

RESOLUTION NUMBER R- 292355

ADOPTED ON OCT 26 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 NOBEL DRIVE EXTENSION AND INTERCHANGE IMPROVEMENTS I-805, filed in the office of the City Clerk of The City of San Diego, California, on OCT 26 1999, and bearing official Document No. W.O. 119020A be and the same are hereby approved.
2. That the Contracts Services Division of The City of San Diego be, and he 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 contract with the lowest responsible bidder for the construction of NOBEL DRIVE EXTENSION AND INTERCHANGE IMPROVEMENTS I-805.
4. That the City Manager is hereby authorized to enter into a Cooperative Agreement with CalTrans to accept but not to exceed the amount of \$1,567,000 from CalTrans for the construction of NOBEL DRIVE EXTENSION AND INTERCHANGE IMPROVEMENTS I-805, on file in the office of the City Clerk of The City of San Diego, California, as Document No. RR- 292355 -1.

5. That the appropriation and expenditure of \$1,567,000 is authorized of which \$847,000 is STIP funds, Fund No. 38962, and \$720,000 is Minor A State Funds, Fund No. 38963, to increase CIP 52-362.0, NOBEL DRIVE EXTENSION AND INTERCHANGE IMPROVEMENTS I-805, contingent upon a fully executed Cooperative Agreement with CalTrans.

6. That the City Manager is hereby authorized to execute a Second Amendment to the Agreement for \$350,000 with Boyle Engineering Corporation, a California Corporation, to provide additional engineering design for the construction of NOBEL DRIVE EXTENSION AND INTERCHANGE IMPROVEMENTS I-805, CIP 52-362.0, on file in the office of the City Clerk of The City of San Diego, California, as Document No. RR- 292355 - 2 ..

7. That the City Manager is hereby authorized to enter into a Freeway Agreement with CalTrans for the construction of NOBEL DRIVE EXTENSION AND INTERCHANGE IMPROVEMENTS I-805, on file in the office of the City Clerk of The City of San Diego, California, as Document No. RR- 292355 - 3 .

8. That the expenditure of not to exceed \$21,301,879 from CIP 52-362.0, NOBEL DRIVE EXTENSION AND INTERCHANGE IMPROVEMENTS I-805, from Fund 79001, for construction of NOBEL DRIVE EXTENSION AND INTERCHANGE IMPROVEMENTS I-805, and for a Second Amendment to Agreement for an expenditure of \$350,000 are hereby authorized solely and exclusively for the purpose of providing funds for said project and related costs, provided that the City Auditor and Comptroller first furnishes a certificate demonstrating that the funds necessary for such expenditure are or will be on deposit in the City Treasury.

9. That the City Manager be, and he is hereby authorized and empowered to execute the Right-of-Entry Agreement between San Diego Metropolitan Transit Development Board, North San Diego County Transit Development Board and San Diego Northern Railway which requires the City to defend indemnity and hold harmless those parties for any loss or damages as a result of any loss or injury from the construction of NOBEL DRIVE EXTENSION AND INTERCHANGE IMPROVEMENTS I-805.

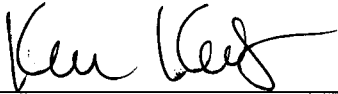
10. That the City of San Diego, as Lead Agency under California Environmental Quality Act, has prepared and completed an Environmental Impact Report, and under National Environmental Protection Agency, an Environmental Impact Statement, DEP File No. 9121-0397, dated May 6, 1998, covering this activity. The Council adopted said documents by Resolution R-290809 dated October 15, 1998.

11. That the expenditure of not to exceed \$2,000,000 from Fund CIP 52-362.0, NOBEL DRIVE EXTENSION AND INTERCHANGE IMPROVEMENTS I-805, from Fund 79001, is hereby approved for land acquisition costs solely and exclusively for the construction of NOBEL DRIVE EXTENSION AND INTERCHANGE IMPROVEMENTS I-805.

Right of Entry Agreement between San Diego Metropolitan Transit Development Board, North San Diego County Transit Development Board, and the San Diego Northern Railway, is on file in the Office of the City Clerk as Document No. RR- 292355 -4.

12. Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

APPROVED: CASEY GWINN, City Attorney

By   
Keri Katz  
Deputy City Attorney

KGK:aw:km  
10/06/99  
Aud.Cert:2000365  
Or.Dept:Contract Svcs.  
Bid No: K20017C  
R-2000-379  
Form=pcx.frm

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

**CERTIFICATE OF UNALLOTTED BALANCE**

AC 2000365  
ORIGINATING DEPT. NO.: 547

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.

\$24,868,879.00 Fund 30244 / 79001/38962 / 38963

Purpose Authorizing the appropriation & expenditure of funds for Nobel Drive Extension and Interstate

805 Interchange. (Contingent upon receipt of fully executed Cooperative Agreement.)

Date October 8, 1999

By: *Ro Becky Weber*

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
1		30244	30244	107	4279	523620		79001		\$23,301,879.00
2		38962			9544					847,000.00
3		38963			9544					720,000.00
TOTAL AMOUNT										\$24,868,879.00

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 \$ 350,000.00

Vendor Boyle Engineering Corporation

Purpose Authorizing the expenditure of funds for the Second Amendment to the Consultant Agreement

to provide engineering design for the Nobel Drive Extension and Interstate 805 Interchange.

Date October 8, 1999

By: *Ro Becky Weber*

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
1		30244	30244	107	41181	523620		79001		\$350,000.00
TOTAL AMOUNT										\$350,000.00

FUND OVERRIDE

*R* 292355

OCT 26 1999 AC 2000365