12 Port Commission, for the disbursement, management and administration of the grant; and

13 WHEREAS, The Marine Exchange requires that in the agreement the Port
14 Commission agree to indemnify, defend, and hold harmless the Marine Exchange against all
15 liability, loss, cost, or expense imposed upon the Marine Exchange, arising out of or related
16 to the Port's performance under the agreement; and

17 WHEREAS, The grant terms prohibit including indirect costs in the grant budget; now,
18 therefore, be

19 RESOLVED, That the Board of Supervisors hereby authorizes the Port Commission
20 to accept and expend the \$919,243 in 2011 Infrastructure Protection Program Port Security
21 Grant Program funds from the U.S. Department of Homeland Security for security
22 improvements at the Port of San Francisco for Portwide CCTV; and, be it

23 FURTHER RESOLVED, That the Board of Supervisors hereby authorizes the Port
24 Commission to accept and expend the \$403,510 in 2011 Infrastructure Protection Program
25 Port Security Grant Program funds from the U.S. Department of Homeland Security for

1 security improvements at the Port of San Francisco for Pier 80 security improvements; and,
2 be it

3 FURTHER RESOLVED, The Board of Supervisors hereby waives inclusion of indirect
4 costs as a part of this grant; and, be it

5 FURTHER RESOLVED, That the Executive Director or her designee is hereby
6 authorized to execute an agreement, on behalf of the City and County of San Francisco, with
7 the Marine Exchange for the disbursement, administration and management of the grant,
8 wherein the City agrees to indemnify, defend, and hold harmless the Marine Exchange
9 against all liability, loss, cost or expense imposed upon the Marine Exchange, arising out of
10 or related to the Port's performance under the agreement, subject to the approval of such
11 indemnity and hold harmless provision by the City's Risk Manager; and be it

12 FURTHER RESOLVED, That the Board of Supervisors hereby authorizes the
13 Executive Director or her designee to execute for and on behalf of the City and County of
14 San Francisco, any additional documents necessary to enter into the grant agreement with
15 the Marine Exchange, FEMA or the U.S. Department of Homeland Security, including any
16 extensions, augmentations or amendments thereof.

17 //

18 Recommended:

19
20 Monique Boyer
21 Department Head

Approved: Kate He

Mayor

Approved: AK

Controller

TO: Angela Calvillo, Clerk of the Board of Supervisors

FROM: Sidonie Sansom, Port of San Francisco

DATE: April 15, 2013

SUBJECT: Accept and Expend Federal Grant Funds

GRANT TITLE: \$1,322,753 grant from the Department of Homeland Security, 2011 Port Security Grant Program (PSGP) fund for Pier 80 Cargo Terminal Risk Mitigation and Security Systems – Phase II and Portwide CCTV, Access Control and Intrusion Detection System consistent with Department of Homeland Security requirements.

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 (*Omitted – Contains sensitive information*)

Award Letter

Other (Explain): Budget and Port Commission resolution

Special Timeline Requirements:

Departmental representative to receive a copy of the adopted resolution:

Name: Sidonie Sansom

Phone: 415.274.0544

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 Resolution Information Form

(Effective July 2011)

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, 2011 Infrastructure Protection Program, Port Security Grant Program**

2. Department: **Port of San Francisco**

3. Contact Person: **Ken Tashian** Telephone: **415-274-0262**

4. Grant Approval Status (check one):

Approved by funding agency

Not yet approved

5. Amount of Grant Funding Approved or Applied for: **\$1,322,753**

6a. Matching Funds Required: **N/A**

b. Source(s) of matching funds (if applicable):

7a. Grant Source Agency: **Department of Homeland Security**

b. Grant Pass-Through Agency (if applicable): **N/A**

8. Proposed Grant Project Summary: **\$1,322,753 – (\$403,510) Pier 80 Security Enhancements and (\$300,000) expansion of a Portwide CCTV System. Both projects are consistent with Department of Homeland Security requirements**

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

Start-Date: **June 1, 2013**

End-Date: **June 30, 2013**

10a. Amount budgeted for contractual services: **NA – Equipment to be purchased through the City's Computer Store. Labor to be sole sourced to the Department of Technology.**

b. Will contractual services be put out to bid? **No.**

c. If so, will contract services help to further the goals of the Department's Local Business Enterprise (LBE) requirements?

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

11a. Does the budget include indirect costs? Yes No

b1. If yes, how much? \$

b2. How was the amount calculated?

c1. 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):

c2. If no indirect costs are included, what would have been the indirect costs? **N/A**

12. Any other significant grant requirements or comments: **N/A**

****Disability Access Checklist** (Department must forward a copy of all completed Grant Information Forms to the Mayor's Office of Disability)**

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

- | | | |
|------------------------------------------------------|-----------------------------------------------------|------------------------------------------------------------|
| <input checked="" type="checkbox"/> Existing Site(s) | <input type="checkbox"/> Existing Structure(s) | <input type="checkbox"/> Existing Program(s) or Service(s) |
| <input type="checkbox"/> Rehabilitated Site(s) | <input type="checkbox"/> Rehabilitated Structure(s) | <input type="checkbox"/> New Program(s) or Service(s) |
| <input type="checkbox"/> New Site(s) | <input type="checkbox"/> New Structure(s) | |

14. The Departmental ADA Coordinator 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 disability rights laws and regulations and will allow the full inclusion of persons with disabilities. These requirements include, but are not limited to:

1. Having staff trained in how to provide reasonable modifications in policies, practices and procedures;
2. Having auxiliary aids and services available in a timely manner in order to ensure communication access;
3. Ensuring that any service areas and related facilities open to the public are architecturally accessible and have been inspected and approved by the DPW Access Compliance Officer or the Mayor's Office on Disability Compliance Officers.

If such access would be technically infeasible, this is described in the comments section below:

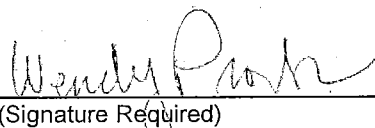
Comments:

Departmental ADA Coordinator or Mayor's Office of Disability Reviewer:

Wendy Proctor
(name)

Architect/ADA Coordinator
(Title)

Date Reviewed: 4/26/2013

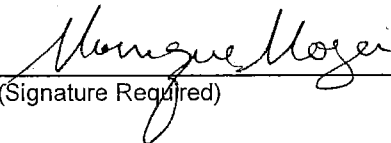

(Signature Required)

Department Head or Designee Approval of Grant Information Form:

Monique Moyer
(Name)

Executive Director
(Title)

Date Reviewed: April 26, 2013


(Signature Required)



TO: Angela Calvillo, Clerk of the Board of Supervisors
FROM: Port of San Francisco
DATE: April 15, 2013
SUBJECT: Budget Breakdown - 2011 Port Security Grant Program, \$1,322,753 – Pier 80 Cargo Terminal Risk Mitigation and Security Systems – Phase II, and Portwide CCTV, Access Control and Intrusion Detection System

The Port's Grant Application

The Port was awarded the following funding during this round of the 2011 Port Security Grant Program:

- \$919,343 for a Portwide CCTV, Access Control and Intrusion Detection System:** this planned investment will allow the Port to expand the scope of a current security project. That project, to increase security at Port properties through deployment of CCTV & integrated access control/intrusion detection systems, is in its final stages of design & fiber optic build-out & funded by 2007 & 2008 CPMSGP (California Port & Maritime Security Grant Program) grants. This grant will provide funding for CCTV, access control/intrusion detection systems & fiber optics at Port properties not included in the CPMSGP grants due to funding limitations.

Budget Category	Amount		
	Total	Fed	Non-Fed
A. Personnel	0	0	0
B. Fringe Benefits	0	0	0
C. Travel	0	0	0
D. Equipment	0	0	0
E. Supplies	0	0	0
F. Consultants/Contracts	919,343	\$919,343	0
G. Other	0	0	0
Total Direct Costs	919,343	919,343	0
H. Indirect Costs	0	0	0
Federal Request		\$919,343	
Non-Federal Amount			0
Combined Total Project Costs	\$919,343		

SUB-GRANTEE AGREEMENT

Between

**THE MARINE EXCHANGE OF THE SAN FRANCISCO BAY REGION (SFMX) as
PORT SECURITY GRANT PROGRAM (PSGP) FIDUCIARY AGENT (FA) and
DIRECT GRANTEE (DG)**

And

PORT OF SAN FRANCISCO

As SUB-GRANTEE (SG)

This SUB-GRANTEE AGREEMENT is made and entered into by and between the Marine Exchange of the San Francisco Bay Region (SFMX) and Port of San Francisco (Sub-Grantee organization).

WHEREAS, the SFMX has been appointed by the Federal Emergency Management Agency (FEMA) on behalf of the Department of Homeland Security (DHS), to act as the Fiduciary Agent for the administration and management of the Port Security Grant Program for FY2007Sup, 2008, 2009, 2010 and 2011, and

WHEREAS appointment as FA requires the SFMX to validate and monitor the progress and compliance of projects funded by FEMA under the Port Security Grants Program. The FA is to submit supporting documentation to FEMA for execution and completion of said projects, and

WHEREAS, the Sub- Grantee will be planning, developing and executing their Project as defined by their Investment Justification (IJ) package as described in Attachment "A" of this Agreement. The IJ's have been submitted to the FA; validated by USCG Sector San Francisco and approved by FEMA for a sub-grant which is not to exceed USD \$403,510; and

WHEREAS, the SFMX as FA, will act as the direct representative for FEMA in managing disbursement of grant funds expended by Sub-Grantee in implementing their Project(s): and

WHEREAS, the purpose of this Agreement is to define the relationship between the FA and Sub-Grantee with respect to Sub-Grantee's activities implementing the Project and the FA administering and managing reimbursement of expenditures for same;

ACCORDINGLY, the parties agree as follows:

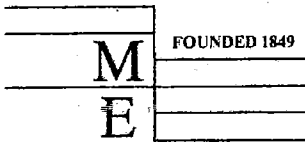
1. Sub-Grantee agrees to implement this project within sixty (60) days following the effective date of the grant award or this Agreement may be subject to cancellation. Notice of grant award may be by electronic or other written means at the discretion of the Fiduciary Agent. Evidence of project implementation is to be reported within the first sixty (60) days, and may include, but is not limited to, schedule of values or project time line, notices to governing boards or agencies of project award, advice memorandum, written and/or electronic project communications, development and issue of solicitation announcements, contracting documents, and purchase orders or similar documents acceptable to the Fiduciary Agent as evidence of compliance.
2. Sub-Grantee shall comply with all federal statutes, regulations and guidance applicable to administration of the Port Security Grant Program including but not limited to
 - 2 C.F.R. subtitle A
 - 44 C.F.R. Part 13
 - Office of Management and Budget (OMB) Circulars, as applicable
 - A-21 Cost Principles for Educational Institutions
 - A-87 Cost Principles for State, Local and Indian Tribal Governments
 - A-122 Cost Principles for Non-Profit Organizations
 - A-102 Uniform Administrative Requirements for Grants and Agreements with State and Local Governments
 - A-110 Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations
 - 48 C.F.R. Part 31 et. seq. Contract Cost Principles and Procedures.Sub-Grantee shall assure that these conditions apply to all recipients of funds.
3. Sub-Grantee shall be additionally guided and governed by, and will strictly adhere to, all the requirements set forth in – "SFMX PSGP Purchasing and Procurement Policies and Procedures" unless Sub-Grantee can demonstrate that federal procurement guidelines are satisfied by an existing internal document.
4. Upon receiving the invoices, the FA shall be authorized to review Sub-Grantee's request for reimbursement. The FA will also be authorized to request additional information or clarification from Sub-Grantee. Such a response shall not be unreasonably withheld by Sub-Grantee, but in no case shall the FA be compelled to pay said invoices until the requested clarifications are made or additional information is received, accepted and approved by the FA.
5. For the purposes of meeting federal audit requirements, Sub-Grantee agrees to comply with requirements of OMB Circular A-133 for States, Local Governments and Non-Profits.



- **\$403,510 in Pier 80 Cargo Terminal Risk Mitigation and Security Systems – Phase II:** to enhance intrusion detection & security capabilities as well as control access through deployment of access control systems, including TWIC (Transportation Worker Identification Credential) compliant access controls; door & motion intrusion detection; CCTV & surveillance systems; infrared detection systems; perimeter fencing monitoring; & wireless communications and fiber network systems.

Budget Category	Amount		
	Total	Fed	Non-Fed
A. Personnel	0	0	0
B. Fringe Benefits	0	0	0
C. Travel	0	0	0
D. Equipment	0	0	0
E. Supplies	0	0	0
F. Consultants/Contracts	403,510	\$403,510	0
G. Other	0	0	0
Total Direct Costs	403,510	403,510	0
H. Indirect Costs	0	0	0
Federal Request		\$403,510	
Non-Federal Amount			0
Combined Total Project Costs	\$403,510		

Budget Category	Amount		
	Total	Fed	Non-Fed
A. Personnel	0	0	0
B. Fringe Benefits	0	0	0
C. Travel	0	0	0
D. Equipment	0	0	0
E. Supplies	0	0	0
F. Consultants/Contracts	1,322,753	\$1,322,753	0
G. Other	0	0	0
Total Direct Costs	1,322,753	1,322,753	0
H. Indirect Costs	0	0	0
Federal Request		\$1,322,753	
Non-Federal Amount			0
Combined Total Project Costs	\$1,322,753		



MARINE EXCHANGE OF THE SAN FRANCISCO BAY REGION

505 Beach Street, Suite 300
San Francisco, CA 94133-1131

phone: (415) 441-5045
fax: (415) 441-1025

website: www.sfmex.org
email: korwatch@sfmex.org

January 23, 2013

Mr. Ken Tashian
Port of San Francisco
Pier 1, The Embarcadero
San Francisco CA 94111

RE: EMW-2011-PU-K00351 – Port-Wide CCTV

Dear Mr. Tashian:

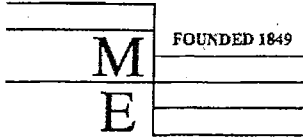
FEMA has granted your request to release up to \$300,000 of Port Security Grant Program money to complete a final design that includes; equipment and electrical specifications, camera siting locations, identification of hazards and buried plant, and a 100% basis of design for purposes of developing a bid specification.

This money is being released prior to final EHP approval. It is your intention to use the requested money to receive design plans in order to complete the required NEPA forms. This letter does not constitute the final approval of the project.

Please contact me if you have any questions.

Regards,

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.sfm.org
San Francisco, CA 94133-1131 fax: (415) 441-1025 email: info@sfmx.org

February 4, 2013

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

RE: PSGP FY 2011 – Grant Award #EMW-2011-PU-K00351
SF Bay Region IJ Project #2 – Port of San Francisco – Pier 80 Cargo Terminal Risk –
Phase II
(Federal Match Value: \$403,510.00 USD)

Dear Sidonie:

I am pleased to inform you that your project submitted under the FEMA 2011 Port Security Grant Program has received preliminary approval.

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.

Once we receive your signed Sub-Grantee Agreement and final approval has been received from FEMA, you will receive a confirmation letter allowing you to proceed with your project.

The performance period for this grant ends June 30, 2014. If you have any concerns about your ability to complete your project before this date, please contact me.

Again, congratulations. If you have any questions or concerns, please contact me via email at grants@sfmx.org or by phone at 415-441-5045.

I look forward to working with you.

Sincerely,

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

6. Sub-Grantee agrees to submit, at such times and in such form as the FA may request, activity reports on the Sub-Award and the Project. Sub-Grantee shall submit quarterly operational summaries and financial reports no later than the 15th day of January, April, July and October; and the Semi-Annual Progress Reports by the 15th of January and July during each year this Agreement. The final progress report must be filed with the FA within thirty (30) days after the termination of the last year of the Federal Award. The FA must receive the final progress report prior to the final cost report being paid.
7. No contract or agreement may be entered into by Sub-Grantee for execution of Project activities or provision of services to the Project that are not incorporated in the approved application other than purchase of supplies or standard commercial or maintenance services. All contracts and agreements shall provide that Sub-Grantee shall retain ultimate control and responsibility for the proper execution of the Project and that these Contract conditions as detailed herein will also fully apply and bind the contractor, consultant or vendor. In any case, where Sub-Grantee enters into a contract with third parties, the SFMX is not a party to such a contract and shall not be obligated or liable for any breach of contract or other action in law to any party other than the original Sub-Grantee under the specific terms of this Agreement.
8. Upon approval of acceptable invoices for services, equipment and work validated and performed, the FA agrees to reimburse Sub-Grantee for actual expenditures made related to the Project, which in no case may exceed the federal funds amount awarded to Sub-Grantee at the time of approval of Sub-Grantee's IJ by FEMA as provided for in Attachment "A".
9. In entering into this Agreement, it is implicitly agreed between both signatories that the FA is not under any obligation to reimburse the Sub-Recipient for any amounts not received by the FA from FEMA, for what so ever reason.
10. Sub-Grantee shall indemnify, defend and hold harmless the FA and its officers, directors, employees and agents, from and against all liability, loss, cost or expense (including attorney's fees) by reason of liability imposed upon the FA, arising out of or related to Sub-Grantee 's performance under this Agreement, whether caused by or contributed to by the FA or any other party indemnified herein, including but not limited to any malfeasance, negligent or intentional acts of Sub-Grantee , its officers, agents or employees or its subcontractors or their agents and employees, unless such a loss is caused solely by the malfeasance or negligence of the FA, its officers, directors, employees or agents.
11. It is understood by both signatories to this Agreement, that this Agreement shall remain in effect in accordance with the terms and conditions of the Grant Award, but in no event longer than the statutory provision of 5 years or less as may be determined by the grant performance period following the execution by both parties.

12. All notices, requests, demands and other communications required or permitted to be made under this Agreement shall be in writing and shall be given by personal delivery, by certified mail, return receipt requested, first class postage prepaid, or by nationally recognized overnight delivery service, in each case addressed to the signed party below at the address specified. Either party may change the address to which communications are to be sent by giving notice of such change of address in conformity with the provisions of this Section. Notice shall be deemed to be effective, if personally delivered, when delivered; if mailed, at midnight on the third business day after being sent by certified mail; and if sent by nationally recognized overnight delivery service, on the next business day.

If to the Marine Exchange:

Marine Exchange of the San Francisco Bay Region
Captain Lynn Korwatch, Executive Director
505 Beach Street, Suite 300
San Francisco, CA 94133-1131

If to Sub-Grantee:

Port of San Francisco
Pier 1, The Embarcadero
San Francisco CA 94111

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the date below their signatures.

The Marine Exchange of the
San Francisco Bay Region

By: 

Captain Lynn Korwatch

Dated: 2/5/13

By: 

Dated: 4/12/13

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

RESOLUTION NO. 13-03

WHEREAS, the U.S. 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 June 20, 2011, the Port of San Francisco submitted an application for grant funds under the PSGP; and

WHEREAS, on January 23, 2013 the Port of San Francisco was notified that the Federal Emergency Management Agency (FEMA) released \$300,000 of the \$919,243 grant (the "grant") prior to completion of the Environmental and Historic Preservation review process, in order for the Port to complete a 100% basis of design for the purposes of developing a bid specification; and

WHEREAS, the Port anticipates FEMA approval of the entire \$919,243 grant request later this year; and

WHEREAS, FEMA, on behalf of the U.S. Department of Homeland Security, appointed the Marine Exchange of the San Francisco Bay Region (the "Marine Exchange"), a 501(c)(1) non-profit membership organization, 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 \$300,000 of the \$919,243 grant for Portwide CCTV, and to accept and expend the remainder of the grant funds when released by FEMA; and be it further

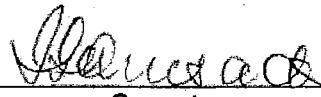
RESOLVED, that the Port Commission hereby urges the Board of Supervisors to

approve the request for approval to accept and expend \$300,000 of the \$919,243 grant for Portwide CCTV, and to accept and expend the remainder of the grant funds when released by FEMA; 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, FEMA or the U.S. 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 February 26, 2013.


Secretary

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

RESOLUTION NO. 13-04

- WHEREAS, the U.S. 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 June 20, 2011 the Port of San Francisco submitted an application for grant funds under the PSGP; and
- WHEREAS, on February 4, 2013 the Port of San Francisco was awarded \$403,510 in grant funds for security enhancements at the Pier 80 intermodal cargo terminal (the "grant"); and
- WHEREAS, FEMA, on behalf of the U.S. Department of Homeland Security, appointed the Marine Exchange of the San Francisco Bay Region (the "Marine Exchange"), a 501(c)(1) non-profit membership organization, 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, FEMA or the U.S. 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 February 26, 2013.



Secretary

OFFICE OF THE MAYOR
SAN FRANCISCO



EDWIN M. LEE
MAYOR

TO: Angela Calvillo, Clerk of the Board of Supervisors
FROM: *for* Mayor Edwin M. Lee *for*
RE: Accept and Expend Grant - 2011 Port Security Grant Program Funds for
Portwide CCTV and Pier 80 Security Improvements - \$1,322,753
DATE: May 7, 2013

Attached for introduction to the Board of Supervisors is the resolution authorizing the Port of San Francisco to accept and expend \$1,322,753 in 2011 Port Security Grant Program funds from the U.S. Department of Homeland Security's Infrastructure Protection Program, including \$919,243 for Portwide CCTV and \$403,510 for Pier 80 security improvements.

Please note this item is cosponsored by Supervisor Cohen.

I request that this item be calendared in Budget and Finance Committee.

Should you have any questions, please contact Jason Elliott (415) 554-5105.

cc. Supervisor Malia Cohen

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