

(R-95-680)

RESOLUTION NUMBER R- 284917


ADOPTED ON NOV 15 1994

WHEREAS, in Closed Session on October 18, 1994, the City Council, by the following vote: Yeas, Districts 1, 2, 3, 5, 6, 7, 8, and Mayor Golding, Nays, District 4, approved the following; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that the City Manager be and he is hereby authorized and empowered to pay the total sum of \$264,000.00 in the settlement of each and every claim against The City of San Diego, its agents and employees, Superior Court Case No. 670559, Blake Construction Co., Inc. v. City of San Diego, et al. Plaintiff's claims are a result of extra work and delay costs, as well as extra costs incurred by its subcontractor, Arcon Electric, in the construction of the Alvarado Filtration Plant, Joint Laboratory Facility.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to issue one check in the amount of \$264,000.00, made payable to the Perkins & Miltner Trust Account in full settlement of the lawsuit and of all claims.

APPROVED: John W. Witt, City Attorney

By 
Keri G. Katz
Deputy City Attorney

KGK:kjk:Lit.
10/18/94
Aud.Cert:9500509
Or.Dept:Water Util.
R-95-680
Form=r.claim1

The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATE OF UNALLOTTED BALANCE

AC 9500509

ORIGINATING DEPT. NO.: 700

I HEREBY CERTIFY that the money required for the allotment of funds for the purpose set forth in the foregoing resolution is available in the Treasury, or is anticipated to come into the Treasury, and is otherwise unallotted.

Amount \$ _____ Fund _____

Purpose _____

Date _____ By: _____

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA

ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
TOTAL AMOUNT										

FUND OVERRIDE

CERTIFICATION OF UNENCUMBERED BALANCE

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego; and I do hereby further certify, in conformity with the requirements of the Charter of the City of San Diego, that sufficient moneys have been appropriated for the purpose of said contract, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said money now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Not to Exceed \$ 264,000.00

Vendor Blake Construction Company

Purpose To authorize the expenditure for the settlement claim for construction

performed at the Alvarado Filtration Plant-Joint Laboratory.

Date November 2, 1994 By: *Ange Telle*

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA

ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
1	0	40012	700	384	4905	180237		41500		\$128,000.00
2	0	40012	700	384	4905	170297		41506		136,000.00
TOTAL AMOUNT										\$264,000.00

FUND OVERRIDE

R-284917

AC 9500509

NOV 14 1994