(R-88-1884)

RESOLUTION NUMBER R- 270636 ADOPTED ON APR 04 1988

WHEREAS, in Closed Session on March 15, 1988, the City Council, by the following vote: Yeas, Districts 1, 3, 4, 5, 6, 7,8 and the Mayor; Nays, None; Not Present, District 2;

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

That the City Manager be and he is authorized and empowered to execute, for and on behalf of the City of San Diego, Contract Change Order No. 11, issued in connection with the contract between the CITY OF SAN DIEGO and METRO-YOUNG CONSTRUCTION CO./
LOPEZ SEWER CONTRACTORS, INC., a joint venture, for the construction of JACKSON DRIVE, said contract having been filed in the Office of the City Clerk as Document No. RR-259592, under the terms and conditions set forth in the Settlement and Release Agreement on file in the Office of the City Clerk as Document No. RR-270636;

BE IT FURTHER RESOLVED, that the City Manager be and he is hereby authorized and empowered to pay the sum of ONE HUNDRED AND FIFTY THOUSAND DOLLARS (\$150,000.00), in consideration of Change Order No. 11 and in settlement of the case, Metro-Young Construction Co./Lopez Sewer Contractors, Inc., a joint venture v. City of San Diego, et al., Superior Court Case No. 551951;

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to expend the amount of ONE HUNDRED AND FIFTY THOUSAND DOLLARS (\$150,000.00) from Fund 30245,

C.I.P. No. 52-122.0, payable to Metro-Young Construction Co./
Lopez Sewer Contractors, Inc., a joint venture, and Anthony
Caputo, its attorney of record, as the final payment towards full
settlement of any and all claims and conditions under the
contract and lawsuit.

APPROVED: JOHN W. WITT, City Attorney

Leslie J. Girard

Deputy City Attorney

LJG:vtc:Lit. 03/16/88

Or.Dept:Atty.

Aud.Cert: 8800857 R-88-1884

Form=r.none

The City of San Diego

CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

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APR 04 1988

APR 04 1988 Passed and adopted by the Council of The City of San Diego on......, by the following vote: **Council Members** Yeas Navs Not Present Ineligible Abbe Wolfsheimer Ron Roberts Gloria McColl H. Wes Pratt Ed Struiksma J. Bruce Henderson Judy McCarty **Bob Filner** Mayor Maureen O'Connor MAUREEN O'CONNOR **AUTHENTICATED BY:** Mayor of The City of San Diego, California. CHARLES G. ABDELNOUR (Seal) City Clerk of The City of San Diego, California. Office of the City Clerk, San Diego, California 270636 Adopted APR 04 1988

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