

(R-2002-1107)

RESOLUTION NUMBER R- 296142

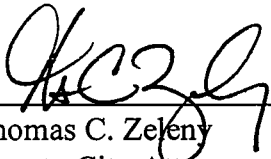
ADOPTED ON JAN 29 2002

WHEREAS, in Closed Session on January 29, 2002, the City Council, by the following vote: Yeas, Districts 2, 3, 4, 5, 6, 7, 8, and Mayor, Nays, None, Not Present, District 1, approved the settlement of claims submitted by Nielsen Dillingham Builders in connection with construction projects at the Metropolitan Biosolids Center and the Point Loma Wastewater Treatment Plant; NOW THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the City Manager be and he is hereby authorized and empowered to pay the total sum of \$4,530,406 from Fund No. 41509 in full settlement of each and every claim against the City of San Diego, its agents and employees, brought by Nielsen Dillingham Builders in connection with said construction projects.

APPROVED: CASEY GWINN, City Attorney

By



Thomas C. Zeleny
Deputy City Attorney

TCZ:ccm
2/21/02
Aud.Cert:2200751
Or.Dept:MWWD
R-2002-1107
Form=claimr.frm

The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATE OF UNALLOTTED BALANCE AC 2200751

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 obligations and obligations 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: \$4,530,406.00

Vendor: Nielsen Dillingham Builders, Inc.

Purpose: Authorizing the expenditure of funds for the settlement of claim resulting from contractual claim relating to MBC Dewatered Biosolids Storage Facility and FIRP Pump Station.

Date: January 24, 2002

By: *Victoria DeLoza*
 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	41509	779		4278	198884				\$3,527,700.00
2	0	41509	779		4278	198084				1,002,706.00
TOTAL AMOUNT										\$4,530,406.00

FUND OVERRIDE

R-296142 JAN 29 2002