

RESOLUTION NUMBER R- 285213

ADOPTED ON JAN 17 1995

WHEREAS, on January 28, 1991, the City approved a five (5) year agreement with **Luth & Turley, Inc.**, contractors for responses to incidents involving property damage from City sewer and water main failures; and

WHEREAS, the renewal of the fourth option year is based upon the contractor's above standard performance during the past year; 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 execute, for and on behalf of said City, an agreement with **LUTH & TURLEY, INC.**, for general reconstructive contracting and cleanup work for damages to private property as outlined in Council Policy (400-10) and for those property damages for which the City may be responsible, under the terms and conditions set forth in the previously approved five-year Agreement with the firm, by Council on January 28, 1991, together with any reasonably necessary modifications or amendments thereto which do not increase project scope or cost and which the City Manager shall deem necessary from time to time in order to carry out the purposes and intent of this project and agreement.

BE IT FURTHER RESOLVED, that the expenditure of an amount not to exceed \$700,000 consisting of \$363,300 from the Water

Utilities Water Fund 41500 and \$336,700 from Sewer Fund 41506, is hereby authorized, solely and exclusively for the purpose of providing funds for the above contract.

APPROVED: JOHN W. WITT, City Attorney

By Sharon A Marshall
Sharon A. Marshall
Deputy City Attorney

SAM:mrh
12/29/94
03/07/95 REV. 1
Aud.Cert:9500703
Or.Dept:Risk.Mgmt.
R-95-1006
Form=r.auagr

**The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER**

CERTIFICATE OF UNALLOTTED BALANCE AC 9500703

ORIGINATING DEPT. NO.: 084

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 \$ 700,000.00

Vendor Luth and Turley, Inc.

Purpose Authorizing the expenditure of funds for Insurance Related General Reconstructive Contracting and Clean-up Work.

Date December 27, 1994

By: 
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	209	4824	005409		41500		\$363,300.00
2	0	40012	700	209	4824	004209		41506		336,700.00
TOTAL AMOUNT										\$700,000.00

FUND OVERRIDE

AC 9500703