

RESOLUTION NUMBER R- 296716

ADOPTED ON JUN 24 2002

BE IT RESOLVED, by the Council of the City of San Diego, that Change Order No. 3, dated June 5, 2002, on file in the office of the City Clerk as Document No. RR- 296716-1, issued in connection with the Black Mountain Road design/build contract between the City and Archer Western Contractors, Ltd., said contract having been filed in the office of the City Clerk as Document No. RR-294873, is hereby approved, together with the changes therein set forth, which transfers most of the cost of insuring the project's construction from the City to the contractor and amounts to a net increase in the contract price of \$1,229,436.00.

BE IT RESOLVED, by the Council of the City of San Diego, that the City Manager is hereby authorized and empowered to execute, for and on behalf of the City, an amendment to the agreement of May 22, 2001, with Archer Western Contractors, Ltd., for design/build services in connection with the Black Mountain Road Pipelines, under the terms and conditions set forth in the First Amendment to Agreement on file in the office of the City Clerk as Document No. RR- 296716-2.

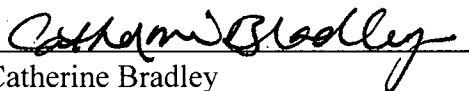
BE IT FURTHER RESOLVED, that the City Auditor and Comptroller is hereby authorized to transfer the amount of \$923,134.00 as follows: \$467,685.42 within Water Fund No. 41500, from CIP 73-338.0, Water Department Central Facility, to CIP 73-341.0, Black Mountain Road Pipeline; and \$455,448.58 within Water Fund No. 41500, from CIP 73-338.0,

Water Department Central Facility, to CIP 70-954.0, North City Reclamation System (Black Mountain Road Reclaimed Water Pipeline).

BE IT FURTHER RESOLVED, that the expenditure of \$788,987.42 from Water Fund No. 41500, CIP 73-341.0, Black Mountain Road Pipeline and \$455,448.58 from Water Fund No. 41500, CIP 70-954.0, North City Water Reclamation System (Black Mountain Road Reclaimed Water Pipeline) is hereby authorized solely and exclusively to provide funds for the above Change Order No. 3 and additional engineering costs, provided that the City Auditor first furnishes one or more certificates certifying that funds are, or will be, on deposit with the City Treasurer.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller is further authorized to transfer excess budgeted funds, if any, to the appropriate reserves on advice of the administering department.

APPROVED: CASEY GWINN, City Attorney

By 
Catherine Bradley
Deputy City Attorney

CB:mb
06/12/02
Dept:Water
Aud.Cert:2201197
CIP-14-02-049
R-2002-1677
Form=co2r.frm

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

CERTIFICATE OF UNALLOTTED BALANCE

AC 2201197
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: \$1,244,436.00 Fund: 41500

Purpose: Authorizing the transfer of \$923,134.00 from Fund 41500, CIP733380 and the expenditure for the Construction Change Order #3 and additional engineering costs for the Black Mtn. Rd. Pipeline project (Portable and Reclaimed).

Date: June 12, 2002 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 | 41500 | 760 | 391 | 4278 | 184270 | | | | \$923,134.00 |
| 2 | 0 | 41500 | 760 | 391 | 41182 | 184307 | | | | \$9,525.00 |
| 3 | 0 | 41500 | 760 | 391 | 41182 | 186443 | | | | \$5,475.00 |
| TOTAL AMOUNT | | | | | | | | | | \$938,134.00 |
| FUND OVERRIDE <input type="checkbox"/> | | | | | | | | | | |

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: \$1,229,436.00

Vendor: Archer Western Contractors LTD.

Purpose: Authorizing the expenditure of funds for Change Order #3 which transfers most of the cost of insuring the Black Mountain Rd. Pipeline project's construction from the City to the Contractor.

Date: June 12, 2002 By: Esther Musari

AUDITOR AND COMPTROLLER'S DEPARTMENT

| ACCOUNTING DATA | | | | | | | | | | |
|--|-------|-------|------|--------|---------|-----------|-------------------|-------------|----------|----------------|
| ACCTG. LINE | CY PY | FUND | DEPT | ORG. | ACCOUNT | JOB ORDER | OPERATION ACCOUNT | BENF/ EQUIP | FACILITY | AMOUNT |
| 001 | 0 | 41500 | 760 | 391040 | 4905 | 184314 | | | | \$779,462.42 |
| 002 | 0 | 41500 | 760 | 391040 | 4905 | 186454 | | | | 449,973.58 |
| TOTAL AMOUNT | | | | | | | | | | \$1,229,436.00 |
| FUND OVERRIDE <input type="checkbox"/> | | | | | | | | | | |

AC-361 (REV 2-92)

note: The Contract/Agreement is Pending the approval of the request to transfer funds.

AC 2201197

R-296716

JUN 24 2002