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

Resolution authorizing the Port 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, for the period of June 1, 2013, through June 30, 2013.

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

WHEREAS, The Port Commission authorized the Executive Director to seek Board of Supervisors’ approval to accept and expend 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 (“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; and

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

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

FURTHER RESOLVED, That the Board of Supervisors hereby authorizes the Port Commission to accept and expend the $403,510 in 2011 Infrastructure Protection Program Port Security Grant Program funds from the U.S. Department of Homeland Security for
security improvements at the Port of San Francisco for Pier 80 security improvements; and, be it

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

FURTHER RESOLVED, That the Executive Director or her designee is hereby authorized to execute an agreement, on behalf of the City and County of San Francisco, 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 Board of Supervisors 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.

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Recommended: ________________________

Approved: ________________________

Mayor

Department Head

Approved: ________________________

Controller