

RESOLUTION NUMBER R- 287199

ADOPTED ON APR 15 1996

BE IT RESOLVED, by the Council of The City of San Diego, that the City Manager be and is hereby authorized and empowered to execute, for and on behalf of said City, a Fourth Amendment to the agreement of August 8, 1994, with Westinghouse Electric Corporation, in connection with the Metro Biosolids Center, under the terms and conditions set forth in Amendment No. 4, on file in the office of the City Clerk as Document RR- 287199.

BE IT FURTHER RESOLVED, that the transfer of an amount not to exceed \$2,738,827 from CIP No. 45-920.0, Wastewater Operations Management Network (COMNET), to CIP No. 42-911.4, Northern Sludge Processing Facility, Phase II (FIRP/NSPF), is hereby authorized.

BE IT FURTHER RESOLVED, that the expenditure of an amount not to exceed \$24,730,485 from Clean Water Sewer Fund 41509, CIP No. 42-911.4, FIRP/NSPF, is hereby authorized, solely and exclusively to provide funds for the above Amendment No. 4 and related costs pertaining to instrumentation and controls for the Metro Biosolids Center.

BE IT FURTHER RESOLVED, that the Fiscal Year 1996 CIP budget is hereby amended to increase CIP No. 42-911.4, FIRP/NSPF, by the amount of \$11,430,536.

BE IT FURTHER RESOLVED, that the City Manager is hereby authorized to revise contract funding phases with Westinghouse Electric Corporation, based on the actual low base bid submitted and negotiated amendments to the contract, and submitted in the

following manner, provided that the City Auditor and Comptroller first furnishes one or more certificates demonstrating that the funds necessary for expenditure under said contract are, or will be, on deposit in the City treasury:

<u>Current Contract Phase Funding of COMNET through Amendment #2 (CIP 45-920.0)</u>	<u>Current Phase Funding of Amendment #3 of FIRP P.S. (CIP 46-055.0)</u>	<u>Proposed Phase Funding of Amendment #4 of FIRP/NSPF (CIP 42-911.4)</u>	<u>Total Phase Funding of contract through Amendment #4</u>
Phase 1: FY95 \$1,756,410	Phase 1: FY95 \$0	Phase 1: FY95 \$0	Phase 1: FY95 \$1,756,410
Phase 2: FY95 \$1,761,510	Phase 2: FY95 \$0	Phase 2: FY95 \$0	Phase 2: FY95 \$1,761,510
Phase 3: FY96 \$3,267,787	Phase 3: FY96 \$0	Phase 3: FY96 \$0	Phase 3: FY96 \$3,267,787
Phase 4: FY96 \$3,422,658	Phase 4: FY96 \$349,610	Phase 4: FY96 \$0	Phase 4: FY96 \$3,772,268
Phase 5: FY96 \$2,836,418	Phase 5: FY96 \$874,030	Phase 5: FY96 \$12,680,536	Phase 5: FY96 \$16,390,984
Phase 6: FY97 \$1,140,560	Phase 6: FY97 \$524,417	Phase 6: FY97 \$ 7,377,734	Phase 6: FY97 \$ 9,042,711
Phase 7: FY97 \$ 838,750	Phase 7: FY97 \$0	Phase 7: FY97 \$ 4,088,187	Phase 7: FY97 \$ 4,926,937
Phase 8: FY98 \$0	Phase 8: FY98 \$0	Phase 8: FY98 \$ 584,028	Phase 8: FY98 \$ 584,028
TOTALS: \$15,024,093	\$1,748,057	\$24,730,485	\$41,502,635

APPROVED: JOHN W. WITT, City Attorney

By Frederick M. Ortlieb  
Frederick M. Ortlieb  
Deputy City Attorney

FMO:mb  
03/26/95  
Aud.Cert:9601018  
Or.Dept:MWWD  
R-96-1055  
Form=r.auagr

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

**CERTIFICATE OF UNALLOTTED BALANCE**      AC 9601018

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 \$ 12,680,536.00

Vendor Westinghouse Electric Corporation

Purpose Authorizing the expenditure of funds for Amendment No. 4 to agreement for installation of instrumentation at the Metro Biosolids Center, CIP No. 42-911.4; amending the FY96 CIP Program to increase CIP 42-911.4, FIRP/NSPF; authorizing the reallocation of \$2,738,827 from CIP 45-920.0, COMNET, to CIP 42-911.4, FIRP/NSPF.

Date March 25, 1996 By: Michael S. Quinn

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
01	0	40012	700	7002	4278	198800		41509		\$1,250,000.00
02	0	41509			9544					11,430,536.00
TOTAL AMOUNT										\$12,680,536.00

FUND OVERRIDE

AC-361 (REV 2-92)

AC 9601018

*R* **287199**

**APR 15 1996**