

(R-98-777)

RESOLUTION NUMBER R- 289701

ADOPTED ON FEB 02 1998

BE IT RESOLVED, by the Council of The City of San Diego, that the City Manager is hereby authorized and empowered to execute, for and on behalf of the City, a thirteenth amendment to the agreement of August 8, 1994, with Westinghouse Electric Corporation, a division of CBS Corporation, for the Wastewater Operations Management Network (COMNET), in an amount not to exceed \$6,500,336, under the terms and conditions set forth in Amendment No. 13, on file in the office of the City Clerk as Document Number RR- 289701

BE IT FURTHER RESOLVED, that subject to the City Auditor first furnishing certificate(s) demonstrating availability of funds, the expenditure of an amount not to exceed \$6,500,336 is hereby authorized, solely and exclusively to fund the above Amendment No.13, as follows:

\$4,324,631 from CIP 45-920.0, Wastewater Operations Management Network (COMNET);

\$ 25,590 from CIP 46-055.0, FIRP Pump Station;

\$356,610 from CIP 42-911.4, Metro Biosolids Center;

\$1,074,949 from CIP 46-170.0, Point Loma Digester Upgrade and Expansion;

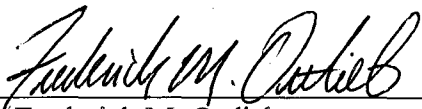
\$ 568,026 from CIP 46-110.0, Point Loma Scum Removal System;

\$ 150,530 from CIP 46-117.0, Pump Station 65 Expansion and Force Main.

BE IT FURTHER RESOLVED, that the City Manager is authorized to revise contract funding phases with Westinghouse Electric Corporation for this project in the manner set forth in the Request for Council Action, Item #11, attached to this resolution.

BE IT FURTHER RESOLVED, that the expenditure of an amount not to exceed \$350,000 from Fund No. 41509, CIP 45-920.0, Wastewater Operations Management Network (COMNET), is hereby authorized, solely and exclusively to provide funds for additional project related costs, provided that the City Auditor and Comptroller furnishes one or more certificates demonstrating that the funds necessary for expenditure are, or will be, on deposit in the City treasury.

APPROVED: CASEY GWINN, City Attorney

By   
Frederick M. Ortlieb  
Deputy City Attorney

FMO:mb  
01/20/98  
A.C:9800845  
and 9800846  
Or.Dept:MWWD  
R-98-777  
Form=auagr.frm

**BOX 11: RESOLUTIONS CONTINUED**

1. Authorizing the City Manager to enter into Amendment No. 13 to the existing Agreement with Westinghouse Electric Corporation, for a not-to-exceed amount of \$6,500,336, bringing the total contract amount with Amendment No. 13 to \$74,597,786.
2. Authorizing the expenditure of \$6,500,336 for the purpose of funding Amendment No. 13 of this contract as follows:

<u>CIP No.</u>	<u>CIP Title</u>	<u>Amount</u>
45-920.0	Wastewater Operations Management Network (COMNET)	\$4,324,631
46-055.0	FIRP Pump Station	\$25,590
42-911.4	Metro Biosolids Center (MBC)	\$356,610
46-170.0	Point Loma Digester Facility Upgrade and Expansion	\$1,074,949
46-110.0	Point Loma Scum Removal System	\$568,026
46-117.0	Pump Station 65 Expansion and Force Main	\$150,530

8. Authorizing the City Manager to revise contract Phase Funding with Westinghouse Electric Corp. in the following manner:

Proposed Funding for Amendment 13 COMNET (45-920.0)	Proposed Funding for Amendment 13 FIRP PS (46-055.0)	Proposed Funding for Amendment 13 MBC (42-911.4)	Proposed Funding for Amendment 13 P. L. Digester U and E (46-170.0)
Phase 8: FY 98	Phase 8: FY 98	Phase 8: FY 98	Phase 8: FY 98
\$781,097	\$25,590	\$59,901	\$752,464
Phase 9: FY 98	Phase 9: FY 98	Phase 9: FY 98	Phase 9: FY 98
\$3,535,372		\$296,709	\$214,990
Phase 10: FY 99	Phase 10: FY 99	Phase 10: FY 99	Phase 10: FY 99
\$8,162			\$107,495
Phase 11: FY 99	Phase 11: FY 99	Phase 11: FY 99	Phase 11: FY 99
<b>TOTAL</b>	<b>TOTAL</b>	<b>TOTAL</b>	<b>TOTAL</b>
<b>\$4,324,631</b>	<b>\$25,590</b>	<b>\$356,610</b>	<b>\$1,074,949</b>

Proposed Funding for Amendment 13 Point Loma Scum Removal (46-110.0)	Proposed Funding for Amendment 13 Pump Station 65 Expansion(46-117.0)	Subtotal of Proposed Funding for Amendment 13
Phase 8: FY 98	Phase 8: FY 98	Phase 8: FY 98
\$227,211	\$30,106	\$1,876,369
Phase 9: FY 98	Phase 9: FY 98	Phase 9: FY 98
\$113,605	\$105,371	\$4,266,047
Phase 10: FY 99	Phase 10: FY 99	Phase 10: FY 99
\$113,605	\$15,053	\$244,315
Phase 11: FY 99	Phase 11: FY 99	Phase 11: FY 99
\$113,605		\$113,605
<b>TOTAL</b>	<b>TOTAL</b>	<b>TOTAL</b>
<b>\$568,026</b>	<b>\$150,530</b>	<b>\$6,500,336</b>

Total Phase 8 through 11 Contract  
Funding through Amendment 13

Phase 8: FY 98	\$5,832,904
Phase 9: FY 98	\$4,266,047
Phase 10: FY 99	\$244,315
Phase 11: FY 99	\$113,605
<b>TOTAL</b>	<b>\$10,456,871</b>

*CIP 45-920.0,*

4. Authorizing the expenditure of \$350,000 from Fund 41509, <sup>CIP 45-920.0,</sup> Wastewater Operations Management Network (COMNET) for the purpose of providing additional project related costs, provided that the City Auditor first furnishes one or more certificates demonstrating that the funds necessary for expenditure are, or will be, on deposit in the City treasury.

*R.* **289701**

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

**CERTIFICATE OF UNALLOTTED BALANCE**

ORIGINATING AC 9800846  
DEPT. NO.: 779

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 350,000.00 Fund 41509

Purpose Authorizing the expenditure of funds for the purpose of providing additional project related costs for Wastewater Operations Management Network Project.

Date January 16, 1998

By: *[Signature]*  
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	41509	779		4278	195020				\$350,000.00
TOTAL AMOUNT										\$350,000.00

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 \$ \_\_\_\_\_

Vendor \_\_\_\_\_

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										

*R* - 289701

FEB 02 1998

FUND OVERRIDE

AC 9800846

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

**CERTIFICATE OF UNALLOTTED BALANCE**

AC 9800845  
ORIGINATING DEPT. NO.: 779

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**

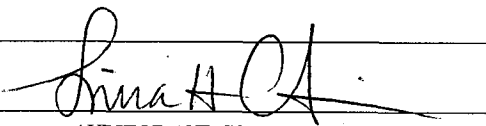
I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego; and I do hereby further certify, in conformity with the 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 \$ 1,876,369.00

Vendor Westinghouse Electric Corporation


Purpose Authorizing Amendment No. 13 and authorizing the expenditure of funds for the purpose of funding Phase 8 of this contract for various projects.

Date January 16, 1998

By:   
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	41509	779		4278	195080				\$781,097.00
02	0	41509	779		4278	198080				25,590.00
03	0	41509	779		4278	198832				59,901.00
04	0	41509	779		4278	192681				752,464.00
05	0	41508	778		4278	170497				227,211.00
05	0	41506	773	960	4278	173143				30,106.00
TOTAL AMOUNT										\$1,876,369.00

AC-361 (REV 2-92)

 **289701**

**FEB 0 2 1998**

FUND OVERRIDE

AC 9800845