

RESOLUTION NUMBER R- 295494

ADOPTED ON SEP 24 2001

WHEREAS, on July 26, 1999, the City of San Diego [City] awarded a construction contract to Knox Electric, Inc. [Knox] for Construction of Traffic Signal Modification at Mira Mesa Boulevard and Pacific Heights Boulevard [Contract No. K99246]; and,

WHEREAS, the City and Knox have agreed that is not within their respective best interests to continue with the contract for the reasons set forth in the City Manager's docket supporting information; and,

WHEREAS, the City and Knox mutually agree to terminate the contract in accordance with section 6-5, Termination of Contract, of the Standard Specifications for Public Works Construction [Green Book].

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of San Diego that the City Manager is hereby authorized and directed to terminate Contract No. K99246 with Knox.

BE IT FURTHER RESOLVED that, in order to accomplish termination of the above-described contract, the City Manager is authorized and directed to execute an Termination and Release Agreement with Knox, which shall be placed on file with the City Clerk as Document No.

AR-295494


BE IT FURTHER RESOLVED that the City Auditor and Comptroller is hereby authorized to reprogram TransNet Fund 30300 from CIP No. 62-298.0, Clairemont Left Turn Pockets, to CIP No. 68-011.0, Modernize Top 5-10 Prioritized Traffic Signals, in an amount not

to exceed \$45,000.

BE IT FURTHER RESOLVED that the increased appropriation and expenditure of an amount not to exceed \$45,000 from CIP No. 68-011.0, Modernize Top 5-10 Prioritized Traffic Signals, is hereby authorized for the purpose of designing and constructing the traffic signal modification at Mira Mesa Boulevard and Pacific Heights Boulevard Project, Sublet C.P. No. 68-111.4.

BE IT FURTHER RESOLVED, that the Auditor and Comptroller is hereby authorized, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

APPROVED: CASEY GWINN, City Attorney

By 
Cristie C. McGuire
Deputy City Attorney

CCM:vl
8/24/01
Aud.Cert: 2101179
Or.Dept: Eng&CP
R-2002-319
Form=auagr.frm

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

CERTIFICATE OF UNALLOTTED BALANCE

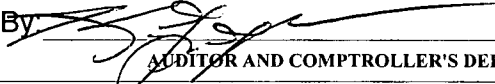
ORIGINATING AC 2101179
DEPT. NO.: 547

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.

Amount 45,000.00 Fund 30244/30300

Purpose Authoring the expenditure of funds for the Construction of Mira Mesa Boulevard.

Date May 17, 2001

By: 
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 | 30244 | 30244 | 108 | 4279 | 622980 | | 30300 | | \$45,000.00 |
| | | | | | | | | | | |
| | | | | | | | | | | |
| | | | | | | | | | | |
| TOTAL AMOUNT | | | | | | | | | | \$45,000.00 |

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 |
| | | | | | | | | | | |
| | | | | | | | | | | |
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| | | | | | | | | | | |
| TOTAL AMOUNT | | | | | | | | | | |

FUND OVERRIDE

R-295494

SEP 24 2001

AC 2101179