



County of Orange

County Executive Office

June 16, 2022
Via Email

Dana Point Harbor Partners, LLC
Bellwether Financial Group, Inc.
450 Newport Center Drive, Suite 590
Newport Beach, CA 92660
Attn: Joseph Ueberroth, Manager

Re: Master Ground Lease Agreement: Subsection 5.5.6 Evidence of Financing

Dear Mr. Ueberroth:

The attached letter from Brian Schaeffgen, dated June 13, 2022 ("Letter"), requests approval pursuant to Subsection 5.5.6 of the Master Ground Lease Agreement ("Lease") dated October 29, 2018 between the County of Orange and Dana Point Harbor Partners, LLC ("DPHP"). This letter serves as written approval that DPHP has demonstrated that they have sufficient financial resources to initiate and complete the construction of Phase 1 of the Marina Improvement Project. Phase 1 of the Marina Improvement Project includes the demolition and installation of three West Basin docks, W10, W11, and W12, as described and depicted on pages 3-5 of the attached Letter.

Thank you for your continued partnership on this exciting project. If you have any questions or concerns, please contact Zoila Verdaguer at Zoila.Verdaguer@ocgov.com.

Sincerely,

Thomas A. Miller
Chief Real Estate Officer

Enc: DPHP Letter Requesting Approval of Evidence of Financing

Dana Point Harbor Partners, LLC

To: Thomas "Mat" Miller, Chief Real Estate Officer, County of Orange
Zoila Verdaguer, CEO Real Estate | Land Development, County of Orange

From: Brian Schaeffgen, Dana Point Harbor Partners, LLC, Marina Component

cc: Joe Ueberroth, Dana Point Harbor Partners, LLC

Date: June 13, 2022

RE: Dana Point Harbor Partners – Conditions Precedent to the Commencement of Marina Construction

As we deliver the necessary items required as conditions precedent to the commencement of our Improvement Project, we are sending the following items to address the financial requirements:

In accordance with the Master Ground Lease **Subsection 5.5.6 – Evidence of Financing**, Lessee is delivering the attached bank statements of the two primary accounts for the marina property for the past six months reflecting an average cash balance of approximately \$7.5 million to demonstrate that we have access to sufficient financial resources to complete construction of Phase 1 of the Improvement Project as required under the Lease.

Phase 1 entails the mobilization of the approved general contractor, Bellingham Marine Industries, Inc., to the site as well as the removal and replacement of the West Basin docks W10, W11 and W12 per the contract's schedule of values. Please see the attached detailed description of work and area addressed in the Phase 1 work. This work is contracted for a total of \$4,913,188 (Contract 4.0 Pricing schedule of values attached) of which the Marina Component has sufficient financial resources and bonding to commence and complete this phase of the project.

Additionally, in accordance with the Master Ground Lease **Subsection 5.5.4 – Performance and Payment Bonds**, Lessee is submitting its updated licensed general contractor's payment and performance bonds issued by Western Surety Company in the amount of \$4,913,188 comprising Phase 1 of the Improvement Project. We believe both compliant with the subsection of the Lease and the requirements of the County of Orange.

610 Newport Center Drive, Suite 490
Newport Beach, CA 92660
(949) 723-7788

We believe that we have met all the conditions precedent to commencement of Phase 1 of the Marina Component of the Improvement Project such that construction may commence by June 15, 2022.

Enclosures:

- Dana Point Harbor Revitalization – Phase 1 Outline of Work
- Bellingham Marine Industries Contract Pricing – Schedule of Values
- Bellingham Marine Payment Bond
- Bellingham Marine Performance Bond
- Bellwether Bank of America Bank Statements November 2021 - April 2022 for accounts * [REDACTED]
- Bellwether Bank of America Bank Statements November 2021 - April 2022 for accounts * [REDACTED]

Dana Point Harbor Revitalization

Phase 1 Description

- 1. Mobilization**
 - a. Mobilize equipment and machinery to site
- 2. Demolition**
 - a. Demolition of existing docks
 - b. Demolition of existing piles
 - c. Demolition of existing guardrails
 - d. Demolition of existing gates
 - e. Removal and disposal of demolition
- 3. Repairs to Seawall and Revetment wall.**
- 4. Installation of Docks W12, W11 and W10**
 - a. 210 Floats
- 5. Installation of steel piles and HDPE sleeves**
 - a. 32 Piles and sleeves
- 6. Installation of aluminum gangways**
 - a. 3x 30' gangways
- 7. Installation of aluminum gates**
 - a. 3x aluminum gates
- 8. Installation of aluminum guardrail**

The installation of Phase 1 comprises of three (3) docks, W12, W11 and W10. Phase 1 is located on the Eastern side of the West basin next to the bridge. Once demolition of the existing docks is complete, Bellingham Marine will begin splashing floats from the laydown area located near the shipyard in the East of the site.

Floats once splashed will be pushed into place with workboats, a total of 210 floats will be installed to make up the three (3) new docks. The piling will begin once the floats are in place and will continue throughout the phase until all Three (3) docks are complete. There is a total of 32No off 14" piles and 32No of 16" sleeves in phase 1.

Once installed the new dock arrangement will have a total of 119 slips made up of 111No off 25' and 8No off 21'.

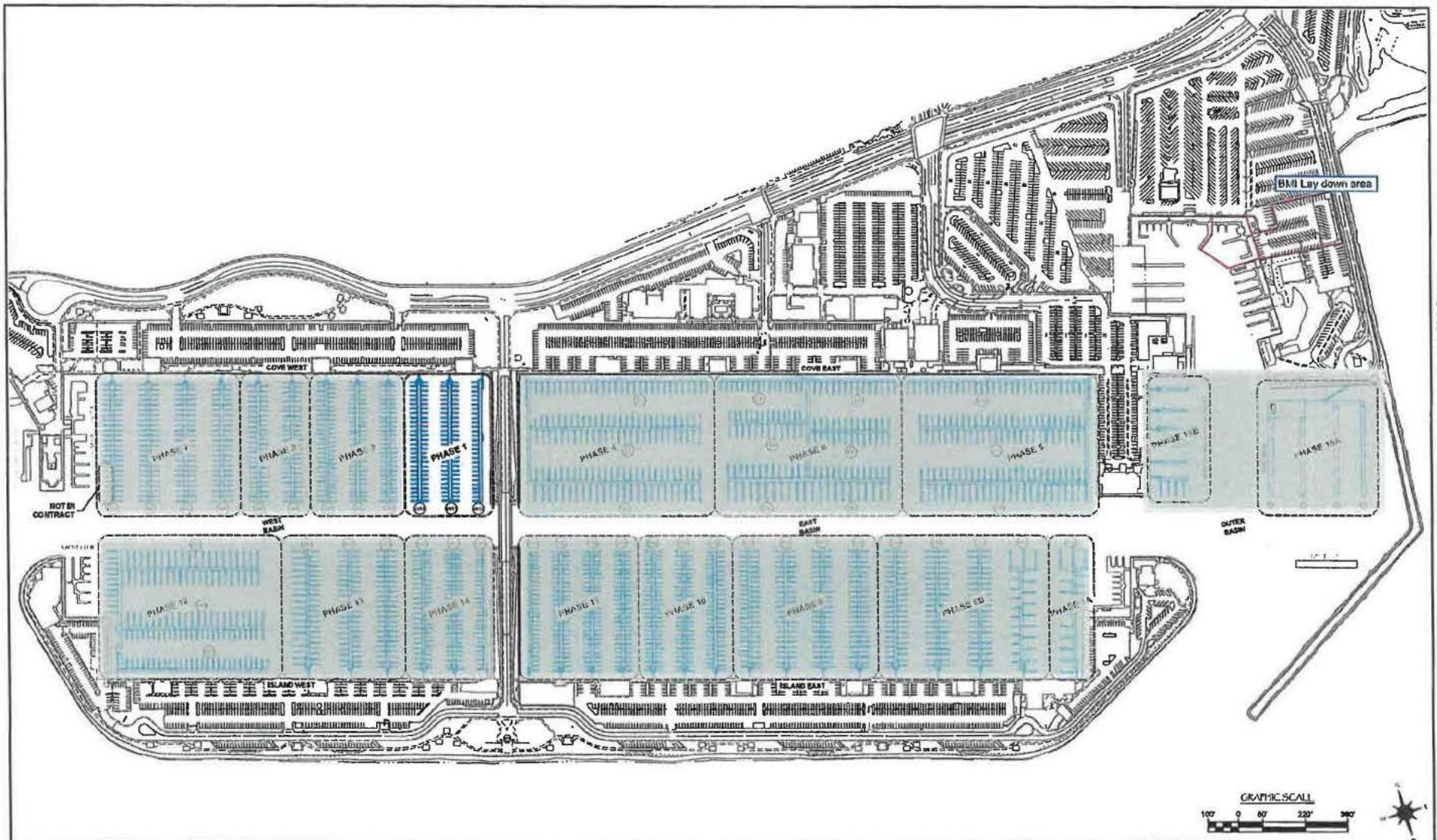
Services including power, water and fire will be installed on the docks once the main walk is in. Service pedestals one (1) each per berth will be installed once finger docks are in place.

Gangways will be hung once gangway landing floats and main walkway floats are in place with gates being fitted soon after. Guardrails will be installed once gates have been fixed to abutment.

Appendix 1 – Phasing Plan and Laydown Area

Appendix 2 – Pile Layout

Appendix 1 - Phasing Plan and Laydown Area



PRODUCTION/ FABRICATION DRAWING

NO.	DATE	DESCRIPTION	BY

Bellingham MARINE
 THE WORLD'S MOST COMPREHENSIVE MARINA BUILDER

SOUTHWEST DIVISION
 CA LICENSE #442409
 8810 SPARLAND LANE
 DANA POINT, CA 92629
 TEL: (707) 678-2280
 FAX: (707) 678-1760

THIS DRAWING CONTAINS PROPRIETARY INFORMATION OWNED BY THE PROPERTY OF BELLINGHAM MARINE INDUSTRIES INC. AND SHALL NOT BE COPIED, REPRODUCED OR MADE AVAILABLE TO THIRD PARTIES WITHOUT PRIOR WRITTEN PERMISSION FROM BELLINGHAM MARINE INDUSTRIES INC. UNPUBLISHED WORKS OF BELLINGHAM MARINE INDUSTRIES, INC.

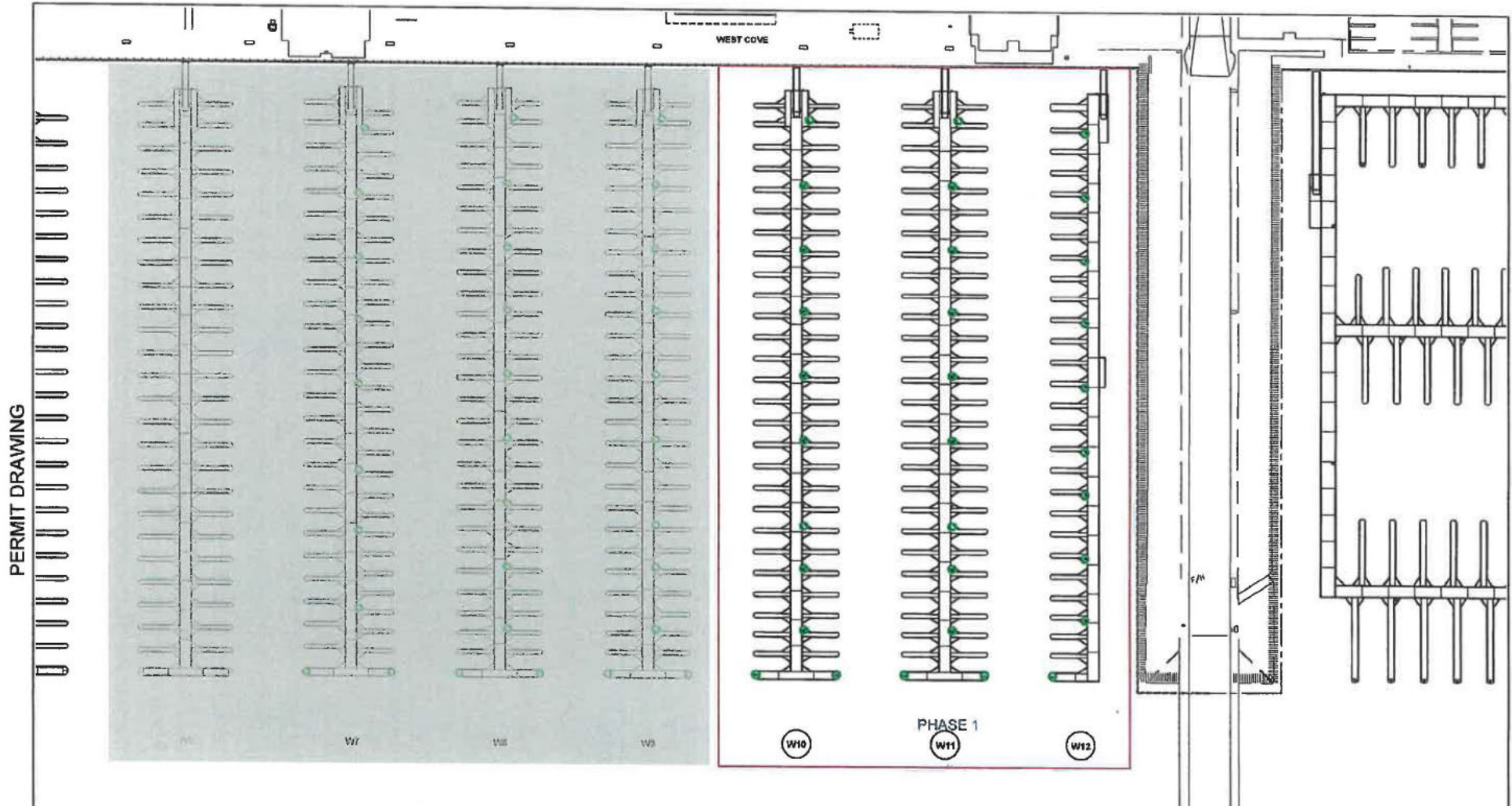
PROJECT NUMBER:
 7500-01
 ENGINEER / DESIGNER:
 PROJECT MANAGER:
 CHECKED BY:

DANA POINT HARBOR REVITALIZATION
 (PHASE 1, DOCKS W10 - W12)
 Harbor Drive, Dana Point, CA 92629
 PHASING PLAN LAYOUT

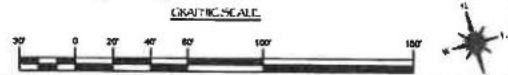
The attached technical sheets are their drawings, including contract notes, specifications and permit drawings. They are the property of Bellingham Marine Industries, Inc. and shall not be copied, reproduced or made available to third parties without the written permission of Bellingham Marine Industries, Inc.

SCALE: 1" = 140'
 (Sheet Size 24" x 36")
 DRAWN BY: RD
 DATE: 3/9/2022
 DRAWING: PH1
 SHEET NO.: 6

Appendix 2 - Pile Layout



▲ = 14" (14" O.D.) SCH. XH (500" WALL) PIPE PILE, ABTM A252, GR. 3 w/ HDPE SLEEVE



NO.	DATE	DESCRIPTION	KG	BY
A	5-18-22	PILE SIZE CHANGED FROM 12"		
REVISIONS				

Bellingham MARINE
THE WORLD'S MOST COMPREHENSIVE MARINA BUILDER

SOUTHWEST DIVISION
CA LICENSE #442499
8810 SPARLING LANE
DIXON, CA 95620
TEL: (707) 878-2385
FAX: (707) 878-1760

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PROJECT NUMBER:
7341
ENGINEER / DESIGNER:
PROJECT MANAGER:
CHECKED BY:

DANA POINT HARBOR REVITALIZATION
Harbor Drive
Dana Point, CA 92629
PILE LAYOUT FOR DOCKS W7 - W12

This informational sheet is not a contract. It is provided for informational purposes only. It is not intended to be used as a contract. It is provided for informational purposes only. It is not intended to be used as a contract. It is provided for informational purposes only. It is not intended to be used as a contract.

SCALE: 1" = 30'
(Sheet Size 24" x 36")
DRAWN BY: KG
DATE: 5/10/2022
DRAWING: PL3
SHEET NO.: 20

4.0 PRICING:

Our quoted price is One Hundred Six Million Nine Hundred Sixty-Three Thousand Eight Hundred Two Dollars and 07/100 (\$106,963,802) including use tax.

DANA POINT HARBOR REVITALIZATION WATERSIDE COST SUMMARY		
Description	Comment	Item Total Sell
MOBILIZATION	MOB/DEMOB	\$313,670
PHASE 1	W10, W11, W12 DOCKS	\$4,599,518
PHASE 2	W7, W8, W9 DOCKS	\$4,904,819
PHASE 3	W5, W6 DOCKS	\$3,578,876
PHASE 4	E1, E2, E3 DOCKS	\$7,996,711
PHASE 5	E10, E11, E12 DOCKS	\$7,494,138
PHASE 6	E4, E5, E6, E7, E8, E9 DOCKS	\$8,282,172
PHASE 7	W1, W2, W3, W4 DOCKS	\$6,651,081
PHASE 8A	BFD1 DOCK	\$1,574,216
PHASE 8B	BD1, E13, E14, E15 DOCKS	\$6,804,514
PHASE 9	E16, E17, E18, E19 DOCKS	\$6,799,716
PHASE 10	E20, E21, E22 DOCKS	\$5,114,095
PHASE 11	E23, E24, E25, E26 DOCKS	\$6,412,157
PHASE 12	W19, W20, W21 DOCKS	\$7,450,268
PHASE 13	W16, W17, W18 DOCKS	\$5,889,236
PHASE 14	W13, W14, W15 DOCKS	\$4,930,398
PHASE 15A	FUEL & OUTER BASIN DOCKS	\$5,731,606
PHASE 15B	SPORTFISHER & CHARTER DOCKS	\$2,087,578
YACHT CLUB	YACHT CLUB DOCKS	NIC
GUARDRAIL (CURVED)	2,887 LF @ \$472/LF	\$1,363,213
GUARDRAIL (STRAIGHT)	7,222 LF @ \$421/LF	\$3,039,487
SEAWALL REPAIR		\$937,676
FUEL SYSTEM		\$3,081,300
FUEL DOCK BUILDING		\$518,650
TOTAL WATERSIDE COST		\$105,514,892

OTHER COSTS (PASS-THROUGH)		
Description	Comment	Item Total Sell
REGULATORY COMPLIANCE	PRELIMINARY	\$425,510
BUILDER'S RISK	W/EARTHQUAKE	\$187,000
PAYMENT & PERFORMANCE BOND	LUMP SUM	\$836,400
CONTINGENCY	NOT INCLUDED	\$0
TOTAL OTHER COSTS		\$1,448,910

TOTAL WATERSIDE WITH OTHER COSTS		\$106,963,802
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