

RESOLUTION NUMBER R- 289734

ADOPTED ON FEB 17 1998

WHEREAS, the Scripps Ranch Reservoir is an essential facility necessary to provide an uninterrupted water supply to the citizens of San Diego; and

WHEREAS, rehabilitation of the reservoir is necessary to ensure maximum long term service. To perform the rehabilitation, the reservoir must be taken out of service. However, the Scripps Ranch Reservoir must be intact to meet peak domestic and fire season water demands during summer months, April through September, to protect the health and safety of the citizenry; and

WHEREAS, West Coast Painting and Blasting, Inc., was hired after competitive bidding to complete rehabilitation to the Scripps Ranch Reservoir; and

WHEREAS, West Coast Painting and Blasting, Inc. has failed to perform work as required by the contract documents, including the handling and disposal of hazardous material; and

WHEREAS, West Coast Painting and Blasting's failure to adequately handle and dispose of hazardous materials subjected the citizens of the City of San Diego to potential health and safety hazards; and

WHEREAS, for the reservoir to be in service in time to meet peak summer demands, rehabilitation work must begin immediately; and

WHEREAS, due to the above, the public interest and necessity demands the immediate expenditure of monies to safeguard the life, health and property of the citizenry; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that the Council ratifies the City Manager's decision that West Coast Painting and Blasting, Inc. is in default of its contract for Scripps Ranch Reservoir Rehabilitation.

BE IT FURTHER RESOLVED, that the City Manager be and he is hereby authorized and empowered to execute, for and on behalf of said City, an emergency contract with Robinson Prezioso, Inc., in the amount of \$124,000, for lead paint clean-up/disposal at the Scripps Ranch Reservoir site, under the terms and conditions set forth in the Agreement on file in the office of the City Clerk as Document No. RR- 289734-1.

BE IT FURTHER RESOLVED, that the City Manager be and he is hereby authorized and empowered to execute, for and on behalf of said City, an emergency amendment to the contract with Robinson, Prezioso, Inc., for lead paint clean-up/disposal at the Scripps Ranch Reservoir site in the amount of \$10,200, under the terms and conditions set forth in the Purchase Order attached to the Agreement on file in the office of the City Clerk as Document No. RR- 289734-2.

BE IT FURTHER RESOLVED, that the City Manager be and he is hereby authorized and empowered to execute, for and on behalf of said City, an emergency contract with Weststar, Inc., for the remaining work at the Scripps Ranch Reservoir site, in the amount of \$558,161, under the terms and conditions set forth in the Amendment on file in the office of the City Clerk as Document No. RR- 289734-3.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller is hereby authorized to transfer an amount not to exceed \$400,000 from the Water Fund Unallocated Reserve (Fund 41500, program element 76226) to CIP 73-277.0.

BE IT FURTHER RESOLVED, that the expenditure of an amount not to exceed \$803,361 from Water Fund 41500, CIP 73-277.0, is hereby authorized, solely and exclusively for the purpose of executing these contracts and related expenses for completing the work on the Scripps Ranch Reservoir Rehabilitation Project.

APPROVED: CASEY GWINN, City Attorney

By


Jacqueline Mittelstadt
Deputy City Attorney

JM:pev

2/10/98

Aud.Cert:9800931/9800932/9800933

Or.Dept:E&CP

R-98-852

Form=auagr.frm

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

CERTIFICATE OF UNALLOTTED BALANCE

AC 9800931
ORIGINATING DEPT. NO.: 760

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 \$ 10,200.00

Vendor Robison Prezioso, Inc.

Purpose Authorizing an amendment to the contract for lead paint clean-up disposal at the Scripps Ranch

Reservoir site, CIP 73-400.3.

Date February 6, 1998 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	41500	760	698	4278	182806				\$10,200.00
TOTAL AMOUNT										\$10,200.00

FUND OVERRIDE

R-289734

FEB 17 1998

AC 9800931

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

CERTIFICATE OF UNALLOTTED BALANCE

AC 9800932
ORIGINATING DEPT. NO.: 760

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 \$ 558,161.00

Vendor Weststar, Inc.

Purpose Authorizing an emergency contract for the remaining work at the Scripps Ranch Reservoir site,

CIP 73-400.3.

Date February 6, 1998 By: Michael S. Amis

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	41500	760	698	4278	182807				\$558,161.00
TOTAL AMOUNT										\$558,161.00

AC-361 (REV 2-92)

FUND OVERRIDE

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

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING AC 9800933
DEPT. NO.: 760

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 400,000.00 Fund 41500

Purpose Authorizing the transfer of funds from the Water Unallocated Reserve to CIP 73-277.0, Annual Allocation-Standpipe and Reservoir Restorations.

Date February 6, 1998 By: Michael A. Levine
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	41500	760		4903	076226				\$400,000.00
TOTAL AMOUNT										\$400,000.00

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										

AC-361 (REV 2-92)

FUND OVERRIDE

R-289734

FEB 17 1998

AC 9800933