

RESOLUTION NUMBER R- 291913

ADOPTED ON JUL 19 1999

BE IT RESOLVED, by the Council of The City of San Diego, as follows:

1. That the plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for the construction of State Route 56 from west of Carmel Mountain Road to east of Black Mountain Road, filed in the office of the City Clerk of The City of San Diego, California, on JUL 19 1999, and bearing official Document No. WD. 524631 be, and the same are hereby approved.

2. That the Contracts Services Division of The City of San Diego be, and is hereby authorized and directed to proceed to publish in accordance with law, notice to contractors calling for bids for the work hereinabove described, in accordance with the plans and specifications hereinabove referred to.

3. That the City Manager is hereby authorized to execute a construction contract with the lowest responsible and reliable bidder provided that the City Auditor and Comptroller first furnishes a certificate demonstrating that the necessary funds are available in the City Treasury, for the work hereinabove described.

BE IT FURTHER RESOLVED, that the City Manager, be and is hereby authorized to negotiate and execute a Cooperative Agreement with the San Diego Association of Governments and California Department of Transportation for funding and right-of-way acquisition for State Route 56 from west of Carmel Mountain Road to east of Black Mountain Road, provided that the City Auditor and Comptroller first furnishes a certificate demonstrating that the necessary funds

are available in the City Treasury; and

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller is hereby authorized to accept, appropriate and expend an amount not to exceed \$5,250,000 from the San Diego Association of Governments, Fund 38961, for right-of-way acquisition for State Route 56 from west of Carmel Mountain Road to east of Black Mountain Road, CIP 52-463.0 contingent upon the adoption of a Cooperative Agreement with the San Diego Association of Governments and California Department of Transportation, provided that the City Auditor and Comptroller first furnishes a certificate demonstrating that the necessary funds are available in the City Treasury; and

BE IT FURTHER RESOLVED, that the City Manager be, and is hereby authorized to negotiate and execute a Cooperative Agreement with the County of San Diego, San Diego Association of Governments and California Department of Transportation for funding and construction of State Route 56 from west of Carmel Mountain to east of Black Mountain Road, provided that the City Auditor and Comptroller first furnishes a certificate demonstrating that the necessary funds are available in the City Treasury; and

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller is hereby authorized to accept, appropriate and expend an amount not to exceed \$15,400,000 from the County of San Diego, Fund 38960, for the purpose of funding an irrevocable commitment to partially fund the construction of State Route 56 from west of Carmel Mountain Road to east of Black Mountain Road, CIP 52-463.0, contingent upon the adoption of a Cooperative Agreement with the County of San Diego, San Diego Association of Governments and California Department of Transportation, provided that the City Auditor and Comptroller first furnishes a

certificate demonstrating that the necessary funds are available in the City Treasury; and

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller is hereby authorized to accept, appropriate and expend an amount not to exceed \$7,850,000 from the San Diego Association of Governments, Fund 38961, for construction of State Route 56 from west of Carmel Mountain Road to east of Black Mountain Road, CIP 52-463.0, provided that the City Auditor and Comptroller first furnishes a certificate demonstrating that the necessary funds are available in the City Treasury, contingent upon receipt of a fully-executed Program Supplement; and

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller is hereby authorized to accept, appropriate and expend an amount not to exceed \$3,692,934 in State-Local Transportation Partnership Program funds, Fund 38819, for construction of State Route 56 from west of Carmel Mountain Road to east of Black Mountain Road, CIP 52-463.0, provided that the City Auditor and Comptroller first furnishes a certificate demonstrating that the necessary funds are available in the City Treasury, contingent upon receipt of a fully-executed Program Supplement; and

BE IT FURTHER RESOLVED, that the expenditure of an amount not to exceed \$1,873,854 from Water Fund 41500, CIP 73-341.0, Rancho Bernardo No. 2, is hereby authorized for the construction of State Route 56 from west of Carmel Mountain Road to east of Black Mountain Road, provided that the City Auditor and Comptroller first furnishes a certificate demonstrating that the necessary funds are available in the City Treasury; and

BE IT FURTHER RESOLVED, that the City Manager be, and he is hereby authorized and empowered to use City Forces for the purpose of connections to the temporary and new

water mains, as required in connection with the construction of State Route 56 from Carmel Mountain Road to east of Black Mountain Road. This work can be done more economically by City Forces than if let by contract in an amount not to exceed \$107,160; and

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller is hereby authorized to transfer an amount not to exceed \$510,000 from CIP 73-331.0, Annual Allocation - CIP Contingencies to CIP 73-341.0, Rancho Bernardo Pipeline No. 2, for the purpose of providing funds for the construction of State Route 56 from west of Carmel Mountain Road to east of Black Mountain Road.

APPROVED: CASEY GWINN, City Attorney

By 
Jacqueline Mittelstadt
Deputy City Attorney

JM:km
6/24/99
Aud.Cert:9901326
Or.Dept:Purchasing
R-99-1571
Form=pcx.frm

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

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING AC 9901326
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 510,000.00 Fund 41500

Purpose Authorizing the transfer of funds from CIP 73-331.0, Annual Allocation CIP Contingencies, to CIP 73-341.0, Rancho Bernardo Pipeline No. 2 for Construction of State Route 56.

Date June 21, 1999 By: *Debra K Mendoya*
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	41500	760	391	4278	733310				\$510,000.00
TOTAL AMOUNT										\$510,000.00

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										

FUND OVERRIDE