

RESOLUTION NO. **218194**

R. 77-1660

APR 20 1977

RESOLUTION OF THE COUNCIL OF THE CITY OF SAN
DIEGO, CALIFORNIA, ORDERING CHANGES IN THE
ASSESSMENT, AND APPROVING CHANGE IN SPECIFI-
CATION

(Palm Avenue Assessment District)

WHEREAS, in proceedings under the Municipal Improvement Act of 1913 (commencing with Section 10000, Streets and Highways Code), the Council adopted its resolution of intention, Resolution No. 217521, ordering the City Manager to cause the Report required by said Act to be prepared, and pursuant thereto the City Manager caused said Report to be prepared, consisting of the description and depiction of the proposed improvements, an estimate of the costs and expenses of said improvements, a diagram showing the assessment district, and the proposed assessment of the costs and expenses of the proposed improvements, said Report being on file with the City Clerk; and

WHEREAS, the Council adopted Resolution No. 217522 approving said Report, as filed, and appointing a time and place of hearing thereon; and

WHEREAS, the Council adopted Resolution No. 217523 directing the Clerk to give notice inviting bids for the purchase of bonds to be issued to represent unpaid assessments, and, pursuant thereto, bids have been received and opened prior to the time of said hearing; and

WHEREAS, the Council adopted Resolution No. 217524 directing the Purchasing Agent to give notice inviting sealed

bids for the construction of the improvements, and, pursuant thereto, bids have been received and opened prior to the time of said hearing; and

WHEREAS, based on the best responsible bids received for the purchase of the bonds and construction of the improvements, and on other matters presented at the hearing, it appears that certain changes should be made in the assessments and in the specifications; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

Section 1. The Council hereby orders that the amounts of the individual assessments and the total amount of the assessment be changed in accordance with the "SCHEDULE OF CHANGES" attached hereto and made a part hereof, and the Superintendent of Streets is authorized and directed to change the assessment, as filed with the City Clerk, in conformance therewith.

Section 2. The Council hereby orders that the specifications be amended, and the Council hereby approves and confirms the changes in the specifications as referred to in the "SCHEDULE OF CHANGES" attached hereto.

APPROVED: JOHN W. WITT, City Attorney

By: Robert Steage
Deputy
Assistant City Attorney

3/15/77

MUNICIPAL IMPROVEMENT ACT)
OF 1913)
PALM AVENUE ASSESSMENT)
DISTRICT)

SCHEDULE OF CHANGES

Upon approval by the Council of this Schedule of Changes, the hereinafter described changes shall be made in the original Report heretofore submitted to Council. References made herein to "Parts" refer to the corresponding Parts of the original Report. The changes are as follows:

Part III - An estimate of the costs and expenses in connection therewith is as follows:

Estimated Costs
Palm Avenue Assessment District

| | Original | Revised |
|---|--------------|-----------------|
| Construction | \$ 1,027,093 | \$ 566,887.85 |
| Contingencies | 51,347 | 27,984.15 |
| Estimated construction total | \$ 1,078,440 | \$ 594,866.00 |
| Incidentals | \$ 160,560 | 170,910.00 |
| Rights-of-way | 545,000 | 545,000.00 |
| Attorney's fees and bond discount | 45,000 | 35,000.00 |
| Traffic signal controllers and City share of RR crossing gates and RR crossing work | 39,442 | 39,442.00 |
| TOTAL PROJECT COST AND EXPENSE | \$ 1,868,442 | \$ 1,385,218.00 |
| Less City Share | -1,565,152 | -1,203,154.00 |
| TOTAL ESTIMATED COST AND EXPENSE ASSESSED UPON PROPERTY IN ASSESSMENT DISTRICT | \$ 303,290 | \$ 182,064.00 |


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Part IV - A revised diagram showing the assessment district and the boundaries of the subdivision of land within the district as modified.

Part V - A modified Roll as attached herewith.

Changes in the Specifications noted as Addendum "A" as attached herewith and made a part thereof.

Dated: April 25, 1977


Deputy Superintendent of Streets
City of San Diego, California

218194

| W.O. 133051 | | PALM AVENUE | | THE CITY OF SAN DIEGO ASSESSMENT ROLL | | Amended Roll 4/25/77 | ROLL NO 3911 |
|--|--|---------------------|---------|--|----------------|----------------------|--------------|
| ASSESSED UPON THAT PARCEL BEARING THE CORRESPONDING ASSESSMENT NUMBER ON THE DIAGRAM. | | TOTAL ASSESSMENT | | | BOND NUMBER | SERIES NO. | |
| | | DOLLARS | DOLLARS | | | | |
| ASSESSMENT NO. 1 | | NIL | | | | | |
| ASSESSMENT NO. 2 | | 3,628.92 | | | | | |
| ASSESSMENT NO. 3 | | 4,806.17 | | | | | |
| ASSESSMENT NO. 4 | | 427.89 | | | | | |
| ASSESSMENT NO. 5 | | 404.84 | | | | | |
| ASSESSMENT NO. 6 | | 1,638.46 | | | | | |
| ASSESSMENT NO. 7 | | 1,605.15 | | | | | |
| ASSESSMENT NO. 8 | | 1,091.22 | | | | | |
| ASSESSMENT NO. 9 | | 873.32 | | | | | |
| ASSESSMENT NO. 10 | | 873.32 | | | | | |
| ASSESSMENT NO. 11 | | 873.32 | | | | | |
| ASSESSMENT NO. 12 | | 1,726.09 | | | | | |
| ASSESSMENT NO. 13 | | 1,324.18 | | | | | |
| ASSESSMENT NO. 14 | | 2,439.59 | | | | | |
| ASSESSMENT NO. 15 | | 4,488.15 | | | | | |
| ASSESSMENT NO. 16 | | 1,636.94 | | | | | |
| ASSESSMENT NO. 17 | | 4,536.19 | | | | | |
| ASSESSMENT NO. 18 | | 516.14 | | | | | |
| ASSESSMENT NO. 19 | | 7,145.00 | | | | | |
| ASSESSMENT NO. 20 | | 6,051.08 | | | | | |
| ASSESSMENT NO. 21 | | 4,844.87 | | | | | |
| ASSESSMENT NO. 22 | | 1,092.32 | | | | | |
| ASSESSMENT NO. 23 | | 7,121.50 | | | | | |
| ASSESSMENT NO. 24 | | NIL | | | | | |
| ASSESSMENT NO. 25 | | NIL | | | | | |
| ASSESSMENT NO. 26 | | 516.14 | | | | | |
| | | | | | | AMENDED ROLL 4/25/77 | |
| | | | | | | Sheet 2 | |

ROLL NO 3911

Г-206' 3-67'

THE CITY OF SAN DIEGO
ASSESSMENT ROLL

| W.O. 133051 , | | PALM AVENUE | | ROLL NO 3911 | |
|--|---------------------|-------------|----------------|----------------------|--|
| ASSESSED UPON THAT PARCEL BEARING THE CORRESPONDING ASSESSMENT NUMBER ON THE DIAGRAM. | TOTAL ASSESSMENT | | BOND NUMBER | SERIES NO. | |
| | DOLLARS | DOLLARS | | | |
| ASSESSMENT NO. 53 | 12,531.27 | | | | |
| ASSESSMENT NO. 54 | NIL | | | | |
| ASSESSMENT NO. 55 | NIL | | | | |
| ASSESSMENT NO. 56 | 3,174.59 | | | | |
| ASSESSMENT NO. 57 | 758.74 | | | | |
| ASSESSMENT NO. 58 | 745.01 | | | | |
| ASSESSMENT NO. 59 | 850.74 | | | | |
| ASSESSMENT NO. 60 | 724.41 | | | | |
| ASSESSMENT NO. 61 | 745.69 | | | | |
| ASSESSMENT NO. 62 | NIL | | | | |
| ASSESSMENT NO. 63 | NIL | | | | |
| ASSESSMENT NO. 64 | NIL | | | | |
| ASSESSMENT NO. 65 | NIL | | | | |
| ASSESSMENT NO. 66 | 719.60 | | | | |
| ASSESSMENT NO. 67 | NIL | | | | |
| ASSESSMENT NO. 68 | 4,717.01 | | | | |
| ASSESSMENT NO. 69 | NIL | | | | |
| ASSESSMENT NO. 70 | 836.07 | | | | |
| ASSESSMENT NO. 71 | 2,077.35 | | | | |
| ASSESSMENT NO. 72 | 3,183.72 | | | | |
| ASSESSMENT NO. 73 | 1,507.29 | | | | |
| ASSESSMENT NO. 74 | NIL | | | | |
| ASSESSMENT NO. 75 | 178.28 | | | | |
| ASSESSMENT NO. 76 | 641.10 | | | | |
| ASSESSMENT NO. 77 | 516.14 | | | | |
| ASSESSMENT NO. 78 | 516.14 | | | | |
| | | | | AMENDED ROLL 4/25/77 | |
| | | | | Sheet 4 | |

THE CITY OF SAN DIEGO
ASSESSMENT ROLL

W.O. 133051

PALM AVENUE

ROLL NO. 3911

| ASSESSED UPON THAT PARCEL BEARING THE CORRESPONDING ASSESSMENT NUMBER ON THE DIAGRAM. | TOTAL ASSESSMENT | | Bond Number | SERIES NO. |
|--|---------------------|---------|----------------|----------------------|
| | DOLLARS | DOLLARS | | |
| ASSESSMENT NO. 79 | 516.14 | | | |
| ASSESSMENT NO. 80 | 516.14 | | | |
| ASSESSMENT NO. 81 | 516.14 | | | |
| ASSESSMENT NO. 82 | 516.15 | | | |
| ASSESSMENT NO. 83 | 516.15 | | | |
| ASSESSMENT NO. 84 | 516.15 | | | |
| ASSESSMENT NO. 85 | 516.15 | | | |
| ASSESSMENT NO. 86 | 516.15 | | | |
| ASSESSMENT NO. 87 | 516.15 | | | |
| ASSESSMENT NO. 88 | 516.15 | | | |
| ASSESSMENT NO. 89 | 516.15 | | | |
| ASSESSMENT NO. 90 | 516.15 | | | |
| ASSESSMENT NO. 91 | 516.15 | | | |
| ASSESSMENT NO. 92 | 516.15 | | | |
| ASSESSMENT NO. 93 | 516.15 | | | |
| ASSESSMENT NO. 94 | 516.15 | | | |
| ASSESSMENT NO. 95 | 516.15 | | | |
| ASSESSMENT NO. 96 | 516.15 | | | |
| ASSESSMENT NO. 97 | 516.15 | | | |
| ASSESSMENT NO. 98 | 516.15 | | | |
| ASSESSMENT NO. 99 | 516.15 | | | |
| ASSESSMENT NO. 100 | 516.15 | | | |
| ASSESSMENT NO. 101 | 516.15 | | | |
| ASSESSMENT NO. 102 | 516.15 | | | |
| | | | | |
| DISTRICT TOTAL | 182,064.00 | | | |
| | | | | |
| | | | | AMENDED ROLL 4/25/77 |
| | | | | Sheet 5 |

ADDENDUM "A"

1913 IMPROVEMENT ACT PROJECT

FOR

IMPROVEMENT OF PALM AVENUE BETWEEN I-5 AND
1,400 FEET EAST OF BEYER BOULEVARD

RESOLUTION OF INTENTION NO. 217521
STANDARD SPECIFICATIONS OF THE CITY OF SAN DIEGO
W.O. NO. 133051
SPECIAL SPECIFICATION NO. 4143

For which proposals will be received at San Diego, California, until
11:00 o'clock a.m. on the 9TH day of MARCH 1977, in the Office of
the Purchasing Agent, Third Floor, City Operations Building, Community
Concourse.

The following changes to the specifications are hereby made effective as
though originally shown in the issued bid package:

- 1) THE BID OPENING DATE FOR THIS PROJECT HAS BEEN CHANGED
TO 11:00 O'CLOCK A.M., ON THE 15TH DAY OF MARCH 1977.
- 2) To SECTION A - BIDDING DOCUMENTS, Subsection A-02.06 PROPOSALS:
on page A-3, DELETE paragraph (i) and SUBSTITUTE the following:
 - i. AFFIRMATIVE ACTION/EQUAL EMPLOYMENT OPPORTUNITY REQUIREMENTS
1. By signing this bid, the contractor is committed to comply with the
following:
 - a) For federally-assisted construction projects, the contractor
must comply with the Affirmative Action requirements of the
Bid Conditions established by the U.S. Department of Labor,
Office of Federal Contract Compliance Programs (OFCCP). All
subcontractors working on federally-assisted construction
projects are also bound by the OFCCP Bid Conditions, unless
exempted by OFCCP guidelines.

JOHN A. MATTIS
Purchasing Agent

Sheet 1 of 4

March 8, 1977
San Diego, California

218194

1. AFFIRMATIVE ACTION/EQUAL EMPLOYMENT OPPORTUNITY REQUIREMENTS (Cont'd)

(A copy of the OFCCP Bid Conditions are on file in the Office of the City Clerk, as Document No. 758002.) The contractor/subcontractors must also comply with applicable federal and state laws relating to Equal Opportunity Employment, as well as any additional requirements imposed by the federal agency or agencies providing funds for this project.

b) For non-federally-assisted construction projects, the contractor must comply with the Affirmative Action requirements of the Bid Conditions adopted by the San Diego City Council (which conform to the OFCCP Bid Conditions). All subcontractors working on non-federally-assisted construction are also bound by the City Bid Conditions, unless exempted by the City. (A copy of the City Bid Conditions is on file in the Office of the City Clerk, as Document No. 758003.) The contractor/subcontractors must also comply with applicable federal and state laws relating to Equal Opportunity Employment.

2. The apparent low bidder on this project must notify the City Contract Compliance Office within five days after the bid opening of the following:

- a) the crafts which will perform work under the prime contractor;
- b) the names and addresses of all subcontractors, the dollar amount of each subcontract, and the crafts which will perform work under each subcontract.

This requirement applies to both federally-assisted and non-federally-assisted projects.

3. If at any time during the course of the contract there is a violation of these requirements by the prime contractor, or his subcontractors, the City will notify the contractor of the breach immediately, and may withhold any further progress payments to the contractor until the contractor satisfies the City that he, and his subcontractors, are in full conformance with the Affirmative Action requirements of the Bid Conditions. This provision applies to both federally-assisted and non-federally-assisted projects.

NOTE: The apparent low bidder will be provided with a copy of the applicable Bid Conditions. Prospective bidders wishing information on Affirmative Action requirements may contact the Contract Compliance Office at 236-6171.

- 3) To the specifications DELETE the Bid Conditions pages AA-1 thru AA-11 in their entirety.

- 4) To SECTION A - BIDDING DOCUMENTS, Subsection A-03 PROPOSAL, on page A-7(5), DELETE this page in its entirety and SUBSTITUTE the attached Addendum "A" Sheet 4 of 4 therefor.
- 5) To SECTION C - SPECIAL CONDITIONS, Subsection C-17 MODIFICATIONS TO STANDARD SPECIFICATIONS, on page C-12, DELETE the seventh paragraph in its entirety and SUBSTITUTE the following therefor:

1.45.03 Progress Payments: Monthly progress payments will be paid to the contractor in a sum equal to ninety percent (90%) of the value of the work performed up to the last day of the previous calendar month, less the aggregate of previous progress payments, except that at any time after the work is fifty percent (50%) or more complete, all in accord with a schedule of work prepared by the contractor and approved by the City Manager, the progress payments may be made in a sum equal to 100 percent of the value of the work performed during the previous month. Upon expiration of the contract time, as set forth in the original contract or as extended by Change Order(s), no further progress payments shall be made until the work has been accepted and then only as provided for in Section 1.45.02 of this Specification, "Final Payments." In no event shall the total amount paid to the contractor under the provisions of Section 1.45.03 exceed 95 percent of the value of the work performed to date.

A-03 PROPOSAL (Continued)

| Item No. | Quantity | Article | Unit Price | Extension |
|-----------------|-------------------|---|------------|-----------|
| 42. | 117.5 "M" Sq. Ft. | Erosion Control Planting at _____ _____ DOLLARS AND _____ CENTS PER "M" SQ. FT. | \$ _____ | \$ _____ |
| 43. | 21 Each | Street Trees with Concrete Ring at _____ _____ DOLLARS AND _____ CENTS EACH. | \$ _____ | \$ _____ |
| 44. | 50 Lin. Ft. | Type "G" Curb at _____ _____ DOLLARS AND _____ CENTS PER LIN. FT. | \$ _____ | \$ _____ |
| ESTIMATED TOTAL | | | \$ _____ | |

NOTE: In case of an inconsistency or conflict between words and figures submitted by Bidder, the words shall govern. Unit prices will prevail regardless of extensions submitted by bidder. The bid total, based on estimated quantities, will be used in comparing bids. Final payment will be determined by the Engineer from measured quantities of work performed and unit prices named in the Bid.

THE FOLLOWING ADDENDA HAVE BEEN NOTED AND ATTACHED HERETO: _____

Sheet 4 of 4

Addendum "A" (Continued)

A-7(5)

218194

Passed and adopted by the Council of The City of San Diego on APR 20 1977,
by the following vote:

| Councilmen | Yeas | Nays | Excused | Absent |
|---------------------|-------------------------------------|--------------------------|--------------------------|-------------------------------------|
| Gil Johnson | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Maureen F. O'Connor | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Lee Hubbard | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Leon L. Williams | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Floyd L. Morrow | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Tom Gade | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Joel M. Strobl | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Jess D. Haro | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Mayor Pete Wilson | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

AUTHENTICATED BY:

PETE WILSON
Mayor of The City of San Diego, California.

(Seal)

EDWARD NIELSEN
City Clerk of The City of San Diego, California.

By Kathleen Martinez, Deputy.

RECEIVED
APR 15 1977
SAN DIEGO

CC-1276 (REV. 12-76)

| | |
|---|-------------|
| Office of the City Clerk, San Diego, California | |
| Resolution Number | 218194 |
| Adopted | APR 20 1977 |